

PENNSYLVANIA BULLETIN

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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 284, July 1998

PENNSYLVANIA



BULLETIN

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Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

Bulletin before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

Citation to the *Pennsylvania Bulletin*

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where "no fiscal impact" is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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List of Pa. Code Chapters Affected

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION [204 PA. CODE CH. 29]

[Correction]

Promulgation of Financial Regulation Pursuant to 42 Pa.C.S.A. § 3502(a); No. 195; Doc. No. 1

An error occurred in the document amending 204 Pa. Code §§ 29.402—29.404 which appeared at 28 Pa.B. 3252 (July 11, 1998). The fees that were bracketed were not accurate in reflecting an amendment to these sections which was published at 27 Pa.B. 2734 (June 7, 1997). The following correction in Annex A corrects this error.

The new fees outlined in the Financial Regulations are effective as of January 1, 1999.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.402. Costs under 42 Pa.C.S. § 1725.1.

(a) *Civil cases.*—In calendar year [1998] 1999, the costs to be charged by district justices in every civil case, except as otherwise provided in this section, shall be as follows:

- (1) Actions involving \$500 or less... [\$35.00] \$35.50
- (2) Actions involving more than \$500 but not more than \$2,000 [\$46.00] \$47.00
- (3) Actions involving more than \$2,000 but not more than \$4,000..... [\$57.50] \$58.50
- (4) Actions involving more than \$4,000 but not more than \$8,000..... [\$86.50] \$88.00
- (5) Landlord-tenant actions involving less than \$2,000 [\$52.00] \$53.00
- (6) Landlord-tenant actions involving more than \$2,000 but not more than \$4,000 [\$63.50] \$64.50
- (7) Landlord-tenant actions involving more than \$4,000 but not more than \$8,000 [\$86.50] \$88.00
- (8) Order of execution..... [\$26.00] \$26.50
- (9) Objection to levy [\$11.50] \$12.00
- (10) Reinstatement of complaint.....\$6.00
- (11) Entering Transcript on Appeal or Certiorari ..\$3.00

(b) *Criminal cases.*—In calendar year [1998] 1999, the costs to be charged by the minor judiciary or by the court of common pleas where appropriate in every criminal case, except as otherwise provided in this section, shall be as follows:

- (1) Summary conviction, except motor vehicle cases [\$33.00] \$33.50
- (2) Summary conviction, motor vehicle cases, other than paragraph (3).. [\$26.00] \$26.50
- (3) Summary conviction, motor vehicle cases, hearing demanded..... [\$31.00] \$31.50
- (4) Misdemeanor [\$37.50] \$38.50
- (5) Felony..... [\$43.50] \$44.00

(c) *Unclassified costs or charges.*—In calendar year [1998] 1999, the costs to be charged by the minor judiciary in the following instances not readily classifiable shall be as follows:

- (1) Entering transcript of judgment from another member of the minor judiciary.....\$6.00
- (2) Marrying each couple, making record thereof, and certificate to the parties [\$29.00] \$29.50
- (3) Granting emergency relief pursuant to 23 Pa.C.S. Ch. 61 (relating to protection from abuse) [\$11.50] \$12.00
- (4) Issuing a search warrant (except as provided in subsection (d))..... [\$11.50] \$12.00
- (5) Any other issuance not otherwise provided in this subsection [\$11.50] \$12.00

§ 29.403. Fines under 42 Pa.C.S. § 3571.

In calendar year 1999, Commonwealth portions of fines, etc.:

* * * * *

- (2) Amounts payable to the Commonwealth:
 - (i) Summary conviction, except motor vehicle cases [\$11.58] \$11.76
 - (ii) Summary conviction, motor vehicle cases other than subparagraph (iii) [\$11.58] \$11.76
 - (iii) Summary conviction, motor vehicle cases, hearing demanded.. [\$11.58] \$11.76
 - (iv) Misdemeanor [\$15.00] \$15.40
 - (v) Felony [\$23.20] \$23.47
 - (vi) Assumpsit or trespass involving:
 - (A) \$500 or less [\$14.58] \$14.79
 - (B) More than \$500 but not more than \$2,000 [\$23.00] \$23.50
 - (C) More than \$2,000 but not more than \$4,000 [\$34.50] \$35.10
 - (D) More than \$4,000 but not more than \$8,000 [\$57.67] \$58.67
 - (vii) Landlord-tenant proceeding involving:
 - (A) \$2,000 or less..... [\$23.12] \$23.56
 - (B) More than \$2,000 but not more than \$4,000 [\$28.87] \$29.32
 - (C) More than \$4,000 but not more than \$8,000 [\$40.37] \$41.07
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 - (ix) Order of execution [\$17.33] \$17.67
 - (x) Issuing a search warrant (except as provided in section 1725.1(d) (relating to costs)) [\$ 8.05] \$ 8.40

(Editor's Note: Ellipses refer to the text of 42 Pa.C.S. § 3571.)

§ 29.404. Fee schedule under 15 Pa.C.S. § 153.

(a) *General rule.* [The] In calendar year 1999, the fees of the Corporation Bureau of the Department of State, including fees for the public acts and transactions of the Secretary of the Commonwealth administered through the bureau, and of county filing officers under Title 13 (relating to commercial code), shall be as follows:

* * * * *

- (8) Uniform Commercial Code:
 - (i) Financing statement—per debtor name:
 - (A) Fee charged by Department of State . . . \$12.00
 - (B) Fee charged by County [\$55.50] \$56.50
 - Amount payable to Commonwealth [\$41.60] \$42.35
 - Amount payable to County . [\$13.90] \$14.15
 - (ii) Each ancillary transaction:
 - (A) Fee charged by Department of State . . . \$12.00
 - (B) Fee charged by County [\$55.50] \$56.50
 - Amount payable to Commonwealth [\$41.60] \$42.35
 - Amount payable to County . [\$13.90] \$14.15
 - (iii) Search—per debtor name:
 - (A) Fee charged by Department of State . . . \$12.00
 - (B) Fee charged by County [\$55.50] \$56.50
 - Amount payable to Commonwealth [\$41.60] \$42.35
 - Amount payable to County . [\$13.90] \$14.15
 - (iv) Additional fee for each financing statement found and for each statement of assignment reported therein:
 - (A) Fee charged by Department of State \$1.00
 - (B) Fee charged by County [\$5.00] \$5.00
 - Amount payable to Commonwealth [\$3.75] \$3.75
 - Amount payable to County . [\$1.25] \$1.25
 - (v) For each financing statement or ancillary transaction not filed on standard forms approved by the Department of State, in addition to the fee provided above, there shall be charged a per filing fee of:
 - (A) Fee charged by Department of State . . . \$28.00
 - (B) Fee charged by County [\$129.00] \$131.00
 - Amount payable to Commonwealth [\$96.75] \$98.25
 - Amount payable to County . [\$32.25] \$32.75

* * * * *

(Editor's Note: Ellipses refer to the text of 15 Pa.C.S. § 153.)

[Pa.B. Doc. No. 98-1088. Filed for public inspection July 10, 1998, 9:00 a.m.]

PART IV. ADMISSION TO PRACTICE LAW
[204 PA. CODE CH. 71]

Adoption of Rule 105 of the Pennsylvania Bar Admission Rules; No. 199; Supreme Court Rules Doc. No. 1

Order

Per Curiam:

And Now, this 9th day of July, 1998, the Pennsylvania Bar Admission Rules are amended by the adoption of Rule 105 to read as follows:

To the extent that notice of proposed rulemaking would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate adoption of Pa. B.A.R. 105 is hereby found to be required in the interest of justice and efficient administration.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE OF LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter A. PRELIMINARY PROVISIONS

Rule 105. CIVIL IMMUNITY OF THE BOARD OF LAW EXAMINERS, ITS MEMBERS, EMPLOYEES AND AGENTS AND ENTITIES PROVIDING INFORMATION REGARDING AN APPLICANT TO THE BOARD.

(A) The Board of Law Examiners, and its members, employees, and agents are immune from all civil liability for conduct and communications occurring in the performance of their official duties relating to the examination, character and fitness qualification, and licensing of persons seeking to be admitted to the practice of law.

(B) Records, statements of opinion and other information regarding an applicant for admission to the bar communicated by any entity, including any person, firm, or institution, without malice, to the Board of Law Examiners, or to its members, employees or agents are privileged, and civil suits predicated thereon may not be instituted.

[Pa.B. Doc. No. 98-1181. Filed for public inspection July 24, 1998, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 89]

Amendment to the Rules of Organization and Procedure of the Board; Order No. 53; Doc. R-124

In this Order, the Disciplinary Board of the Supreme Court of Pennsylvania is adopting a technical correction to its Rules of Organization and Procedure relating to the procedure for reinstatement of suspended or disbarred attorneys.

Rule 218(b) of the Rules of Disciplinary Enforcement provides that a person who has been disbarred may not apply for reinstatement until the expiration of at least five years from the date of disbarment. The Rules of Disciplinary Enforcement, however, do not restrict when a person who has been suspended may apply for reinstatement. The rules of the Board provide in § 89.272(b) that the Board will entertain a petition for reinstatement filed within nine months prior to the expiration of a suspension or disbarment, which is inconsistent with Pa.R.D.E. 218(b). The Board is accordingly amending § 89.272(b) to conform to Pa.R.D.E. 218(b) with respect to persons applying for reinstatement after disbarment. No change is being proposed with respect to persons applying for reinstatement after a suspension because the Board rule is not inconsistent with the Rules of Disciplinary Enforcement in that respect.

The Disciplinary Board of the Supreme Court of Pennsylvania hereby finds that the amendment to the Rules of Organization and Procedure of the Board adopted hereby is not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and is necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Rule 205(c)(10) of the Pennsylvania Rules of Disciplinary Enforcement, orders:

- (1) Title 204 of the Pennsylvania Code is hereby amended as set forth in Annex A hereto.
- (2) The Secretary of the Board shall duly certify this Order and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).
- (3) The amendments adopted hereby shall take effect upon publication in the *Pennsylvania Bulletin* and shall apply to petitions for reinstatement filed on or after that date.
- (4) This Order shall take effect immediately.

By The Disciplinary Board of the Supreme Court of Pennsylvania

ELAINE M. BIXLER,
Executive Director & Secretary

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

CHAPTER 89. FORMAL PROCEEDINGS

Subchapter F. REINSTATEMENT AND RESUMPTION OF PRACTICE

REINSTATEMENT OF FORMERLY ADMITTED ATTORNEYS

§ 89.272. Waiting period.

* * * * *

(b) *Premature petitions.* Unless otherwise provided in an order of suspension or disbarment, the Board will not entertain a petition for reinstatement filed [**more than nine months**] prior to the expiration of the period set forth in subsection (a), or **more than nine months prior to the expiration** of the term of suspension, as the case may be. The Board will also not entertain a petition for reinstatement filed before the formerly admitted attorney has paid in full any costs taxed under § 89.209 (relating to expenses of formal proceedings) or under § 89.278 (relating to expenses of reinstatement proceedings) with respect to any previous reinstatement proceeding and has made any required restitution to the Lawyers Fund for Client Security under Enforcement Rule 531 (relating to restitution a condition for reinstatement).

* * * * *

[Pa.B. Doc. No. 98-1182. Filed for public inspection July 24, 1998, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONROE COUNTY

Local Civil Rule 1905A. Violation of a Temporary or Final Order

Order

And Now, July 6, 1998, the following Local Rule of Civil Procedure is adopted to be effective September 1, 1998.

By the Court

RONALD E. VICAN,
President Judge

Rule 1905A. Violation of a Temporary or Final Order.

If a temporary order of a District Justice is violated, or if a temporary order or final order of a Judge is violated, it shall be presumed that the Court of Common Pleas is unavailable and the arresting police officer shall take the defendant before a District Justice in the magisterial district in which the abuse for which relief is requested occurred. The District Justice shall advise the defendant:

- (1) That he or she is being charged with violating a temporary order of a District Justice or a Judge, as appropriate, or of a final order of a Judge, and
- (2)(a) That, if a violation of a temporary order of a District Justice, the matter will be referred to the Court after which a hearing will be set within ten (10) days; or

(b) That, if a violation of a temporary order of a Judge, that a hearing has already been set and the defendant shall be told of the time and the place of that hearing; or

(c) That, if the violation is of a final order of the Court, a hearing will be set by the Court within ten (10) days of the Court's receipt of the notice of the alleged violation; and

(3) Of the defendant's right to counsel, and the address and telephone number of the Monroe County Public Defender's Office.

The District Justice shall then consider bail for the defendant in accordance with any and all applicable Bail Rules.

[Pa.B. Doc. No. 98-1183. Filed for public inspection July 24, 1998, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF EDUCATION

[22 PA. CODE CH. 33]
College and University Security

The State Board of Education (Board) proposes to amend Chapter 33 (relating to college and university security) to read as set forth at Annex A, under authority of sections 2502-1—2502-5, 2603-B and 2604-B of the Public School Code of 1949 (24 P. S. §§ 2502-1—2502-5, 26-2603-B and 26-2604-B).

Chapter 33 governs the responsibility of institutions of higher education to report crime statistics and rates and to provide descriptions of security policies and procedures to applicants, matriculated students and employees. Proposed amendments to §§ 33.111 and 33.131 (relating to reporting crime statistics and rates; and assurance of compliance) and the addition of § 33.114 (relating to daily logs and public records) are designed to assist colleges and universities understand their responsibilities under the act of October 13, 1994 (P. L. 591, No. 87) (Act 87) requiring institutions of higher education to make available to the public daily logs of campus crimes.

Colleges and universities are currently required to collect statistics on and report rates of crimes occurring on campus. Act 87 requires colleges and universities to keep and maintain a daily log of campus crime activity and make it available for public inspection.

Purpose

The purpose of amending §§ 33.111 and 33.131 and adding § 33.114 is to ensure that institutions provide clear, readable and consistent information in their campus crime logs. There has been some unevenness in the quality, legibility and accessibility of campus crime logs and their entries. The amendments and additions will alleviate this problem.

Affected Parties

The proposed amendments will benefit Commonwealth students, employees of colleges and universities and citizens concerned about the extent of criminal activities on college and university campuses. The proposed amendments will affect the college and university personnel responsible for recordkeeping (specifically related to campus crimes).

Cost and Paperwork Estimates

Proposed amendments to §§ 33.111 and 33.131 and the addition of § 33.144 will not substantially alter paperwork, accounting or reporting requirements already in place. While the proposed amendments will affect the recordkeeping of colleges and universities, it is not expected that this affect will increase cost or paperwork to any significant or measurable degree.

Effective Date

These proposed amendments will become effective upon final publication in the *Pennsylvania Bulletin*.

Sunset Date

The effectiveness of Chapter 33 will be reviewed by the Board every 4 years, in accordance with the Board's

policy and practice respecting all regulations of the Board. Thus, no sunset date is necessary.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 9, 1998, the Board submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Education. In addition to submitting the proposed amendments, the Board has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Improving Government Regulations." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Board within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendments, by the Board, General Assembly and the Governor of objections raised.

Public Comments and Contact Person

Interested persons are invited to submit written comments, suggestions or objections regarding this proposal to Peter H. Garland, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333 within 30 days of publication in the *Pennsylvania Bulletin*. Persons needing additional information regarding this proposal may contact Peter H. Garland at (717) 787-3787.

Persons with disabilities needing an alternative means of providing public comment may make arrangements by calling Dr. Garland at (717) 787-3787 or TDD (717) 787-7367.

Alternative formats of the proposed amendments and additions (such as, braille, large print, cassette tape) can be made available to members of the public upon request to Dr. Garland at the telephone and TDD numbers listed.

PETER H. GARLAND,
Executive Director

Fiscal Note: 6-261. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subpart C. HIGHER EDUCATION

CHAPTER 33. COLLEGE AND UNIVERSITY SECURITY

CRIME REPORTING AND DAILY LOGS

§ 33.111. Reporting crime statistics and rates.

* * * * *

(b) *Reporting to students and employees.* Annually, each institution of higher education shall publish a crime report containing the crime statistics and crime rates for the most recent 3-year period. The report shall be distributed as required under § 33.112 (relating to distributing crime reports to students and employees). If the institution has more than one campus, the crime report shall include campus-by-campus crime statistics and rates, and

the institution may distribute to students and employes the information applicable only to their campus or the information applicable to all of the institution's campuses. A description of the campus and an explanation of campus boundaries shall be provided with the report. If abbreviations or codes are used in the annual report, an explanation of the abbreviations or codes shall be provided with the report.

* * * * *

(3) All valid complaints contained in the daily crime log shall be included in the annual report.

§ 33.114. Daily logs and public records.

(a) The daily log is a public record, and institutions shall ensure public access to the daily log during regular business hours and at all other reasonable times without cost.

(b) The daily log shall include a report of each valid complaint as defined in section 2 of the act (24 P. S. § 2502-2) and all reports of crimes received by the campus police or campus security officers and the disposition of these complaints. The log shall include all felonies, misdemeanors and summary offenses. In the event of an arrest, the log shall give the names and addresses of persons arrested and charged. The names and addresses of persons arrested by State, county or local police on the campus shall be included in the daily log. Names and addresses may not, however, be included in the daily log unless arrests have been made and charges filed. This section does not amend the provisions concerning juveniles given in section 3(b.3) of the act (24 P. S. § 2502-3(b.3)).

(c) Entries in the daily log shall be typed or printed legibly and arranged in chronological order. If abbreviations or codes are used in the log, an explanation of the abbreviations or codes shall be provided to the public with the log.

(d) A description of campus boundaries used in reporting incidents in the daily log shall be provided with the daily log.

(e) The addresses of local police departments with jurisdiction over areas in immediate proximity of the campus shall be provided with the log.

ASSURANCE OF COMPLIANCE

§ 33.131. Assurance of compliance.

* * * * *

(d) An institution of higher education shall make its published crime reports, daily logs and security procedures available to the Office of Attorney General or the Department upon request.

[Pa.B. Doc. No. 98-1184. Filed for public inspection July 24, 1998, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 93]

Public Meeting/Hearing on Proposed Redesignation of Trout Run

Westmoreland County

The Department of Environmental Protection (DEP) and the Environmental Quality Board (EQB) will jointly hold a public meeting/hearing to respond to questions and to receive testimony on a proposal to redesignate the Trout Run basin, from its source to the inlet of the Blairsville Municipal Authority Reservoir, from Cold Water Fishes (CWF) to Exceptional Value (EV). DEP studied this stream as a result of a petition submitted in September 1995 by the Blairsville Municipal Authority. The EQB approved DEP's recommendation for redesignation on January 20, 1998. The proposal was published at 28 Pa.B. 1635 (April 4, 1998) and the Latrobe Bulletin for public comment on April 4, 1998.

During the public comment period the EQB received requests to conduct a public hearing regarding Trout Run. The public meeting/hearing will be held as follows:

September 1, 1998 Derry Area High School
6:30 p.m. The Audion
928 North Chestnut Street Extension
Derry, Pa.

The public meeting will begin at 6:30 p.m. with DEP explaining the proposal and responding to questions. The EQB public hearing will follow at approximately 7:30 p.m. at which time witnesses may present testimony to the EQB regarding the proposed redesignation. The hearing will be fact-finding in nature where interested persons may present information to the EQB for consideration prior to taking action on the final recommendation that DEP will develop some time next year.

Written comments, suggestions or objections regarding the proposed redesignation may also be submitted to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: 15th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301). Comments must be received by September 15, 1998. Comments received by facsimile will not be accepted. Electronic comments may be submitted to RegComments@a1.dep.state.pa.us. In addition to written or electronic comments, interested persons may submit a summary of their comments to the EQB. The summary cannot exceed one page in length and must also be received by September 15, 1998. The one-page summary will be provided to each member of the EQB in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

Persons wishing to present testimony at the hearing are requested to contact Kate Coleman at (717) 787-4526 at least 1 week in advance of the hearing to reserve a

time to present testimony. Oral testimony is limited to 5 minutes for each witness and one designated witness for each organization. Witnesses are requested to submit three written copies of their testimony to the hearing chairperson.

Persons with a disability who wish to attend the meeting/hearing and require an auxiliary aid, service or other accommodation in order to participate should contact Kate Coleman at the above telephone number or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how their needs may be accommodated.

Copies of this regulatory proposal and the survey report may be obtained from Edward Brezina, Chief, Division of Water Quality Assessment and Standards, Bureau of Watershed Conservation, Department of Environmental Protection, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-9637, or e-mail at Brezina.Edward@a1.dep.state.pa.us.

JAMES M. SEIF,
DEP Secretary and EQB Chairperson

[Pa.B. Doc. No. 98-1185. Filed for public inspection July 24, 1998, 9:00 a.m.]

NOTICES

AREA TRANSPORTATION AUTHORITY OF NORTH CENTRAL PENNSYLVANIA

Pennsylvania Statewide Marketing Initiative Phase I; Request for Proposals

The Area Transportation Authority of North Central Pennsylvania (ATA), on behalf of the Pennsylvania Public Transportation Association (PPTA), and the Pennsylvania Department of Transportation, (PADOT), is soliciting the procurement of services from qualified individuals/firms to successfully complete a Statewide public transportation marketing project.

The project and instructions are described in a document titled "Request for Proposals—PA Statewide Marketing Initiative Phase I."

The Request for Proposals (RFP) packet can be obtained by regular mail or electronically by requesting, in

writing, a copy of the RFP from the Director of Marketing, Area Transportation Authority, 523 Market Street, Johnsonburg, PA 15845. E-mail requests will be received by sending an e-mail request to ATA@ncentral.com. A return e-mail address, contact, and organization's name must be provided in the request.

Requests for copies of the RFP packet should be made by July 27, 1998 in order to be able to comply with the proposal submission dates included in the RFP.

A mandatory Pre-Bid Conference will be conducted on July 27, 1998 at 1 p.m. eastern time at the offices of the PPTA located at the Pennsylvania East Gate Center, 1010 North 7th Street, Suite 307, Harrisburg, PA 17102.

We are an Affirmative Action Equal Opportunity M/F Employer.

JERRY CARIBARDI,
Marketing Director

[Pa.B. Doc. No. 98-1186. Filed for public inspection July 24, 1998, 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 14, 1998.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
7-14-98	Susquehanna Bancshares, Inc., Lititz, to acquire 100% of the voting shares of Cardinal Bancorp, Inc., Everett	Lititz	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-10-98	Mid Penn Bank, Millersburg, and Miners Bank of Lykens, Lykens Surviving Institution— Mid Penn Bank, Millersburg	Millersburg	Effective

All branch offices of Miners Bank of Lykens will become branch offices of Mid Penn Bank upon consummation of the merger including the former main office of Miners Bank of Lykens located at:

550 Main Street
Lykens
Dauphin County

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-1-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market Roslyn Shopping Center Easton and Susquehanna Rds. Roslyn Montgomery County	Opened
7-9-98	Fidelity Deposit & Discount Bank Dunmore Lackawanna County	Bruno's Market 401 Kennedy Boulevard Pittston Luzerne County	Opened
7-14-98	Parkvale Savings Bank Monroeville Allegheny County	307 Fourth Avenue Pittsburgh Allegheny County	Approved
7-14-98	Reliance Savings Bank Altoona Blair County	Corner of North Pine Street and Logan Blvd. Lakemont Altoona Blair County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-6-98	Investors Trust Company Wyomissing Berks County	8200 Flourtown Ave. Wyndmoor Montgomery County	Effective

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 98-1187. Filed for public inspection July 24, 1998, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Loyola University, New Orleans, LA for Approval to Operate in Pennsylvania; Oppor- tunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Loyola University, New Orleans, LA for a Certificate of Authority approving the institution's request to operate in Pennsylvania.

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

All petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-6576 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 Suzanne B. Markowicz at (717) 787-6576 to discuss how the Department of Education may best accommodate their needs.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 98-1188. Filed for public inspection July 24, 1998, 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 standard and regulations the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day 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 accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

PA 0051004. Sewage, **Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 19438.

This application is for renewal of an NPDES permit to discharge treated sewage from Indian Hill Sewage Treatment plant in Lower Salford Township, **Montgomery County**. This is an existing discharge to West Branch Skippack Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 7,000 gpd are as follows:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	6.0		12.0
Phosphorus (as P)			
(4-1 to 10-31)	2.0		4.0
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Residual Chlorine			
(issuance through year 2)	monitor/report		monitor/report
(year 3 through expiration)	0.5		1.2

Other Conditions:

The EPA waiver is in effect.

Conditions for future permit modification.

PA 0057428. Sewage, **Robert A. Payne**, Molly's Run Country Kennels, 2205 Wentz Church Road, Lansdale, PA 19446.

This application is for issuance of an NPDES permit to discharge treated sewage from Molly's Run Country Kennels sewage treatment plant in Worcester Township, **Montgomery County**. This is a new discharge to Molly's Run Country Kennels.

The receiving stream is classified for the following uses: trout stocking fishery.

The proposed effluent limits for Outfall 001, based on an average flow of 1,500 gallons per day are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	10	20
Ammonia (as N)	3	6
Total Residual Chlorine	0.7	1.6
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

Other Conditions:

The EPA waiver is in effect.

PA 0051586. Sewage, **Clover D Inc./ta Tohickon Family Campground**, 2145 Worthington Avenue, Bethlehem, PA 18017.

This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant serving a seasonal campground in East Rockhill Township, **Bucks County**. This is an existing discharge to Tohickon Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.0288 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	15	30
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Phosphorus (as P)	0.5	1.0
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0020575. Sewage, **Rose Valley Borough**, P. O. Box 198, Rose Valley, PA 19065.

This application is for renewal of an NPDES permit to discharge treated sewage from Rose Valley Borough STP in Borough of Rose Valley, **Delaware County**. This is an existing discharge to Ridley Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.13 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 2.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0051322. Sewage, **Lee J. Barthold**, 35 Valley Green Drive, Doylestown, PA 18901.

This application is for renewal of an NPDES permit to discharge treated sewage from small flow sewage treatment plant in Doylestown Township, **Bucks County**. This is an existing discharge to unnamed tributary to Neshaminy Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0057461. Sewage, **Daniel Ranker**, 1720 Upper State Road, New Britain, PA 18901.

This application is for issuance of an NPDES permit to discharge treated sewage from the Ranker Residence sewage treatment plant in West Rockhill Township, **Bucks County**. This is a new discharge to unnamed tributary to Three Mile Run.

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

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

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

Other Conditions:

The EPA waiver is in effect.

PA 0011070. Industrial waste, **Knoll, Inc.**, 1235 Water Street, East Greenville, PA 18041.

This application is for renewal of an NPDES permit to discharge treated process wastewater, treated sewage, noncontact cooling water and stormwater from Knoll, Inc. facility in Upper Hanover Township, **Montgomery County**. This is an existing discharge to Perkiomen Creek.

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

The proposed effluent limits for Outfall 001, (only during noncontact cooling water discharge) based on an average flow of 0.056 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfall 001 (only during Sewage treatment plant discharge), based on an average flow of 0.023 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Phosphorus (as P)	1.0	2.0
Fecal Coliform	200 colonies/100 ml as a geometric average	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6.0—9.0 standard units at all times	
Total Residual Chlorine (issuance through year 2) (Year 3 through expiration)	monitor/report 0.5	monitor/report 1.2

The proposed effluent limits for Outfall 001 (only during industrial wastewater plant discharge), based on an average flow of 0.02 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
Oil and Grease	15	30	30
pH	within limits of 6.0—9.0 standard units at all times		
Ammonia as N (5-1 to 10-31)	10	20	25
(11-1 to 4-30)	20	40	50
Phosphorous as P	1.0	2.0	2.5
Cadmium, Total	0.032	0.064	0.080
Chromium, Total	0.11	0.22	0.28
Copper, Total	0.14	0.28	0.35
Lead, Total	0.43	0.86	1.1
Nickel, Total	2.38	4.76	6.0
Silver, Total	0.020	0.040	0.050
Zinc, Total	0.92	1.84	2.3
Cyanide, Total	0.65	1.30	1.60
Total Toxic Organics (TTO)		2.13	

The proposed effluent limits for Outfall 004, (during emergency discharge of noncontact-cooling water) based on average flow of 0.015 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature		110°F
pH	within limits of 6.0—9.0 standard units at all times	

The proposed effluent limits for Outfalls 002, 003 and 004 (stormwater) are as follows:

<i>Parameter</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	monitor/report
COD	monitor/report
Oil and Grease	monitor/report
pH	monitor/report
Total Suspended Solids	monitor/report
Total Kjeldahl Nitrogen	monitor/report
Total Phosphorus	monitor/report
Iron (Dissolved)	monitor/report

Other Conditions:

1. TTO Definition
2. Special Test Methods for certain pollutants.

The EPA waiver is in effect.

Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2553.

PA 0012751-A2. Industrial waste, SIC: 3341 and 2816, **Zinc Corporation of America, A Division of Horsehead Industries, Inc.**, c/o Thomas E. Janeck, Vice President, Environmental Services, Fourth Street and Delaware Avenue, Palmerton, PA 18071.

This proposed action is for amendment of an NPDES permit to discharge stormwater into Aquashicola Creek in Palmerton Borough, **Carbon County**.

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

The proposed effluent limits are for Outfall 025:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	monitor/report		
Oil and Grease	monitor/report		
Cadmium	monitor and report		
Lead	monitor and report		
Zinc	monitor and report		
pH	monitor and report		

The proposed amendment involves only the modification of effluent limits for stormwater Outfall 025. All other permit limits, expiration date and conditions remain the same.

The EPA waiver is not in effect.

PA 0061344. Industrial waste, SIC: 4961, **Westwood Energy Properties Limited Partnership**, P. O. Box 312, Tremont, PA 17981.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater (001) to Lower Rausch Creek in Frailey Township, **Schuylkill County**.

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

The proposed effluent limits for Outfall 001 based on a design flow of 0.36 mgd are:

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

Internal Monitoring Point 201

The proposed effluent limits, based on a design flow of 0.032 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lbs/day)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
TSS	30	100			
Oil and Grease	15	20			
pH	6.0—9.0 at all times				

Internal Monitoring Point 401

The proposed effluent limits, based on a design flow of 0.27 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lbs/day)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
Free Chlorine		0.2	0.5		
Total Chromium		0.2			
pH	6.0—9.0 at all times				
Total Zinc		1.0			

Internal Monitoring Point 501

The proposed effluent limits, based on a design flow of 0.001 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lbs/day)</i>	
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
CBOD ₅	25		50	0.21	
TSS	30		60	0.25	
pH	6.0—9.0 at all times				
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average				
(10-1 to 4-30)	2,000/100 ml as a geometric average				
Total Residual Chlorine					
1st Month—24th Month	monitor and report				
25th Month—Expiration		1.2		2.8	

The EPA waiver is in effect.

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

PA 0027197 (Amendment No. 1). SIC Code 4952, Sewage, **The Harrisburg Authority** (Harrisburg Advanced Wastewater Treatment Facility), One Keystone Plaza, Suite 104, Front and Market Streets, Harrisburg, PA 17101.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to the Susquehanna River, in the City of Harrisburg, **Dauphin County**.

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

The proposed amended effluent limits for Outfall 001 for a design flow of 37.7 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N (5-1 to 10-31)	report	report		report

The EPA waiver is not in effect.

PA 0024023. SIC Code 4952, Sewage, **Borough of Bernville**, P. O. Box 73, Bernville, PA 19506.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Northkill Creek, in Bernville Borough, **Berks County**.

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

The proposed interim effluent limits for Outfall 001 for a design flow of 0.14 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	20	XXX	40
Total Phosphorus	1	XXX	2
Total Residual Chlorine	0.5	XXX	1.64
Total Copper		shall be monitored	
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliform	200	XXX	29,000

The proposed final effluent limits for Outfall 001 for a design flow of 0.285 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	20	XXX	40
Total Phosphorus	1	XXX	2
Total Residual Chlorine	0.5	XXX	1.64
Total Copper (Interim)		shall be monitored	
Total Copper (Final)	0.004	0.008	0.01
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliform	200	XXX	15,000

The EPA waiver is not in effect.

Carroll Valley Sewer and Water Authority, 5685 Fairfield Road, P. O. Box 718, Fairfield, PA 17320 has applied to renew its current NPDES Permit, PA 0080039, to allow the continued discharge of controlled wastewaters into the waters of the Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew the permit, subject to the 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). Any 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 waiver provision 40 CFR 123.

Persons wishing to comment on the proposed permit are invited to submit a statement to the following address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered before taking a final permit action. Comments should include the name, address and telephone number of the writer and a brief statement to inform the Regional Office of the basis of the 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.

Department of Environmental Protection, Southcentral Regional Office, Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

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

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file in the Regional Office. The documents may be inspected at, or a copy requested from, the Regional Office listed above.

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

PA 0209635. SIC: 4952, **United Salt Northeast, L.L.C.**, 4800 San Felipe, Houston, TX 77056.

This proposed action is for issuance of an NPDES permit for a proposed discharge of treated sewage, condensed freshwater as part of the salt evaporation process and stormwater to Crooked Creek and unnamed tributary of Crooked Creek in Tioga Township, **Tioga County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the assumed downstream potable water supply (PWS) considered during the evaluation is a proposed intake on Crooked Creek, 8.7 miles below the discharge.

The proposed effluent limits for Outfall 001 based on a design flow of up to 2.3 mgd, are:

No monitoring at Outfall 001. All discharges to Outfall 001 shall be monitored at internal monitoring locations.

Internal Monitoring Point 101—Condensed freshwater created as part of the salt evaporation process that will require a stream discharge for disposal.

<i>Discharge Parameter</i>	<i>Average Monthly report</i>	<i>Minimum</i>	<i>Daily Averages</i>	<i>Instantaneous Maximum²</i>
Flow (mgd)				
Dissolved Oxygen		5.0		
pH (Std units)			within the range 6.0—9.0	
Total Dissolved Solids		150		200
Chloride		monitor		monitor
Temperature				
Jan 1-31			44	
Feb 1-29			44	
Mar 1-31			51	
Apr 1-15			54	
Apr 16-30			65	
May 1-15			68	
May 16-30			83	
Jun 1-15			90	
Jun 16-30			97	
Jul 1-31			98	
Aug 1-15			99	
Aug 16-31			99	
Sep 1-15			98	
Sep 16-30			87	
Oct 1-15			85	
Oct 16-31			74	
Nov 1-15			70	
Nov 16-30			54	
Dec 1-31			46	

Internal Monitoring Point 201—Package sewage treatment plant effluent.

<i>Discharge Parameter</i>	<i>Report</i>	<i>Report</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum²</i>
Flow (mgd)					
pH (Std Units)				within the range 6.0—9.0	
Total Cl ₂ Residual				2.0	4.6
CBOD ₅				25	50

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum²</i>
TSS		30	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 200/100 ml as a geometric average		

Internal Monitoring Point 301—Draw down of the retention basin.

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>
Flow (mgd)	report			
CBOD ₅				monitor
Chemical Oxygen Demand				monitor
Oil/Grease				monitor
pH (Std units)			within the range	6.0—9.0
Total Kjeldahl Nitrogen				monitor
Total Suspended Solids				monitor
Total Phosphorous				monitor
Dissolved Iron				monitor
Total Dissolved Solids				monitor
Chloride				monitor

Outfall 002—receives emergency stormwater overflow from a 24-hour-100 year frequency storm exceeding the holding capacity of the retention basin.

The proposed effluent limits, based on a design flow which varies, are:

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Flow (mgd)	report				
CBOD ₅				monitor	
Chemical Oxygen Demand				monitor	
Oil/Grease				monitor	
pH (Std units)			within the range	6.0—9.0	
Total Kjeldahl Nitrogen				monitor	
Total Suspended Solids				monitor	
Total Phosphorous				monitor	
Dissolved Iron				monitor	
Total Dissolved Solids				monitor	
Chloride				monitor	

Sampling required during every storm event which exceeds the holding capacity of the retention basin.

Outfall 003 and Outfall 004—receives stormwater from roof drains only within the manufacturing complex.

The proposed effluent limits, based on a design flow which varies, are:

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Flow (mgd)	report				
CBOD ₅				monitor	
Chemical Oxygen Demand				monitor	
Oil/Grease				monitor	
pH (Std units)			within the range	6.0—9.0	
Total Kjeldahl Nitrogen				monitor	
Total Suspended Solids				monitor	
Total Phosphorous				monitor	
Dissolved Iron				monitor	
Total Dissolved Solids				monitor	
Chloride				monitor	

Other Conditions: BMP's for stormwater discharges

The EPA waiver is in effect.

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

PA 0222569. Sewage, **Robert R. Smith**, 10301 Lake Pleasant Road, Waterford, PA 16441.

This application is for a new NPDES permit to discharge treated sanitary sewage to an unnamed tributary of the East Branch of LeBoeuf Creek in Greene Township, **Erie County**. This is a new discharge.

The receiving water is classified for trout stream fishery, aquatic life, water supply and recreation. There are no potable water supplies affected by this discharge.

The proposed effluent limits, based on average design flow of 0.001600 mgd, are:

Outfall 001

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	9	18
(11-1 to 4-30)	25	50
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	1.4	3.3
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	8,200/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0222551. Sewage, **Woodberry Development, Inc.**, 4720 Wattsburg Road, Erie, PA 16504.

This application is for a new NPDES permit to discharge treated sanitary sewage to an unnamed tributary to Brandy Run in Fairview Township, **Erie County**. This is a new discharge.

The receiving water is classified for cold water and migratory fishery, aquatic life, water supply and recreation. There are no potable water supplies affected by this discharge.

The proposed effluent limits, based on average design flow of 0.0016 mgd, are:

Outfall 001

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	8	16
(11-1 to 4-30)	24	48
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Phosphorus as P	1.0	
Total Residual Chlorine	1.4	3.3
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0220876. Sewage, **Paul S. Smith, d/b/a Country Greens, A Division of ISI, Inc.**, 10043 Peach Street, Girard, PA 16417.

This application is for renewal of an NPDES permit to discharge treated sewage to the East Branch of Conneaut Creek in Elk Creek Township, **Erie County**. This is an existing discharge.

The receiving water is classified for cold water and migratory fishery, aquatic life, water supply and recreation. There is no potable water supply affected by the proposed discharge.

The proposed effluent limits, based on average design flow of 0.0005 mgd, are:

Outfall 001

Parameter	Effluent Concentration (mg/l)	
	Average Monthly	Instantaneous Maximum
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	15.5	31
(11-1 to 4-30)	46.5	93
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Phosphorus as P	1.0	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	32,000/100 ml as a geometric mean	
pH	between 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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 or protests. Each commentator will be notified in writing of the time and place if a hearing or conference concerning the plan or 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.

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

Southcentral Regional Office: Water Management Program Manager; 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707.

A. 3698405. Sewage, submitted by **West Earl Sewer Authority**, 157 West Metzler Road, Brownstown, PA 17508 in West Earl Township, **Lancaster County** to

construct the Cocalico Creek Pump Station was received in the Southcentral Region on July 6, 1998.

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

A. 6398403. Sewerage. **Angelo Quarture**, P. O. Box 36, Lawrence, PA 15055. Application for the construction and operation of a single residence sewage treatment plant located in the Township of Peters, **Washington County** to serve the Quarture Property.

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

WQM Permit No. 2598407. Sewage. **Lazar Small Flow Treatment Facility**, Alex and Linda Lazar, 10368 Dutch Road, Waterford, PA 16441. This project is for the construction of a small flow treatment facility to meet the sewage disposal needs of three single family residences in Greene Township, **Erie County**.

WQM Permit No. 6198403. Sewage, **Esther Allen, SRSTP**, 417 Chestnut Street, Pleasantville, PA 16341. This project is for the construction of a Single Residence Sewage Treatment Plant in Oil Creek Township, **Venango County**.

WQM Permit No. 4398415. Sewage, **William G. Schellenger, Jr.**, 11238 Saeger Lane, Meadville, PA 16335. This project is for the construction of a Single Residence Sewage Treatment Plant in West Salem Township, **Mercer County**.

WQM Permit No. 1098404. Sewage, **Michael A. Traficante**, 276 Knickerbocker Drive, Pittsburgh, PA 15235. This project is for the construction of a Single Residence Sewage Treatment Plant in Penn Township, **Butler County**.

WQM Permit No. 2798401. Sewage, **Helen R. Lauer**, P. O. Box 13, Endeavor, PA 16322. This project is for the construction of a Single Residence Sewage Treatment Plant in Hickory Township, **Forest County**.

INDIVIDUAL PERMITS

(PAS)

NPDES Individual

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of pre-

liminary 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 appealable 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, (717) 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 PAS10Q158. Stormwater. **Farallon Real Estate Services**, Michael O'Brien, 2148 Embassy Drive, Lancaster, PA 17603-2385 has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

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

NPDES Permit PAS-10-H082. Stormwater. **Larry Bolinger**, Bollinger Rental Units, 338 McCallister Street, Carlisle, PA 17013 has applied to discharge stormwater

from a construction activity located in Dickinson Township, **Cumberland County**, to Yellow Breeches Creek.

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

NPDES Permit PAS10X091. Stormwater. **RWS Development Company, Inc.**, R. R. 1, Box 61, Rillton, PA 15678 has applied to discharge from a construction activity located in North Huntingdon Township, **Westmoreland County** to Long Run.

SAFE DRINKING WATER

Application received for Construction Permit issued under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

A. 1298501. The Department has received a construction permit application from **Emporium Water Company** (R. D. 4, Box 448, Emporium, PA 15834: Emporium, **Cameron County**) for pumps, tank and controls that will enable Emporium Water Company to raise chlorine residual in far end of distribution systems.

Application received for Minor Amendment Permit (Request for Succession of Water Rights) issued under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

A. M. A. The Department received a minor amendment permit application from **Porter Township Municipal Authority** (P. O. Box 57, Lamar, PA 16848; Porter Township, **Clinton County**) for request for succession of water rights from the 64 Water Company under Water Allocation #WA-732A.

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

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

A. 2098501. Public water supply. **Cambridge Springs Borough Water Department**, 26 Federal Street, Cambridge Springs, PA 16403. This proposal involves the modernization of the water treatment plant to bring it into compliance which includes equipment replacement and process needs in Cambridge Springs Borough, **Crawford County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Depart-

ment) 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 identifies 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 or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards 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 and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Paulovic-Lazzara Residences, Plumstead Township, **Bucks County**. Kevin P. Van Kuren, Hydrocon Services, Inc., 2945 S. Pike Ave., Allentown, PA 18103, has submitted a Notice of Intent to Remediate site soil contaminated with polycyclic aromatic hydrocarbons and site groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

Scholler, Inc., City of Philadelphia, **Philadelphia County**. Michael Gonshor, P.G., RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

Witco Corp., Trainer Borough, **Delaware County**. Marc E. Gold, Esq., Manko, Gold & Katcher, LLP, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, solvents, BTEX, petroleum hydrocarbons, and polycyclic aromatic hydrocarbons; and groundwater, surface water and sediment contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons, and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

Stonegate, West Bradford Township, **Chester County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, has submitted a Notice of Intent to Remediate site soil contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet Statewide health standards.

F. P. Woll & Co. Facility, City of Philadelphia, **Philadelphia County**. Terence A. O'Reilly, P. G., TriState Environmental Services, Inc., 362 Dunks Ferry Rd., Bensalem, PA 19020, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, heavy metals, solvents, BTEX, and polycyclic aromatic hydrocarbons and site groundwater contaminated with solvents, BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

ARCO/SAP America Property, Newtown Township, **Delaware County**. Mark Flickinger, ARCO Environmental Remediation L.L.C., 444 South Flower Street, Los Angeles, CA 90071, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

Northeast Regional Field Office, Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.

Gromlich Residence, City of Easton, **Northampton County**. Brian R. Evans, Environmental Scientist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Notice of Intent to Remediate (on behalf of his client, Lawrence Gromlich, 1304 Lehigh Street, Easton, PA 18042) concerning the remediation of site soils suspected to be contaminated with polycyclic aromatic hydrocarbons and BTEX (benzene, toluene, ethylbenzene and xylene) compounds. The applicant proposes to remediate the site to meet the Statewide human health standard. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

Southcentral Regional Office, Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

Shultz Enterprises Property Lot 3, Hanover Borough, **York County**. Shultz Enterprises, 225 Eichelberger Street, Hanover, PA 17331, has resubmitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hanover Evening Sun* on March 2, 1998.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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 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 a site-specific standard or who intend to

remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards 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 and 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 cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified below, a municipality 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 below. During this comment period a municipality may request that the person identified below, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Baer Property, Eddystone Borough, Delaware County. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Ave., Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with lead, heavy metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet site-specific and background standards. A summary of the Notice of Intent to Remediate was reported to have been published in *Delaware County Daily Times* on July 3, 1998. A Final Report was simultaneously submitted.

John F. Kramer (Upland Farm), West Pikeland Township, Chester County. Michael W. Eversman, P. G., Environmental Resources Management, 855 Springdale Drive, Exton, PA 19341, has submitted a Notice of Intent to Remediate site soil contaminated with heavy metals. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *Chester County Daily Local News* on July 1, 1998.

Southcentral Regional Office, Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

M & M Realty/L. Lavetan & Sons, Inc., West Manchester Township, **York County.** M & M Realty/L. Lavetan & Sons, Inc., 120 Hokes Mill Road, York, PA 17404 and Eberton Terminal Corporation, P. O. Box 269, York, PA 17405 have submitted a Notice of Intent to Remediate site soils contaminated with lead and heavy metals and groundwater contaminated with lead and PAHs. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Sunday News* on June 21, 1998.

AIR QUALITY

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.

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

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

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

06-319-077B: General Battery Corp. (P. O. Box 13995, Reading, PA 19612-3995) for the casting depart-

ment controlled by two wet scrubbers and a fabric collector in Muhlenberg Township, **Berks County**. These sources are subject to 40 CFR 60, Subpart KK, Standards of Performance for New Stationary Sources.

36-310-021G: D. M. Stoltzfus & Son, Inc. (219 Quarry Road, Talmage, PA 17580-0084) for the operation of a limestone crushing plant controlled by water suppression and fabric collectors in Fulton Township, **Lancaster County**.

Northcentral Regional Office, Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.

60-303-001B: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889) for the operation of a batch asphalt concrete plant and associated air cleaning device (a fabric collector) in Union Township, **Union County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

08-323-003: Ingersoll-Rand Co. (101 North Main Avenue, Athens, PA 18810) for the operation of three heat treat furnaces in Athens Borough, **Bradford County**.

12-399-015A: Motor Coils Manufacturing Co. (P. O. Box 311, Emporium, PA 15834) for the operation of armature stripping, banding and brazing operations and associated air cleaning devices (three cartridge collectors) in Emporium Borough, **Cameron County**.

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

10-319A: Main Steel Polishing Co., Inc. (6 Whitney Drive, P. O. Box 277, Harmony, PA 16037) for the operation of a steel polishing process in Jackson Township, **Butler County**.

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

25-053A: Urick Foundry, Inc. (1501 Cherry Street, P. O. Box 6027, Erie, PA 16501) for the operation of a slag crusher in Erie, **Erie County**.

25-066A: Kaiser Aluminum & Chemical Co. (1015 E. 12th Street, Erie, PA 16503) for the operation of a 5,000 ton press in Erie, **Erie County**.

25-066B: Kaiser Aluminum & Chemical Co. (1015 E. 12th Street, Erie, PA 16503) for the operation of a 8,000 ton press in Erie, **Erie County**.

33-399-009B: Huntington Foam Corp. (P. O. Box 248, Brockway, PA 15824) for the operation of molding presses and expanders 1 and 3 in Brockway, **Jefferson County**.

37-309-046: GE Transportation Services (1503 West Main Street Extension, Grove City, PA 16127) for the operation of diesel engine test cells in Grove City, **Mercer 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 (relating to operating permit requirements) and G (relating to 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 any 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.

Southeast Regional Office: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Attn: Edward Brown, (610) 832-6242.

09-00022: Cleveland Steel Container Corp. (350 Mill Street, Quakertown, PA 18951) located in Quakertown Borough, **Bucks County**. The facility's major emission points include: painting and drying operations which emit major levels of Volatile Organic Compounds (VOC's).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, Attn: Michael Safko, (717) 826-2531.

35-00006: Suckle Corp. (733 Davis Street, Scranton, PA 18505) for spray booths and combustion sources in City of Scranton, **Lackawanna County**.

48-00020: Mineral Fiber Specialists (MFS Inc.) (Easton Road, R. R. 5, Box 5151, Bethlehem, PA 18015) for two cupolas and pre-heaters in City of Bethlehem, **Northampton County**.

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

05-05022: Bedford Reinforced Plastics, Inc. (R. D. 2, Box 255, Bedford, PA 15522) for reinforced fiberglass manufacturer located in East Saint Clair Township, **Bedford County**. This proposed Title V operating permit is subject to 40 CFR 60, Subpart VVV, Standards of Performance for New Stationary Sources.

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

25-00924: Erie Forge & Steel Inc. (1341 West 16th Street, Erie, PA 16502) located in Erie, **Erie County**. Erie Forge & Steel Inc.'s air emission sources include a natural gas fired boiler, two electric arc furnaces, several natural gas fired furnaces, a billet grinding unit and a torch cutting operation. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Volatile Organic Compounds, Particulate Matter, Sulfur Oxides, Nitrogen Oxides and Carbon Monoxide.

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.

38-05011A: Plain N' Fancy Kitchens Inc. (P. O. Box 519, Schaefferstown, PA 17088) for the installation of one new topcoat booth and one new drying oven in Heidelberg Township, **Lebanon County**.

Northcentral Regional Office, Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.

12-323-002. Caldwell Corp. (116 West Second Street, Emporium, PA 15834) for the construction of a burnoff oven and associated air cleaning device (an integral afterburner) in Emporium Borough, **Cameron County**.

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

10-298C: ESM II, Inc. (955 Saxonburg Blvd., Clinton Industrial Park, Saxonburg, PA 16056) for modification of the magnesium pulverizing operation in Bldg. 2 with construction of an additional pulverizer (1,000 lbs/hr) and addition of larger cyclone control (7,100 cfm) in Saxonburg, **Butler County**.

25-095C: Lord Corp., Mechanical Products Division (1635 West 12th Street, P. O. Box 10039, Erie, PA 16514-0039) for a minor modification of the permit limit for the existing spray booth in Erie, **Erie County**.

10-021C: INDSPEC Chemical Corp. (133 Main Street, Petrolia, PA 16050) for the construction of a new gas fired boiler (200 MMBTU/hr) to replace the two coal boilers (#4 and #5) and one gas fired boiler (#6) in Petrolia, **Butler County**. This boiler is subject to the New Source Performance Standard, 40 CFR Part 60, Subpart Db.

PLAN APPROVALS/OPERATING PERMITS

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

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

61-004A: Electralloy, a G. O. Carlson, Inc. Company (175 Main Street, Oil City, PA 16301) for the construction of a vacuum arc remelt, electro slag remelt, two annealing furnaces and installation of a fabric collector to control particulate emissions in Oil City, **Venango County**. This public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. The permit will be subject to the following conditions:

1. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval for the purposes of shakedown, startup and compliance verification tests.

2. The sources are subject to 25 Pa. Code §§ 123.1 (Fugitive Emissions), 123.11 (Particulate Matter Emissions), 123.31 (Odor Emissions) and 123.41 (Visible Emissions).

3. Gauges shall be permanently installed and maintained at a conveniently readable location at the inlet and outlet of the baghouse to indicate the pressure drop across the collector.

4. The pressure drop across the collector shall not exceed 6" w. g.

5. Ten percent of the total number of bags in the baghouse are required to be on hand (3 bags).

The above conditions will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate the Best Available Technology for the source.

For additional information regarding the above, please contact Lori McNabb or Devendra Verma at (814) 332-6940 or by writing the Department at the address given above.

REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

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

Approval of Reasonably Available Control Technology (RACT) plan for **Springs Window Fashions Division, Inc.**

The Department of Environmental Protection has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a facility owned and operated by Springs Window Fashions Division, Inc. in Clinton Township, **Lycoming County**.

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

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

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

The volatile organic compound emissions from each of the four air contamination source categories listed below shall not exceed 3 pounds per hour, 15 pounds per day or 2.7 tons per year:

- coil coating line paint reservoir flushing and floor wiping operations
- the burners associated with 20 natural gas-fired curing ovens, 28 natural gas-fired space heaters, a boiler, a "Water Tower Fire Control" heater and a catalytic oxidizer burner.
- solvent cleaning sink or unit.
- 31 horsepower natural gas-fired emergency generator.

One public hearing will be held for the purpose of receiving comments on the proposed operating permit and the proposed SIP revision. The hearing will be held on September 9, 1998 at 1 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (717) 327-3659 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (717) 327-3659 or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to David Aldenderfer, Air Quality Environmental Program Manager, Pennsylvania DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by September 24, 1998.

All pertinent documents are available for review from 8 a.m. to 4 p.m. in the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA

Source

- PM-79 hydraulic parts molding unit

- Sizing Dip Tank

- Heat treat furnace PF #5 and draw furnace PF #55
- Heat treat furnace PF #28, parts washer PF #29 and draw furnace PF #30

Additionally, the volatile organic compound emissions from each of the following air contamination source categories shall not exceed 3 pounds per hour, 15 pounds per day or 2.7 tons per year:

- 4 heated tanks
- oil impregnation vessel
- 3 small natural gas-fired boilers
- 2 Safety Kleen parts cleaners
- electric discharge machines
- 3 underground tanks

One public hearing will be held for the purpose of receiving comments on the proposed operating permit and the proposed SIP revision. The hearing will be held on September 9, 1998 at 1 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101,

17701. Appointments for scheduling a review must be made by calling (717) 327-3693.

Approval of Reasonably Available Control Technology (RACT) plan for **GKN Sinter Metals, Inc.**

The Department of Environmental Protection has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a powdered metal parts manufacturing facility (Cameron Street Plant) owned and operated by GKN Sinter Metals, Inc. in Shippen Township, **Cameron County**.

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

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

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

RACT Requirement

Hydraulic oil restricted to Nuto H-68 or oil of equivalent volatility and the volatile organic compound emissions shall not exceed 5.9 tons in any 12 consecutive month period.

The tank shall be equipped with a cover which shall be closed whenever the tank is not in use. The tank shall not be heated. All parts dipped in the tank shall be allowed to drain within the tank for a period of time which is sufficient to render the parts dry to the touch when removed from the tank. Nothing shall be added to the tank other than Dupont Krytox DF and Chemical Technologies Tech Solv 334 and the amounts added shall not exceed 11,313 gallons of Tech Solv 334 and 565 gallons of Krytox DF in any 12 consecutive month period. The use of the tank shall not result in the emission of more than 36.2 tons of volatile organic compounds in any 12 consecutive month period.

The oil used or processed in the furnaces and parts washer shall be restricted to Arco 521 or an oil of equivalent volatility and the volatile organic compound emissions shall not exceed 6.7 tons in any 12 consecutive month period.

Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (717) 327-3659 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (717) 327-3659 or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to David W. Aldenderfer, Air Quality Environmental Program Manager, Pennsylvania DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by September 24, 1998.

All pertinent documents are available for review from 8 a.m. to 4 p.m. in the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (717) 327-3693.

Approval of Reasonably Available Control Technology (RACT) plan for **Fleetwood Motor Homes of Pennsylvania, Inc.**

The Department of Environmental Protection has made a preliminary determination to approve a Reasonably

Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a motor home manufacturing facility owned and operated by Fleetwood Motor Homes of Pennsylvania, Inc. in Ralpho Township, **Northumberland County**.

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

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

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

Source

- All
- All
- All
- Solvent cleaning operations
- Cabinet assembly area
- Cabinet and trim staining area
- Sidewall fabrication wiping area
- Sidewall fabrication gluing area
- Roof gluing operation
- Roof sealing operation
- Windshield gluing and installation area
- Motor home exterior cleaning operation
- Double coach spray booth
- Undercoating station
- Glue booth
- Touch up spray booth
- Miscellaneous

RACT Requirement

Any spray application must use airless, air-assisted airless or HVLP technology.

Fleetwood shall continue to implement its on-going plan to continually discover, test and use materials with a lower volatile organic compound (VOC) content.

All VOC-containing materials shall be kept in closed containers when not in actual use.

All cleaning rags shall be kept in closed containers when not in actual use. Cleaning rags shall not be air dried. Spray guns shall not be cleaned by spraying solvent through the guns.

Use of non VOC-containing adhesives shall be maximized.

VOC content of stains shall not exceed .76 pounds per gallon and all stains are to be hand or dip-applied.

VOC content of cleaning materials shall not exceed 5.08 pounds per gallon and no VOC-containing materials are to be spray-applied.

No VOC-containing adhesives.

No VOC-containing adhesives.

VOC content of sealants shall not exceed 3.4 pounds per gallon.

VOC content of adhesives shall not exceed 4.1 pounds per gallon.

VOC content of cleaner shall not exceed 6.21 pounds per gallon and use of low VOC cleaner is to be maximized.

VOC content of coatings used in first stage spraying shall not exceed 4.87 pounds per gallon and VOC content of coatings used in second stage spraying shall not exceed 5.58 pounds per gallon.

VOC content of coatings shall not exceed .19 pounds per gallon.

VOC content of adhesives shall not exceed .58 pounds per gallon.

VOC content of coatings shall not exceed 5.58 pounds per gallon.

Total VOCs shall not exceed 10 tons in any 12 consecutive month period.

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

September 2, 1998 at 1 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the

proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (717) 327-3659 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (717) 327-3659 or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to David Aldenderfer, Air Quality Environmental Program Manager, Pennsylvania DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by September 17, 1998.

All pertinent documents are available for review from 8 a.m. to 4 p.m. in the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (717) 327-3693.

Proposed Revision to the State Implementation Plan for Volatile Organic Compounds (VOC); Approval of a Reasonably Available Control Technology Plan and Operating Permit; Public Hearing

Bedford County

The Department of Environmental Protection (Department) has made a preliminary determination to approve a revised Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for a recreational equipment production facility owned and operated by **Hedstrom Corporation** in Bedford Township, Bedford County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 05-02002A for the existing facility to comply with current regulations.

The preliminary RACT determination, if approved, will be incorporated into an Operating Permit for the facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's SIP.

The sources at the recreational equipment production facility for which VOC RACT determinations are being made are the decorative coating line for rotocasting and the gym leg stencil operations. The preliminary VOC RACT determination for the decorative coating line for rotocasting is a limitation of VOC's in the coating along with an annual limit of total emissions. The preliminary VOC RACT determination for the gym leg stencil operation is utilizing improved work practice standard along with an annual limit of total emissions. Upon final approval of the company's case-by-case analysis, the operating permit will include conditions requiring recordkeeping and reporting of operational data to verify VOC emissions.

An appointment to review the pertinent documents at the DEP Altoona District Office at 615 Howard Avenue,

Altoona may be scheduled by contacting Kathy Ciampoli at (814) 946-7290 between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on September 3, 1998, at the Bedford Township Building, located on Valley Road, R. D. 1, P. O. Box 148, Bedford, PA 15522 from 10 a.m. until all scheduled comments are received.

Those wishing to comment are requested to contact Susan Frank at (717) 705-4904 at least 1 week in advance of the hearing to schedule their testimony. Those wishing to comment are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Steve Weyandt, Air Pollution Control Engineer, 615 Howard Avenue, Altoona, PA 16601, on or before September 9, 1998.

Persons with a disability who wish to attend the hearing scheduled for September 3, 1998, at the Bedford Township building and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Susan Frank directly at (717) 705-4904 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Blair County

The Department of Environmental Protection has made a preliminary determination to approve a revised Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for a men's footwear production facility owned and operated by **Cove Shoe Company** in Martinsburg Borough, Blair County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 07-02028 for the existing facility to comply with current regulations.

The preliminary RACT determination, when approved, will be incorporated into an Operating Permit for the facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's SIP.

A VOC RACT determination is being made for the entire men's footwear production facility. The preliminary VOC RACT determination for the facility will: limit the total annual hours of production; limit the VOC emissions on a per pair of shoes produced and require various work practices to minimize the emissions of VOC's. Upon final approval of the company's case-by-case analysis, the operating permit will include conditions requiring recordkeeping and reporting of operational data to verify VOC emissions.

An appointment to review the pertinent documents at the DEP Altoona District Office at 615 Howard Avenue, Altoona may be scheduled by contacting Kathy Ciampoli at (814) 946-7290 between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on September 2, 1998, at the Martinsburg Borough

building, located at 133 East Allegheny Street, Martinsburg, PA 16662 from 10 a.m. until all scheduled comments are received.

Those wishing to comment are requested to contact Susan Frank at (717) 705-4904 at least 1 week in advance of the hearing to schedule their testimony. Those wishing to comment are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Steve Weyandt, Air Pollution Control Engineer, 615 Howard Avenue, Altoona, PA 16601, on or before September 9, 1998.

Persons with a disability who wish to attend the hearing scheduled for September 2, 1998, at the Martinsburg Borough building and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Susan Frank directly at (717) 705-4904 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52, and 90.102) for iron, manga-

nese, suspended solids, settleable solids, alkalinity, and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

Coal Applications Received

32880105. Permit Renewal, **GLR Mining, Inc.** (P. O. Box 105, Clymer, PA 15728), commencement, operation and restoration of bituminous strip mine for reclamation, only in Pine Township, **Indiana County**, affecting 155.0 acres, receiving stream unnamed tributaries of Yellow Creek and to Yellow Creek, application received July 1, 1998.

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

17980114. **Larson Enterprises, Inc.** (P. O. Box 96, Kylertown, PA 16847), commencement, operation and restoration of a bituminous surface mine permit in Graham Township, **Clearfield County** affecting 52 acres, receiving streams: unnamed tributary to Flat Run, Mons Run, application received June 16, 1998.

17860114. **Mustang Coal & Contracting Corporation** (P. O. Box 188, Houtzdale, PA 16651-0188), revision to an existing bituminous surface mine permit for a Change in Land Use from premining use of forestland to postmining use of pastureland and land occasionally cut for hay, Woodward and Bigler Townships, **Clearfield County** affecting 76 acres, application received June 25, 1998.

17980115. **Junior Coal Contracting, Inc.** (R. D. 3, Box 225-A, Philipsburg, PA 16866), commencement, operation and restoration of a bituminous surface mine-auger permit in Woodward and Decatur Townships, **Clearfield County** affecting 60.5 acres, receiving streams: unnamed tributary to tributary to Beaver Run and Beaver Run, application received July 6, 1998.

17820118. **Shale Hill Coal Co., Inc.** (P. O. Box I, Grampian, PA 16838), renewal of an existing bituminous surface mine permit in Greenwood Township, **Clearfield County** affecting 454 acres, receiving streams: two unnamed tributaries to and Curry Run and Haslett Run to West Branch Susquehanna River, application received June 19, 1998.

17860123. **Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838), renewal of an existing bituminous

surface mine-auger permit in Knox-Ferguson-Jordan Townships, **Clearfield County** affecting 286 acres, receiving streams: to unnamed tributaries to McNeel Run to Gazzam Run and to Carson Run to Little Clearfield Creek to Clearfield Creek to West Branch Susquehanna River, application received June 19, 1998.

17920108. Johnson Bros. Coal Co. (R. D. 1, Box 580, Mahaffey, PA 15757), revision to an existing bituminous surface mine permit for a Change In Acreage from 60.2 to 67.9 acres, Penn Township, **Clearfield County**, receiving streams: unnamed stream to Kratzer Run to Anderson Creek to West Branch Susquehanna River, application received June 26, 1998.

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

32841307. Tanoma Coal Company, Inc. (R. R. 1, Box 594, Marion Center, PA 15759), to revise the permit for the Tanoma Coal Mine in Rayne Township, **Indiana County**, addition of 900 acres to underground permit area, no additional discharges. Application received May 26, 1998.

33961302. Laurel Energy, LP (One Energy Place, Suite 7500, Latrobe, PA 15650-9628), to transfer the permit for the Sandy Lands Mine in McCalmont Township, **Jefferson County**, from Doverspike Brothers Coal Co., no additional discharges. Application received May 29, 1998.

17981301. Doverspike Bros. Coal Co. (R. D. 4, Box 271, Punxsutawney, PA 15767), to operate the Perfield Mine in Huston Township, **Clearfield County**, new underground coal mine, unnamed tributary to Mountain Run. Application received June 17, 1998.

17921604. Waroquier Coal Co. (P. O. Box 128, Clearfield, PA 16830), to renew the permit for the Truck Tipple in Lawrence Township, **Clearfield County**, no additional discharges. Application received June 19, 1998.

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

Large Industrial Mineral Permit Applications Received:

59980302. Dunbar Farm & Gravel (R. R. 4, Box 1119, Westfield, PA 16950), commencement, operation and restoration of a Large Industrial Mineral (topsoil, sand and gravel) permit in Chatham and Westfield Townships, **Tioga County** affecting 12.6 acres, receiving streams: unnamed tributary to Jemison Creek to Cowansque River, application received June 17, 1998.

08980301. Wysox Sand & Gravel, Inc. (P. O. Box 128, Wysox, PA 18854), commencement, operation and restoration of a Large Industrial Mineral (sand and gravel) permit in Asylum Township, **Bradford County** affecting 42.1 acres, receiving streams: Susquehanna River, application received June 28, 1998.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval, and requests for water quality certification have been received by the Department of Environmental Protection. Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the

applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.

E35-301. Encroachment. Kane Properties, P. O. Box 931, Scranton, PA 18501. To remove the existing structure and to construct and maintain a 36-foot by 13-foot; 2 inch precast concrete arch culvert in Keyser Creek (CWF). The project is located in Stauffer Industrial Park, approximately 0.5 mile south of the intersection of S. R. 3011 and S. R. 3014 (Scranton, PA Quadrangle N: 6.8 inches; W: 10.2 inches), in the City of Scranton, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E40-501. Encroachment. Wlodzimierz Jaskiewicz, 559 Spotswood-Englishtown Road, Jamesburg, NJ 08831. To construct and maintain two road crossings of wetlands within the drainage basin of Big Wapwallopen Creek (CWF) for the construction of Aleksander Boulevard, three stormwater outfalls within wetlands and several sanitary sewer line crossings of wetlands, for the construction of the Polonia Estates Subdivision. The total wetland impact for the project is approximately 1.0 acre including 0.78 acre permanent and 0.22 acre temporary. The project is located on the north side of S. R. 2042 (Nuangola Road), immediately west of the Rice Township/Wright Township boundary (Wilkes-Barre West, PA Quadrangle N: 3.8 inches; W: 5.8 inches), in Rice Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E40-502. Encroachment. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a road crossing of Bear Creek (HQ-CWF), consisting of a 15.0-foot × 7.0-foot precast, reinforced concrete box culvert, with its invert depressed 1.5 feet below stream bed elevation. The project will impact a de minimis area of wetlands equal to 0.01 acre, including temporary and permanent impacts. The structure is located on S. R. 2036, Section 351, Segment 0100, Offset 0000 (Pleasant View Summit, PA Quadrangle N: 22.2 inches; W: 9.8 inches) in Bear Creek Township, **Luzerne County** (Philadelphia District, U. S. Army Corps of Engineers).

E40-503. Encroachment. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box

111, Scranton, PA 18501. (1) To place fill or excavate in 0.65 acre of PEM wetlands; (2) to construct and maintain a stream enclosure of Coal Brook (CWF), consisting of approximately 373 linear feet of 10.0-foot × 6.0-foot precast concrete box culvert; (3) to construct and maintain a channel change in Coal Brook, extending 250 feet upstream of the proposed stream enclosure, consisting of a trapezoidal channel, having a bottom width of 10 feet; and (4) to modify and maintain a stream enclosure of a tributary to Coal Brook (CWF), consisting of the extension of the existing 60-inch CMP stream enclosure, using approximately 80 linear feet of 60-inch concrete pipe. The purpose of the project is to construct Interchange 46 of Interstate 81 (S. R. 0081, Section 393) and related improvements to Highland Park Boulevard and Mundy Street (Wilkes-Barre East, PA Quadrangle N: 20.5 inches; W: 14.3 inches), in Wilkes-Barre Township and the City of Wilkes-Barre, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

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

E06-515. Encroachment. **PA Department of Transportation**, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To construct and maintain an 84-inch stream enclosure in the channel of a tributary to Lovers Run for the purpose of constructing Section 3 of the SR 0222 reconstruction at a point approximately 700 feet upstream of Logan Avenue (Reading, PA Quadrangle N: 12.9 inches; W: 15.4 inches) in Wyomissing Borough, **Berks County**.

E22-387. Encroachment. **Glimcher Group, Inc.**, Richard Bowen, One Mellon Bank Center, 500 Grant Street, Ste. 200, Pittsburgh, PA 15219. To place fill in 0.23 acre of wetlands and to construct and maintain a 1,517 feet long, 8-foot × 5-foot box culvert in the channel of a tributary to Beaver Creek at a point approximately 2,000 feet downstream of Route 22 (Harrisburg East, PA Quadrangle N: 10.5 inches; W: 6.75 inches) in Lower Paxton Township, **Dauphin County**. The permittee is required to provide a minimum of 0.23 acre of replacement wetlands.

E50-192. Encroachment. **Bloomfield Borough**, Dale Beaton, P. O. Box 144, New Bloomfield, PA 17068. To replace an existing waste water treatment plant located in the floodway fringe of a tributary to the Juniata River at a point approximately 600 feet upstream of Route 34/274 (Newport, PA Quadrangle N: 7.6 inches; W: 7.9 inches) in Bloomfield Borough, **Perry County**.

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

E18-259. Encroachment. **Green Township Supervisors**, Logantown, PA 17747. To maintain an existing single span box beam bridge with a structural length of 44 feet and a width of approximately 16 feet and 10 feet underclearance with a reinforced concrete deck with an asphalt wearing surface over Fishing Creek and to maintain gravel and debris removal upstream and downstream of the bridge approximately 50 feet in each direction. The project is located on T-350 (Stover Road) approximately 1/2 mile south of the intersection of T-350 with RT 880 (Logantown, PA Quadrangle N: 3.6 inches; W: 12.1 inches) in Green Township, **Clinton County**. Estimated stream disturbance is approximately 120 feet with no wetland impact; stream classification is HQ-CWF.

E18-260. Encroachment. **Green Township Supervisors**, Logantown, PA 17747. To maintain an existing single span box beam bridge with a structural length of 38 feet, a clear span of 36 feet and a 15 foot underclearance with a bituminous wearing deck over Fishing Creek and to maintain gravel and debris removal upstream and downstream approximately 50 feet in each direction of the bridge. The project is located on T-352 (Snook Road) approximately 1/2 mile south of the intersection of T-352 and Rt. 880 (Logantown, PA Quadrangle N: 1.5 inches; W: 6.8 inches) in Green Township, **Clinton County**. Estimated stream disturbance is 130 feet with no wetland impact; stream classification is HQ-CWF.

E18-261. Encroachment. **PA Dept. of Conservation and Natural Resources**, Bureau of Facility Design, P. O. Box 8451, Harrisburg, PA 17105. To remove an existing structure and to construct, operate and maintain a single span weathering I-beam bridge to carry Cooks Run Road across Cooks Run. The bridge shall be constructed with a clear span of 34.12 feet, an average underclearance of 5.2 feet and a curb to curb width of 18 feet. Project is located along the northern right-of-way of SR 0120 approximately 1.5 miles north of the intersection of Cooks Run Road and SR 0120 (Keating, PA Quadrangle N: 6.8 inches; W: 4.0 inches) in Noyes Township, **Clinton County**. Estimated stream disturbance is 73.8 feet with no wetland impact; stream classification is High Quality-Cold Water Fishery.

E18-262. Encroachment. **Glenn E. Brenneman**, 375 Hess Farm Road, York, PA 17403. To construct and maintain a permanent stream ford across Campbell Run for a timber harvesting operation and subsequent recreational use. The project site is located on private property approximately 3/4 mile south of Carrier Road approximately 3/4 of a mile southwest of Haneyville (Jersey Mills, PA Quadrangle N: 12.5 inches; W: 15.8 inches) in Gallagher Township, **Clinton County**. Estimated stream disturbance is 20 feet with no wetland impact; stream classification is Exceptional Value Wild Trout Stream.

E53-316. Encroachment. **Rainbow Paradise Trout Farm**, R. R. 1, Box 234, Coudersport, PA 16915. To construct, operate and maintain a water intake structure and pipeline in the channel of Trout Run for the supply of water to an existing commercial fish rearing facility. The water intake shall be constructed with a precast concrete intake that measures 10.0 feet × 4.7 feet × 3.0 feet placed and the pipeline shall be constructed with 15-inch diameter ADS pipe. The project is located along the southern right-of-way of SR 0006 approximately 1.6 miles east of the intersection of SR 0044 and SR 0006 (Sweden Valley, PA Quadrangle N: 1.1 inches; W: 6.4 inches) in Sweden Township, **Potter County**. Estimated stream disturbance is 75.0 linear feet with no wetland impact; stream classification is High Quality-Cold Water Fishery.

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

E10-282. Encroachment. **Penreco**, 138 Petrolia Street, Karns City, PA 16041-9299. To remove two existing 3-inch-diameter aerial pipe utility line crossings, to place and maintain a 3-inch-diameter aerial pipe utility line crossing, and to modify and maintain existing aerial utility line support structures across the South Branch of Bear Creek (WWF). The location of the two lines to be removed are adjacent to Tank Nos. 179 and 65, and the location of the new line and support structures is approximately 100 feet upstream adjacent to Tank No. 138 within the Karns City Penreco Refinery (Chicora, PA

Quadrangle N: 22.3 inches; W: 13.8 inches) located in Karns City Borough, **Butler County**.

E16-106. Encroachment. **Stephen R. and Denise W. Johnson**, R. R. 1, Box 24, Fryburg, PA 16326. To install and maintain a 1.5 or 2.0 inch PVC sanitary sewer utility crossing across a tributary to McCauley Run (EV). This project is necessary to correct an existing malfunctioning onlot sewage system. The project is located across a tributary to McCauley Run approximately 1,000 feet southeast of the intersection of Hemlock Road and Gowry Road at the Village of McCauley (Fryburg, PA Quadrangle N: 20.75 inches; W: 8.25 inches) located in Washington Township, **Clarion County**.

DAM SAFETY

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

Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D09-238. Dam. **Bucks Country Gardens, LTD.** (1057 North Easton Road, Doylestown, PA 18901). To modify, operate and maintain an existing dam across a tributary to the North Branch Neshaming Creek (WWF) for stormwater control (Doylestown, PA Quadrangle N: 19.6 inches; E: 15.4 inches) in Plumstead Township, **Bucks County**. This dam is located adjacent to Easton Road as part of the Bucks Country Gardens Renovation.

D63-124. Dam. **Pristine Fields Associates, G. P.** (262 Portman Lane, Bridgeville, PA 15017). To modify, operate and maintain an existing dam across a tributary to Brush Run (WWF) approximately 1,000 feet upstream of the confluence with Brush Run at PA Route 980 for the purpose of stormwater detention (Canonsburg, PA Quadrangle N: 6.3 inches; E: 5.9 inches) in Cecil Township, **Washington County**.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

Northwest Regional Office, Regional Manager, Water Supply Management, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6899.

WA 42-150A. **Bradford City Water Authority**, 28 Kennedy Street, Bradford, PA 16701. This proposal is submitted to renew an existing water allocation permit for the Bradford City Water Authority, an independent operating authority which owns and controls all water system assets. The Bradford City Water Authority is the only public water supply user either upstream or downstream of the water supply sources, and is the sole owner of the 12,000 acre watershed that produces 100% of the source water for the water supply system. The amount of the proposed allocation requested is 6,000,000 gpd. The service area includes customers in Bradford City, Bradford Township, Foster Township and Lafayette Township, **McKean 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 has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

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

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

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

NPDES Permit No. PA 0053449. Sewage, **Birmingham Township**, 1040 Street Road, West Chester, PA 19382-8012. The following notice reflects a proposed change to the notice published in the December 23, 1995, *Pennsylvania Bulletin*:

The date to comply with the final total residual chlorine limit of 0.06 mg/l will be extended by 6 months. The proposed final compliance date is October 1, 1998.

WQM Permit No. 4698417. Sewerage. **Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 19438. Construction and operation of a collection system pump station and force main to serve Meadow Creek Crossing Subdivision located in Lower Salford Township, **Montgomery County**.

WQM Permit No. 2398403. Sewerage. **Southern Delaware County Authority**, 101 Beech Street, Boothwyn, PA 19061. Construction and operation of a 12" force main from the Beech Street pump station located in Upper Chichester Township, **Delaware County**.

WQM Permit No. 0998408. Sewerage. **The Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067. Construction and

operation of dechlorination facility at their sewage treatment plant located in Morrisville Borough, **Bucks County**.

WQM Permit No. 4698412. Sewerage. **Montgomery County Sewer Authority**, P. O. Box 311, Norristown, PA 19404-0311. This project is for modifications to the existing Oaks sewage treatment plant located in Upper Providence Township, **Montgomery County**.

WQM Permit No. 1598408. Sewerage. **Stephen J. Castellán**, 112 Heather Hill Drive, Downingtown, PA 19335-1826. Construction and operation to a single residence STP to serve the Castellán Residence located in Upper Uwchlan Township, **Chester County**.

WQM Permit No. 0998402. Sewerage. **ARCCA Real Estate Corporation**, 2288 Second Street Pike, Penns Park, PA 18943. Construction and operation of the small flow STP to handle 2,000 gpd as an average monthly flow to serve ARCCA Real Estate Corporation located in Wrightstown Township, **Bucks County**.

NPDES Permit No. PA00553325. Industrial waste. **Willow Grove Air Reserve Station**, 913 Airlift Wing, County Line Road and 611, Willow Grove, PA 19090-5236, is authorized to discharge from a facility located in Horsham Township, **Montgomery County** into unnamed tributary to Park Creek.

NPDES Permit No. PA0057401. Sewerage. **Sarah Wulfleff**, 6801 Easton Road, Pipersville, PA 18947, is authorized to discharge from a facility located in Bedminster Township, **Bucks County** into unnamed tributary to Cabin Run.

NPDES Permit No. PA0031771. Sewerage. **Westtown Township**, 1081 Wilmington Pike, West Chester, PA is authorized to discharge from a facility located in Westtown Township, **Chester County** into East Branch of Chester Creek.

NPDES Permit No. PA0056014. Industrial waste. **AMETEK U. S. Gauge Division, Plant 2**, 900 Clymer Avenue, Sellers, PA 18960 is authorized to discharge from a facility located in Sellersville Borough, **Bucks County** into East Branch of Perkiomen Creek.

NPDES Permit No. PA0050016. Industrial waste. **Markel Corporation**, 416 School Lane, P. O. Box 752, Norristown, PA 19404 is authorized to discharge from a facility located in Plymouth Township, **Montgomery County** into Diamond Run.

NPDES Permit No. PA0050768. Sewerage. **Bedminster Municipal Authority**, 3112 Bedminster Road, Bedminster, PA 18910-0092 is authorized to discharge from a facility located in Bedminster Township, **Bucks County** into Deep Run.

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

Permit No. 3998402. Sewerage. **Salisbury Township**, 2900 S. Pike Avenue, Allentown, PA 18103-7633. Permit to construct a parallel interceptor sewer line adjacent to the existing interceptor, located in Salisbury Township, **Lehigh County**.

Permit No. 5298402. Sewerage. **Wallenpaupack Area School District**, HC 6, Box 6075, Hawley, PA 18428-9045. Permit to add an equalization tank to an existing sewage treatment plant, located in Palmyra Township, **Pike County**.

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

NPDES Permit No. PA0087726. Sewerage. **RBL Development Corporation**, 3902 Autumn Lane, Stewartstown, PA 17363 is authorized to discharge from a facility located in Berwick Township, **Adams County** to the receiving waters of an unnamed tributary of the South Branch of Conewago Creek.

NPDES Permit No. PA0081973. Sewerage. **Irene C. Racz**, R. D. 1, Box 605, Hollidaysburg, PA 16648 is authorized to discharge from a facility located in Blair Township, **Blair County** to the receiving waters named Frankstown Branch.

NPDES Permit No. PA0030236. Sewerage. **Spring Grove Area School District**, 100 East College Avenue, Spring Grove, PA 17362 is authorized to discharge from a facility located in Seven Valleys Borough, **York County** to the receiving waters of an unnamed tributary to the South Branch of Codorus Creek.

NPDES Permit No. PA0024961. Sewerage. **Oley Township Municipal Authority**, P. O. Box 19, Oley, PA 19547 is authorized to discharge from a facility located in Oley Township, **Berks County** to the receiving waters named Manatawny Creek.

NPDES Permit No. PA0110141-1. Sewerage. **Cristi Owen**, R. R. 3, Box 499, Hollidaysburg, PA 16648 is authorized to discharge from a facility located in Frankstown Township, **Blair County** to the receiving waters of an unnamed tributary to Oldtown Run.

NPDES Permit No. PAG043594. Sewerage. **SFRSTP Dale and Kathleen Huffman**, 1195 Syner Road, Annville, PA 17003 is authorized to discharge from a facility located in North Londonderry Township, **Lebanon County** to the Quittapahilla Creek.

NPDES Permit No. PA0028347. Sewerage. **Martinsburg Municipal Authority**, 133 East Allegheny Street, Martinsburg, PA 16662-0307 is authorized to discharge from a facility located in North Woodbury Township, **Blair County** to the receiving waters named Plum Creek.

NPDES Permit No. PA0082147. Sewerage. **Holtwood Mobile Home Park**, 204 Stone Mill Drive, Elizabethtown, PA 17022 is authorized to discharge from a facility located in Martic Township, **Lancaster County** to an unnamed tributary to the Susquehanna River.

NPDES Permit No. PA0055352. Sewerage. **Berks Properties, Inc.**, 2620 Egypt Road, Norristown, PA 19403 is authorized to discharge from a facility located in Hereford Township, **Berks County** to the receiving waters named West Branch Perkiomen Creek.

NPDES Permit No. PAG043591. Sewerage. **SFSTP Lewis Sovonick, III**, 140 McDonald Road, Duncansville, PA 16635 is authorized to discharge from a facility located in Freedom Township, **Blair County** to an unnamed tributary to McDonald Run.

NPDES Permit No. PA0043028. Sewerage. **Bru-baker Mobile Home Park**, P. O. Box 248, Manheim, PA 17545-0248 is authorized to discharge from a facility located in Rapho Township, **Lancaster County** to the receiving waters named Chickies Creek.

NPDES Permit No. PA0083151. Sewerage. **Penn Manor School District**, Marticville Middle School, P. O. Box 1001, Millersville, PA 17551 is authorized to dis-

charge from a facility located in Martic Township, **Lancaster County** to the receiving waters named Pequea Creek.

NPDES Permit No. PA0081981. Sewerage. **Smithville Mobile Home Park**, 686 Pennsy Road, Willow Street, PA 17584 is authorized to discharge from a facility located in Providence Township, **Lancaster County** to the receiving waters of an unnamed tributary to Huber Run.

NPDES Permit No. PA0038415. Sewerage. Amendment No. 1. **East Pennsboro Township**, Board of Commissioners, 98 South Enola Drive, Enola, PA 17025 is authorized to discharge from a facility located in East Pennsboro Township, **Cumberland County** to the receiving waters named Conodoquinet Creek.

NPDES Permit No. PAG043590. Sewerage. **Mr. and Mrs. William L. Mauchamer**, 250 Roxbury Road, Newville, PA 17241 is authorized to discharge from a facility located in Lower Mifflin Township, **Cumberland County** to Center Creek.

NPDES Permit No. PA0087661. Sewerage. **Chestnut Ridge Area Joint Municipal Authority**, R. D. 1, Box A320, New Paris, PA 15514 is authorized to discharge from a facility located in East St. Clair Township, **Bedford County** to the receiving waters named Dunning Creek.

NPDES Permit No. PA0013129. Industrial. Amendment No. 1. **Carpenter Technology Corporation**, P. O. Box 14662, Reading, PA 19612-4662 is authorized to discharge from a facility located in Reading City, **Berks County** to the receiving waters named Schuylkill River.

NPDES Permit No. PA0010227. Industrial waste. **Fuller Company**, 236 South Cherry Street, P. O. Box 1020, Manheim, PA 17545 is authorized to discharge to a facility located in Manheim Township, **Lancaster County** to the receiving waters named Chickies Creek.

NPDES Permit No. PA0014672. Industrial waste. **General Battery Corporation**, P. O. Box 14294, Reading, PA 19612-4294 is authorized to discharge from a facility located in Muhlenberg Township, **Berks County** to the receiving waters named Bernhart Creek and the Schuylkill River.

NPDES Permit No. PA0085090. Industrial waste. **Berks Products Corporation**, P. O. Box 421, Reading, PA 19603-0421 is authorized to discharge from a facility located in Muhlenberg Township, **Berks County** to the receiving waters.

NPDES Permit No. PA0051781. Industrial waste. **Reading Area Water Authority**, 815 Washington Street, Reading, PA 19601 is authorized to discharge from a facility located in Ontelaunee Township, **Berks County** to the receiving waters named Maiden Creek.

NPDES Permit No. PA0011169. Industrial waste. **Brush Wellman, Inc.**, P. O. Box 973, Reading, PA 19603 is authorized to discharge from a facility located in Perry Township, **Berks County** to the receiving waters of an unnamed tributary to the Schuylkill River and the Schuylkill River.

Permit No. 0596408. Sewerage. **Chestnut Ridge Area Joint Municipal Authority**, R. D. 1, Box A320, New Paris, PA 15514. Construction of sewage treatment facilities, sewers and appurtenances and pump stations in E. St. Clair Township, W. St. Clair Township, King Township, St. Clairsville Borough and Pleasantville Borough, **Bedford County**.

Permit No. 2198402. Sewerage. **Mr. and Mrs. William L. Mauchamer**, 250 Roxbury Road, Newville, PA 17241. Construction of sewage treatment facilities for a single family dwelling in Lower Mifflin Township, **Cumberland County**.

Permit No. 2898402. Sewerage. **Hamilton Township Municipal Authority**, 1270 Crottlestown Road, Chambersburg, PA 17201. Construction of sewers and appurtenances and booster station in Hamilton Township, **Franklin County**.

Permit No. 0798401. Sewerage. **Board of Supervisors of Township of Logan**, 800 39th Street, Altoona, PA 16602-1799. Construction of sewers and appurtenances in Logan Township, **Blair County**.

Permit No. 3698402. Sewerage. **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. Construction of sewers and appurtenances and pump stations in East Hempfield and Manor Township, **Lancaster County**.

Permit No. 5098402. Sewerage. **Bloomfield Borough Council**, P. O. Box 144, New Bloomfield, PA 17068. Construction of sewage treatment facilities and modification to pump station in Bloomfield Borough, **Perry County**.

Permit No. 0798402. Sewerage. **Lewis Sovonick III**, 140 McDonald Road, Duncansville, PA 16635. Construction of sewage treatment facilities in Freedom Township, **Blair County**.

Permit No. 0698402. Sewerage. **Amity Township**, 2004 Weavertown Road, Douglassville, PA 19518. Construction of sewers and appurtenances in Amity Township, **Berks County**.

Permit No. 0698403. Sewerage. **Muhlenberg Township Authority**, 2840 Kutztown Road, Reading, PA 19605. Construction of Land Application Facilities and pump station in Muhlenberg Township, **Berks County**.

Permit No. 2198403. Sewerage. **Silver Spring Township Authority**, 6475 Carlisle Pike, Mechanicsburg, PA 17055. Construction of pump station in Silver Spring Township, **Cumberland County**.

Permit No. 0672403. Sewerage. Amendment No. 1. **Oley Township Municipal Authority**, P. O. Box 19, Oley, PA 19547. Modification to the construction of sewage treatment facilities in Oley Township, **Berks County**.

Permit No. 0198403. Sewerage. **Gettysburg Municipal Authority**, 60 East Middle Street, P. O. Box 3307, Gettysburg, PA 17325-3307. The construction of sewers and appurtenances and pump station in Cumberland Township, **Adams County**.

Permit No. 2191406. Sewerage. Amendment 98-1. **Doubling Gap Center, Inc.**, 1550 Doubling Gap Road, Newville, PA 17241. Modification to the construction of sewage treatment facilities in Lower Mifflin Township, **Cumberland County**.

Permit No. 0198402. Sewerage. **RBL Development Corporation**, 3902 Autumn Lane, Stewartstown, PA 17363. Construction of sewage treatment facilities in Berwick Township, **Adams County**.

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

WQM Permit No. 5998407. Sewerage. **David Shultz**, R. R. 1, Box 59, Morris, PA 16938. Permission to construct

a single residence sewerage system to facility located at Delmar Township, **Tioga County**.

WQM Permit No. 1798402. Sewerage. **Girard Township Supervisors**, R. R. 1, Box 232, Frenchville, PA 16836. Permission to construct and operate sewage system to serve Girard Township, **Clearfield County**.

WQM Permit No. 4198401. Sewerage. **Lycoming County Water & Sewer Authority**, P. O. Box 39, Montoursville, PA 17745. Permission to construct and maintain gravity sewer line and force main with two pump stations. The area served extends from the Williamsport Tennis Club to Hills Department Store also from Chad Lee MHP to Ridgemont Motel. Facility is located at Armstrong Township, **Lycoming County**.

NPDES Permit No. PA0208574. Sewerage. **Joseph Frock**, R. R. 4, Box 137, Wellsboro, PA 16901-9226. Renewal granted to discharge treated sewerage from facility located at Shippen Township, **Tioga County**.

NPDES Permit No. PA0028266. Sewerage. **Borough of Troy**, 110 Elmira Street, Troy, PA 16947. Renewal granted to discharge treated sewerage from facility located at Troy Borough, **Bradford County**.

NPDES Permit No. PA0208612. Sewerage. **Ridgebury Township Supervisors**, R. R. 3, Box 248A, Gillette, PA 16925. Renewal granted to discharge treated sewerage from facility located at Ridgebury Township, **Bradford County**.

WQM Permit No. 1498201. Industrial waste. **Centrex Precision Plastic**, 270 Rolling Ridge Drive, Bellefonte, PA 16823-8444. Permission to operate and maintain an existing subsurface wastewater treatment system was given to the above permittee. Facility located at Benner Township, **Centre County**.

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

NPDES Permit No. PA0205877. Sewerage. **Redstone Township Sewer Authority**, R. D. 1, Box 210-C, Grindstone, PA 15442 is authorized to discharge from a facility located at Redstone Township Sewer Authority Wastewater Treatment Plant, Redstone Township, **Fayette County** to Dunlap Creek.

Permit No. 6375202, Amendment No. 1. Industrial waste, **Allegheny Ludlum/Jessop Steel Company**, 500

Green Street, Washington, PA 15301. Replacement of the existing pond with a 16,000 gallon flow equalization/holding tank, along with the necessary new piping connections located in the Township of Canton, **Washington County** to serve the Allegheny Ludlum/Jessop Steel Washington Plant.

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

NPDES Permit No. PA0037923. Sewerage. **North East Water Filtration Plant**, Borough of North East, 58 East Main Street, North East, PA 16428 is authorized to discharge from a facility located in North East Township, **Erie County** to Sixteen Mile Creek.

NPDES Permit No. PA0103896. Industrial waste. **County Landfill, Inc.**, P. O. Box 237, Leeper, PA 16233 is authorized to discharge from a facility located in Farmington Township, **Clarion County** to an unnamed tributary to Walley Run.

WQM Permit No. 1098403. Sewerage. **Glade Run United Presbyterian Church**, 1091 Pittsburgh Road, Valencia, PA 16059. This project is for the construction and operation of a small flow sewage system in Middlesex Township, **Butler County**.

**INDIVIDUAL PERMITS
(PAS)**

Actions on plans submitted under the Storm Water Management Act (32 P. S. § 680.9).

Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555.

Plan No. SWMP 194:36. Mill Creek Watershed Storm Water Management Plan, Lancaster County, as submitted by **Lancaster County**, was approved on June 25, 1998.

Plan No. SWMP 152:36. Little Conestoga Creek Watershed Stormwater Management Plan, Lancaster County, as submitted by **Lancaster County**, was approved on June 25, 1998.

The following NPDES Individual Permits for Discharges of Stormwater from Construction Activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County Municipality</i>	<i>Receiving Stream</i>
PAS10-D095	MJE Builders, Inc. 320 Norristown Road Horsham, PA 19044	Milford Township Bucks County	Molasses Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10R031	Alfortene Golf Links P. O. Box 654 Blakeslee, PA 18610	Buck Township Luzerne County	Tributary to Stony Run

The following NPDES Individual Permits for Discharges of Stormwater from Industrial Sites have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS802219	United States Postal Service Joseph Barger One Marquis Plaza 5315 Campbells Run Rd. Pittsburgh, PA 15205-7030	Bethlehem Township Northampton County	Unnamed tributary to Monocacy Creek

INDIVIDUAL PERMITS

(PAR)

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

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

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

List of NPDES and/or other General Permit Type

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
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>
Butler County Oakland Township	PAS10E067	PA DEP Bureau of Abandoned Mine Reclamation P. O. Box 149 Ebensburg, PA 15931	Thorn Creek	Butler Conservation District 122 McCune Dr. Butler, PA 16001-65001 (724) 284-5270
Erie County Washington Township	PAR10K104	Kenneth Haibach 8615 Oliver Road Erie, PA 16509	Cussewago Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203

NOTICES

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<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>
Erie County Millcreek Township	PAR10K112	Clover Management, Inc. 1430 Millersport Highway Williamsville, NY 14221	Unnamed Tributary to Walnut Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Mercer County Hempfield Township	PAR104334	Greenville Development Group, L. P. 123 36th Street Pittsburgh, PA 15201	Little Shenango River	Mercer Conservation District R. D. 2 Box 2055 747 Greenville Road Mercer, PA 16137 (724) 662-2242
Washington Township Berks County	PAR-10-C216	Padre Pio Village Doug Murray Dir. of Dev. Nat'l. Centre for Padre Pio Inc. R. D. 1, Box 134 2213 Old Rte. 100 Barto, PA 19504	Perkiomen Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
City of Reading Berks County	PAR-10-C219	Alvernia College Proposed Student Center 400 St. Bernadine Street Reading, PA 19607	Angelica Creek	Berks County CD P. O. Box 520 1238 County Welfare Rd. Leesport, PA 19533 (610) 372-4657
Guilford Township Franklin County	PAR-10-M154	Preston G & Joan E. Bellows 2082 Lincoln Way East Chambersburg, PA 17201	UNT to Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 1720 (717) 264-7201
Warwick Township Lancaster County	PAR-10-O-323	R J Waters & Associates Inc. 402 Bayard Rd., Suite 200 Kennett Square, PA 19348	UNT Little Conestoga Creek	Lancaster County CD 1383 Arcadia Road, Room 6 Lancaster, PA 17601 (717) 299-5361
Upper Saucon Township Lehigh County	PAR10Q100	PA Dept. of Transportation Walter Bortree 1713 Lehigh Street Allentown, PA 18103	Saucon Creek	Lehigh CD (610) 391-9583
Jenkins Township Luzerne County	PAR10R151	Passan Building #7 The Laflin Partners Market Street Laflin, PA 18702	Garner Creek	Luzerne CD (717) 674-7991
Darby Township Delaware County	PAR10-J123	Henderson Coyles Joint Venture 112 Chesley Drive, Suite 200 Media, PA 19063-1792	Unnamed Tributary to Darby Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR10-5318	Westrum Land Development Corporation 370 Commerce Drive Ft. Washington, PA 19034	Manor Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR10-5320	Kvaerner Philadelphia Shipyards, Inc. Philadelphia Naval Business Center Philadelphia, PA 19112	Delaware Estuary	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6131

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

PAG045011

Frank A. Brown
R. D. 3, Box 415A
Muncy, PA 17756Unnamed tributary
to Warrior RunNorthcentral
208 W. Third St.
Williamsport, PA 17701
(717) 327-3664Tioga County
Delmar Township

PAG045009

David Shultz
R. R. 1, Box 59
Morris, PA 16938Unnamed tributary
Wilson CreekNorthcentral
208 W. Third St.
Williamsport, PA 17701
(717) 327-3664Columbia County
Orange Township

PAG045012

James Blackledge
R. R. 2, Box 90H
Orangeville, PA 16859

Green Creek

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

PAG045015

Vernon W. Moss
R. R. 5, Box 258A
Wellsboro, PA 16901Unnamed
Tributary
Wilson CreekNorthcentral
208 W. Third St.
Williamsport, PA 17701
(717) 327-3664*General Permit Type—PAG-5**Facility Location
County and
Municipality**Permit No.**Applicant Name
and Address**Receiving Stream
or Body of Water**Contact Office and
Telephone No.*Indiana County
Indiana Borough

PAG056122

Sun Company, Inc. (R&M)
5733 Butler St.
Pittsburgh, PA 15201

Stoney Run

Southwest Regional
Office: Water
Management Program
Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000**SEWAGE FACILITIES ACT****PLAN APPROVAL****Plan approval granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.1—750.20).***Northwest Regional Office, Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*Glade Township, **Warren County. Glade Township Supervisors**, c/o Marcia K. Trachier, 99 Cobham Road, Warren, PA 16365.*Project Description:* This approved project proposes construction of five sewer extensions in areas of Glade Township with the most chronic need for sanitary sewer service due to density of development, existing onlot malfunctions and the unsuitability of soils to support repair and new development onlot systems. The breakdown is as follows:

<i>Area</i>	<i># Homes</i>	<i>STP</i>
Shippman's Eddy	63 homes	City of Warren
Cobham Park Road	68 homes	City of Warren
Conewango Avenue/Front Street	48 homes	North Warren MA
Mader Lane/Whispering Hills	39 homes	North Warren MA
Irinedale Road	10 homes	City of Warren

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

SAFE DRINKING WATER**Actions taken under the Pennsylvania Safe 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. 1597511. Public water supply. **Independence Park**, Bruce Vanderhoef, 341 Freemont Road, Nottingham, PA 19362. A permit has been issued for the permitting of an existing water supply system to serve Independence Park Mobile Homes in West Nottingham Township, **Chester County.** *Type of Facility:* Public Water Supply. *Consulting Engineer:* Denis E. Forrest, P. O. Box 1895, East Goshen, PA 19380-0069. *Permit to Construct Issued:* June 26, 1998.

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

Permit No. 4598501. Public water supply. **Stroudsburg Municipal Authority**, Kenneth Brown, Manager, P. O. Box 237, 410 Stokes Avenue, East Stroudsburg, PA 18301. This proposal involves the construction of approximately 8 miles of 12-inch DI pipe waterline extension along Routes 447 and 611 in Stroud Township, a new pumping station, 0.75 mg storage tank and an interconnection with East Stroudsburg. It is located in Stroud Township, **Monroe County**. *Permit to Operate:* June 15, 1998.

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

Permit No. 0197506. Public water supply. **Heritage Hill II Partnership**, Littlestown Borough, **Adams County**. *Responsible Official:* Harry McKean, General Partner, 209 Locust Street, P. O. Box 215, East Berlin, PA 17316. *Type of Facility:* Construction permit for well no. 1 at a rate of 80 gpm. Treatment will consist of disinfection by gas chlorination. The well will be developed and turned over to the Littlestown Borough Authority.

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

A. 4146426. The Department issued a Special Permit By Rule application to **H2O To Go** (49 Village Square Drive, Marietta, PA 17547; Northcentral Region, **Centre County**) for operation of vended water system located at Weis Store #31, JPM Road, Lewisburg, PA 17837.

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

Permit No. 4298501. Public water supply. **Hazel Hurst Water Association**, P. O. Box 197, Hazel Hurst, PA 16733 has been issued a permit for the construction of a 20 gpm water treatment plant with direct filtration, chlorination and storage in Hamlin Township, **McKean County**. *Type of Facility:* Community Water Supply. *Consulting Engineer:* John L. Schaudé, P. E., BCM Engineers, Inc., 777 Penn Center Blvd., Ste. 200, Pittsburgh, PA 15235. *Permit to Construct Issued:* July 2, 1998.

Permit No. 2597505. Public water supply. **Lake Shore Maintenance Association**, Water Department, 1001 Webster Road, Erie, PA 16505 has been issued a permit for the addition of two wells to add additional supply serving Lake Shore Cub District. These wells will be known as 91297 and 110383 in Fairview Township, **Erie County**. *Type of Facility:* Community Water Supply. *Consulting Engineer:* William W. Peters, P. E., 414 Ravine Dr., Erie, PA 16505. *Permit to Construct Issued:* July 7, 1998.

HAZARDOUS SITES CLEAN-UP

Under the Act of October 18, 1988

De Minimis Settlement Under the Hazardous Sites Cleanup Act

Quality Container Corporation Site

City of Philadelphia, Philadelphia County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has entered into multiple consent order and agreements for de minimis settlements with 68 parties regarding the

Department's costs incurred for conducting response activities at the Quality Container Corporation (QCC) site. The QCC site is a parcel of land of approximately 1.25 acres located in the City of Philadelphia, Philadelphia County, at the intersection of Collins Street and E. Ontario Street. The surrounding area is zoned commercial and residential.

QCC operated a drum reconditioning facility from 1977 through June 1990. QCC stopped operations in July of 1990 and subsequently abandoned the site leaving roll-off containers, drums and wastes generated by facility operations. In addition, process equipment on the site was not cleaned of wastes at the time the facility was abandoned. The roll-off containers, drums, process equipment and abandoned wastes were not contained and were accessible to the public.

Because of the threat to human health and the environment posed by the QCC site, the site was deemed as a HSCA site on August 12, 1994 under section 502 of HSCA (35 P. S. § 6020.502). The Department subsequently implemented and completed an interim response from March 20, 1995 through February 8, 1996 to address the release or threat of release of hazardous substances. To date, the Department has incurred response costs of approximately \$1.8 million related to the release or threat of release of hazardous substances.

During the implementation of the interim response, the Department seized QCC records located in an office trailer at the site. The QCC records contained documentation regarding potentially responsible parties that were identified by the Department. Based on a review of the QCC records, the Department has determined that 95 potentially responsible parties are de minimis parties, and offered to enter into consent order and agreements with those parties for de minimis settlements under section 122(g) of CERCLA, 42 U.S.C.A. § 9622(g), and section 707 of HSCA (35 P. S. § 6020.707). The Department previously published notice of settlements with 66 de minimis parties on September 27, 1997, and with two additional de minimis parties on December 21, 1997.

The Department has entered into a consent order and agreement for a de minimis settlement with the following additional de minimis party: Donald B. Kelly, Inc.

Under the proposed consent order and agreement for the de minimis settlement that is subject to this notice the Department will receive a total of \$13,440.05.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). The proposed consent order and agreement is subject to final approval by the Department following the receipt and review of any comments submitted by the public. The proposed consent order and agreement that contains the specific terms of the settlements are available for public review and comment. The proposed consent order and agreements can be examined from 8 a.m. to 4 p.m. at the Department's office at 555 North Lane, Suite 6010 Lee Park, Conshohocken, PA 19428 by contacting Sonja Smith at (610) 832-6003. A public comment period on the proposed consent order and agreement will extend for 60 days from the date of publication of this notice. Persons may submit written comments regarding the proposed consent order and agreements to the Department by September 24, 1998, by submitting them to April Flipse, Project Officer, at the above address.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

The Department has received the following final reports:

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

Baer Property, Eddystone Borough, **Delaware County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Ave., Bala Cynwyd, PA 19004, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet site-specific and background standards.

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

Estate of George Hutt, Jr., Worcester Township, **Montgomery County**. Daniel F. Yonker, P. G., Waste Concepts, Inc., 2230 De Kalb St., Norristown, PA 19401, has submitted a Final Report concerning remediation of site soil contaminated with heavy metals. The report is intended to document remediation of the site to meet Statewide health standards.

Northeast Regional Field Office, Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.

Former Slatebelt Industrial Center, Pen Argyl Boro, **Northampton County**. Jeffrey T. Amant, Langan Engineering and Environmental Services, Inc., Georgetown Crossing, Suite 225, 3655 Route 202, Doyles-

town, PA 18901 has submitted a Final Report (on behalf of his client, Joseph Bodnar, 217 Webster Ltd., 521 West Babbitt Avenue, Pen Argyl, PA 18343) concerning the remediation of site soils, groundwater, sediments and surface water contaminated with petroleum hydrocarbons, polychlorinated biphenyls (PCBs) and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide human health standard in combination with the background and site-specific standards.

Gromlich Residence, City of Easton, **Northampton County**. Brian R. Evans, Environmental Scientist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Final Report (on behalf of his client, Lawrence Gromlich, 1304 Lehigh Street, Easton, PA 18042) concerning the remediation of site soils suspected to be contaminated with polycyclic aromatic hydrocarbons and BTEX (benzene, toluene, ethylbenzene and xylenes) compounds. The report is intended to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

Southcentral Regional Office, Environmental Cleanup Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

Martin Dubbs Residence, Dover Township, **York County**. Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has resubmitted a Final Report concerning remediation of site soils contaminated with PAHs and PHCs. The report is intended to document remediation of the site to meet the Statewide health standard.

Golden Triangle Shopping Center, Manheim Township, **Lancaster County**. TETHYS Consultants, Inc., 2933 North Front Street, Harrisburg, PA 17110 has submitted a Final Report concerning remediation of site soils contaminated with heavy metals, BTEX, 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 4

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 Chapter 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 Act 2 (Land Recycling and Environmental Remediation Standards Act) remediation standards. 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, please 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 final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

Southcentral Regional Office, Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

W. R. Meadows, Inc., West Manchester Township, York County. W. R. Meadows, Inc., P. O. Box 543, Elgin, IL 60121 submitted a remedial investigation report, risk assessment report and a cleanup plan concerning the remediation of site soils and groundwater contaminated with PHCs. These reports were approved by the Department on July 9, 1998.

Bernville Manufacturing Elkin Site, Bernville Borough, Berks County. GAC Associates, P. O. Box 625, Ardmore, PA 19003-0625 submitted a final report concerning the remediation of site soils contaminated with lead. The report was approved by the Department on July 9, 1998.

SOLID AND HAZARDOUS WASTE

BENEFICIAL USE DETERMINATIONS

Approval of determination of applicability 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 residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

Central Office—Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.

General Permit Determination of Applicability No. WMGR017D006. Kline's Services, Inc., P. O. Box 626, 5 Holland Street, Salunga, PA 17538 under permit WMGR017 for the beneficial use of drinking water sludge generated by water supply treatment facilities for application upon agricultural lands as a soil additive. Determination of applicability was issued by Central Office on July 9, 1998.

Permit modification proposed 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 residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

Central Office—Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.

General Permit No. WMGR025, was issued April 27, 1996, for the aerobic composting of agriculture waste other than dead animals, vegetable residuals from food processing activities, uncontaminated and untreated wood waste, yard waste, raw vegetables and raw fruits from food markets, grocery stores, and the like, and source-separated newspaper, and source-separated corrugated paper. The general permit allows the beneficial use of the produced compost as a soil conditioner, soil substitute, soil amendment, fertilizer and mulch. The Department is proposing to modify conditions in the permit for clarification and also to reflect the regulatory changes to Chapter 287, Subchapter H. The proposed changes include the following:

1. Municipal waste is added to Condition 1 as the general permit allows mixed waste composting.
2. Condition 2 is modified to more clearly reflect the requirements by the Department of Agriculture pertaining to the compost use.
3. New language is added to Condition 3 for spent mushroom substrate (SMS) composting operations.
4. Condition 5 is modified to exclude bagged compost storage areas from being considered part of the composting facility total acreage.
5. Condition 14 which deals with the composting pad clarifies that groundwater monitoring shall be required if the pad is not constructed of materials identified in the general permit.
6. Condition 15 emphasizes that runoff may not cause groundwater degradation.
7. To Condition 19, siting restrictions of 300 yards applying to a public or parochial school, playgrounds and parks, required under Act 101, is added.
8. Condition 25(c) has been modified to clarify that chemical analyses are required for food processing sludges only.
9. The Determination of Applicability fee has changed from \$200 to \$500. This change is shown in Condition 25(j).

The general permit applies to composting operations not exceeding 15 acres. Facilities larger than 15 acres may obtain a separate general permit or a site-specific, individual composting permit under the residual waste or municipal waste regulations.

Comments concerning the proposed modifications should be directed to Khatija P. Swaroop, Permitting Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in more information may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 654-

5984. Public comments on the modifications must be submitted within 60 days of this notice.

Central Office, Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, 14th Floor, Harrisburg, PA 17105-8472.

General Permit No. WMGR057: Transfer of spent mushroom substrate (SMS) prior to its beneficial use.

The Department of Environmental Protection, Bureau of Land Recycling and Waste Management, authorizes, under General Permit No. WMGR057, the transfer and beneficial use of the spent mushroom substrate. This will be a Statewide general permit.

Under the terms and conditions of the general permit persons who are approved to transfer SMS for beneficial use will be required to meet, at a minimum, the following: compliance with The Clean Streams Law, compliance with the Solid Waste Management Act, conformance with minimum isolation distances, maintenance of operating records and submission of annual summary reports to the Department.

The Department is authorized under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), and section 287.611 of the residual waste management regulations to issue general permits. Any category of beneficial use or processing that results in beneficial use of municipal waste and residual waste on a regional or Statewide basis when the Department determines that such use does not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard conditions. The Department has determined that the transfer of SMS prior to its beneficial use can be adequately regulated using standard conditions. The Department has restricted the size of the SMS transfer facility not to exceed 15 acres. An individual or a separate general permit will be required for facilities exceeding 15 acres.

Persons requesting approval to operate under the terms of the general permit will be required to obtain a "Determination of Applicability" from the appropriate Department Regional Office for each site where spent mushroom substrate will be transferred. The following minimum information will be required in order to obtain a Determination of Applicability:

- (a) Name and address of applicant.
- (b) Name and location of facility with site drawings and maps showing isolation distances.
- (c) Number and title of general permit.
- (d) Proof that proposed transfer activities are consistent with the general permit.
- (e) A signed statement accepting all conditions of the general permit.
- (f) Proof of host municipal notification.
- (g) Proof of identification of interests.
- (h) Compliance history information.
- (i) An application fee in the amount of \$500.
- (j) A financial bond guaranteeing operation of the entire facility, if larger than 5 acres or handling greater than 6,000 cu. yds. of SMS per acre.

Persons interested in obtaining more information or a copy of this general permit may contact Peter Arnt, Jr., in the Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management at Rachel Carson

State Office Building, 400 Market Street, P. O. Box 8472, Harrisburg, PA 17105-8472 or by calling (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service (800) 654-5984. No comments were received on the proposed general permit.

RESIDUAL WASTE PROCESSING FACILITIES

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

Permit I. D. No. 301288. Recycle Oil Company, 1600 South 25th Street, Easton, PA 18042. A permit authorizing the operation of this residual waste oil processing facility, located in Wilson Borough, **Northampton County**. This permit provides for accepting and bulking waste oil, oily water, antifreeze, petroleum-contaminated debris for the next 10 years. The permit was issued in the Regional Office on June 29, 1998.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit ID No. 301071. Yukon Plant—Impoundment No. 6, Mill Service, Inc., 1815 Washington Road, Pittsburgh, PA 15089. Operation of a residual waste processing and disposal facility in South Huntingdon Township, **Westmoreland County**. This permit was issued on July 8, 1998 in response to the appeal filed by Mill Service, Inc. at Environmental Hearing Board Docket No. 97-159-R.

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.

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

46-0050: Rohm & Haas DVI (727 Norristown Road, Spring House, PA 19477) issued July 7, 1998, for the operation of a Synthetic Minor NOx RACT Facility in Lower Gwynedd Township, **Montgomery County**.

Northcentral Regional Office, Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.

08-316-001B: Masonite Corp. (P. O. Box 311, Towanda, PA 18848) issued June 2, 1998, for the operation of a hardboard plant die form felter and associated air cleaning device (a centrifugal scrubber) in Wysox Township, **Bradford County**.

55-318-007C: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) issued June 10, 1998, for the operation of various wood kitchen cabinet finishing operations ("Main Line," "Berkmann Line" and "Cefla Line") and associated air cleaning device (a regenerative thermal oxidizer) in Middlecreek Township, **Snyder County**.

55-302-005A: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) issued June 10, 1998, for the operation of a wood fired boiler and associated air cleaning device (a multiclone) in Middlecreek Township, **Snyder County**.

12-399-004C: Pennsylvania Sintered Metals, Inc. dba BrownCo Powder Products (P. O. Box 308, Emporium, PA 15834) issued June 17, 1998, for the operation of two powdered metal parts sintering furnaces and associated air cleaning devices (two in-stack afterburners) in Emporium Borough, **Cameron County**.

14-399-009F: Murata Electronics North America, Inc. (1900 West College Avenue, State College, PA 16801-2799) issued June 30, 1998, for the operation of 18 ceramic kilns, 10 binder removal ovens, three kilns and associated air cleaning devices (31 electrically-heated afterburners) in Ferguson Township, **Centre County**.

49-318-031A: Pennsylvania Department of Corrections (P. O. Box 598, Camp Hill, PA 17001-0598) issued June 30, 1998, for the operation of wood furniture finishing, gluing and stripping operations at SCI Coal Township in Coal Township, **Northumberland County**.

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

65-00890: Carbide Corp. (900 Main Street, P. O. Box 228, Lowber, PA 15660) issued June 30, 1998, for operation of tool and die manufacturing at Lowber Facility in Sewickley Township, **Westmoreland County**.

03-00188: Carson Industries (189 Foremand Road, Freeport, PA 16229) issued June 3, 1998, for operation of aluminum sandcasting foundry in South Buffalo Township, **Armstrong County**.

65-891A: Firestone Building Products Co. (525 Congressional Blvd., Carmel, IN 46032) issued July 6, 1998, for operation of foam insulation manufacturing at Youngwood Plant in Youngwood Borough, **Westmoreland County**.

32-330-001A: Sanifill of Pennsylvania, Inc. (P. O. Box 195, Coral, PA 15731) re-issued July 2, 1998, for operation of soil processing plant at Pellegrine Municipal Landfill in Center Township, **Indiana County**.

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

10-309A: Heckett MultiServ, Plant No. 16 (P. O. Box 1071, 612 North Main Street, Butler, PA 16003) issued April 30, 1998, for a slag processing plant in Butler, **Butler County**.

24-313-088D: Carbone of America Graphite Materials (215 Stackpole Street, St. Marys, PA 15857) issued June 30, 1998, for car kilns in Benzinger Township, **Elk County**.

24-313-132A: Carbone of America Graphite Materials (215 Stackpole Street, St. Marys, PA 15857) issued June 30, 1998, for a jet mill in Benzinger Township, **Elk County**.

37-162A: Precision Plating Co., Inc. (407 Summitview Drive, New Castle, PA 16105) issued May 31, 1998, for chromium electroplating in Neshannock Township, **Lawrence County**.

62-152A: Smith Alexander Services (P. O. Box 357, Portersville, PA 16051) issued July 6, 1998, for mechanical slag processing in Brokenstraw Township, **Warren County**.

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

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

15-302-088GP: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) issued for Two Natural Gas-Fired Boilers in East Whiteland Township, **Chester County**.

15-302-089GP: Centocor, Inc. (200 Great Valley Parkway, Bldg. 4, Malvern, PA 19355) issued for a Natural Gas-Fired Boiler in East Whiteland Township, **Chester County**.

Northcentral Regional Office, Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.

GP3-14-01: Con-Stone, Inc. (P. O. Box 28, Bellefonte, PA 16823) issued on June 2, 1998, to construct and operate a screen and five conveyors under the General Plan Approval and General Operating Permit for Portable Non-metallic Mineral Processing Plants in Haines Township, **Centre 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.

06-5010A: Crompton & Knowles Color, Inc. (P. O. Box 341, Reading, PA 19603) issued July 8, 1998, for the modification of the Filter Press Room at their Robeson Plant in Robeson Township, **Berks County**.

Northcentral Regional Office, Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.

49-303-005A: Meckley's Limestone Products, Inc. (R. R. 1, Box 950, Herndon, PA 17830) issued June 3, 1998, for the modification and installation of an air cleaning device (a fabric collector) on a batch asphalt concrete plant in Lower Mahanoy Township, **Northumberland County**.

17-309-006B: Glen-Gery Corp. (P. O. Box 338, Bigler, PA 16825) issued June 10, 1998, for the operation of a pneumatically-loaded iron chromite storage bin and associated air cleaning device (a cartridge collector) in Bradford Township, **Clearfield County**.

49-302-051A: Pocono Village Farms, LP (10 Alvin Court, East Brunswick, NJ 08816) issued June 10, 1998, for the construction of two natural gas/#2 oil fired boilers in Mt. Carmel Township, **Northumberland County**.

These boilers are subject to Subpart Dc of Federal Standards of Performance for New Stationary Sources.

59-303-004: IA Construction Co. (P. O. Box 209, Homer City, PA 15748) issued June 19, 1998, for the construction of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Covington Township, **Tioga County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

17-305-042: Commonwealth Synfuel, LLC (3280 North Frontage Road, Lehi, UT 84057) issued June 19, 1998, for the construction of a coal agglomeration facility and associated air cleaning devices (a fabric collector, a water spray dust suppression system, a water truck, enclosures and covers) in Karthaus Township, **Clearfield County**. A drying oven incorporated in the respective facility is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

41-318-032B: Textron Lycoming (625 Oliver Street, Williamsport, PA 17701) issued June 19, 1998, for the construction of an aircraft engine surface coating operation in the City of Williamsport, **Lycoming County**.

59-304-002J: Ward Manufacturing, Inc. (P. O. Box 9, Blossburg, PA 16912-0009) issued June 19, 1998, for the installation of air cleaning devices (three fabric collectors) on various iron foundry shakeout, and the like, operations at Plant 1 in Blossburg Borough, **Tioga County**.

53-0009B: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512) issued June 19, 1998, for the modification of, and installation of an air cleaning device (a thermal oxidizer) on, two natural gas dehydration units at the Ellisburg Compressor Station in Allegany Township, **Potter County**.

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

30-120A: Robena, L.L.C. (1145 E. South Union Avenue, Suite 100, Midvale, UT 84047) issued March 2, 1998, for operation of coal agglomeration at Alicia Facility in Monongahela Township, **Greene County**.

63-649D: Polycom Huntsman, Inc. (55 Galiffa Drive, Donora, PA 15033) issued June 10, 1998, for operation of thermoplastic compounders at Donora Plant No. 1 in Donegal Township, **Washington County**.

63-004A: Molycorp, Inc. (300 Caldwell Avenue, Washington, PA 15301) issued July 2, 1998, for operation of molybdenum roasters at the Washington Plant in Canton Township, **Washington County**.

63-002A: Twilight Industries (212 State Street, Belle Vernon, PA 15012) issued July 2, 1998, for operation of coal staging/processing at the I-70 Surface Mine in Somerset Township, **Washington County**.

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

37-051A: REMACOR (Route 168, West Pittsburgh, PA 16160) issued July 1, 1998, for the construction of a magnesium grinding system in Taylor Township, **Lawrence County**.

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

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

46-313-132: Republic Environmental Systems, Inc. (2869 Sandstone Drive, Hatfield, PA 19440) issued July 7, 1998, for the operation of a Solid Containment Building in Hatfield Township, **Montgomery County**.

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

22-301-060: Pinnacle Health at Polyclinic Hospital (2601 North Third Street, Harrisburg, PA 17110) issued July 8, 1998, to authorize temporary operation of the Bio-Oxidizer System, covered by this Plan Approval until November 5, 1998, in the City of Harrisburg, **Dauphin County**.

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

04-307-094A: J&L Specialty Steel, Inc. (1500 West Main Street, Midland, PA 15059) issued July 7, 1998, for installation of direct roll A&P line at Midland Facility in Midland Borough, **Beaver County**.

26-305-032: Mon River Energy Corp. (P. O. Box 466, Brier Hill, PA 15415) issued July 2, 1998, for construction of coal refuse reprocessing plant at Brier Hill Site in Redstone Township, **Fayette County**.

04-313-053B: Envirotrol, Inc. (P. O. Box 61, 432 Green Street, Sewickley, PA 15143) for operation of a rotary kiln carbon regenerator at Darlington Plant in Darlington Township, **Beaver County**.

63-015A: Flexsys America L. P. (829 Route 481, Monongahela, PA 15063) issued July 2, 1998, for operation of Crystex Plant Facility at Monongahela Plant in Carroll Township, **Washington County**.

11-427A: Emglo Products, L. P. (303 Industrial Park Road, Johnstown, PA 15904) issued July 2, 1998, for operation of a powder coating system at Johnstown Plant in Johnstown, **Cambria County**.

63-308-035: Hansen Engineering, Inc. (167 Laidley's Run Road, West Alexander, PA 15376) issued July 2, 1998, for construction of a sliding bed thermo oxidizer in West Finley Township, **Washington County**.

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

10-313-046: Mine Safety Appliances Co. (R. D. 2, Evans City, PA 16033) issued July 27, 1998, for a scrubber/flare emission abatement system in Forward Township, **Butler County**.

25-301-064A: Erie Sewer Authority (68 Port Access Road, Erie, PA 16507) issued July 31, 1998, for two sewage sludge incinerators in Erie, **Erie County**.

25-327-004: Spectrum Control, Inc. (8061 Avonia Road, Fairview, PA 16415) issued June 28, 1998, for three open top vapor degreasers in Fairview, **Erie County**.

25-327-005: Spectrum Control, Inc. (6000 West Ridge Road, Erie, PA 16506) issued June 28, 1998, for vapor degreasers in Erie, **Erie County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

Coal Applications Issued:

32880105. Permit Renewal, GLR Mining, Inc. (P. O. Box 105, Clymer, PA 15728), commencement, operation and restoration of bituminous strip mine for reclamation, only in Pine Township, **Indiana County**, affecting 155.0 acres, receiving stream unnamed tributaries of Yellow Creek and to Yellow Creek, application received July 1, 1998, application issued July 6, 1998.

56980102. Hoffman Mining, Inc. (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine in Shade Township, **Somerset County**, affecting 92.7 acres, receiving streams unnamed tributaries to Oven Run to Stonycreek River, application received February 23, 1998, application issued July 9, 1998.

32970112. Mears Enterprises, Inc. (P. O. Box 157, Clymer, PA 15728), commencement, operation and restoration of bituminous strip mine in Green Township, **Indiana County**, affecting 92.5 acres, receiving streams Buck Run and Dixon Run, application received October 30, 1997, application issued July 10, 1998.

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

14841601. Northern Counties Coal Co., Inc. (P. O. Box 668, Philipsburg, PA 16866), revision to an existing bituminous surface mine permit for a Change in Land Use from reclamation of areas with post operational land use of wildlife habitat to be reclaimed as industrial. Application received April 26, 1998, permit issued June 28, 1998.

17860140. Beth Contracting, Inc. (R. D., Box 1, Glen Campbell, PA 15712), revision to an existing bituminous surface mine permit to apply biosolids (stabilized sewage sludge) to enhance vegetation, Beccaria Township, **Clearfield County** affecting 322 acres, application received February 13, 1998, permit issued June 26, 1998.

17920108. Johnson Bros. Coal Company (R. D. 1, Box 580, Mahaffey, PA 15757), transfer of an existing bituminous surface mine permit from Waroquier Coal Company, Penn Township, **Clearfield County** affecting 60.2 acres, receiving streams: unnamed tributary to Kratzer Run to Kratzer Run to Anderson Creek to the West Branch of the Susquehanna River, application received March 20, 1998, permit issued July 6, 1998.

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

Coal Mining Permits Issued:

03880701. Rosebud Mining Company (R. R. 9, Box 379A, Kittanning, PA 16201), to renew the permit for the T.R.D. #2 in Perry Township, **Armstrong County**, no additional discharges. Permit issued June 29, 1998.

30841316. Consol Pennsylvania Coal Co. (P. O. Box 174, Graysville, PA 15337), to renew the permit for the Bailey Mine in Richill Township, **Greene County**, no additional discharges. Permit issued June 29, 1998.

33921301. Doverspike Bros. Coal Co., Inc. (R. D. 4, Box 271, Punxsutawney, PA 15767), to renew the permit for the Mauk Mine in Oliver and Ringgold townships, **Jefferson County**, reclamation only, no additional discharges. Permit issued June 29, 1998.

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

Small Industrial Mineral Authorizations Granted:

08980804. John T. Strope (R. R. 1, Box 179C, Rome, PA 18837), commencement, operation and restoration of a Small Industrial Mineral (Bluestone) permit in Herrick Township, **Bradford County** affecting 1 acre, receiving streams: unnamed tributaries to Cold Creek, application received March 5, 1998, permit issued July 7, 1998.

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

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

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

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

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

E09-769. Encroachment Permit. **The Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067. To construct and maintain a 27.5 foot × 24.33 foot dechlorination facility at the Authority's Wastewater Treatment Plant which is located in the 100 year floodplain of the Delaware River. The site is located at the southeast corner of the intersection of Riverview Avenue and Delaware Avenue (Trenton West PA Quadrangle N: 14.00 inches; W: 2.5 inches) in the Borough of Morrisville, **Bucks County**.

Northeast Regional Office, Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.

E54-246. Encroachment. **Rosalie A. Wiest**, R. R. 1, Box 513, Pine Grove, PA 17963-0513. To construct and maintain a commercial building, having dimensions of 21 feet by 46 feet, in the floodway of Swatara and Wide Wake Creeks. The project is located at 161—169 North Tulpehocken Street (S. R. 0125) (Pine Grove, PA Quadrangle N: 10.6 inches; W: 2.75 inches), in Pine Grove Borough, **Schuylkill County**.

E64-187. Encroachment. **Pennsylvania Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a road crossing of Crooked Creek, consisting of a 20.0-foot by 7.0-foot precast concrete box culvert, with its invert depressed 1.0 foot below streambed elevation. The new structure will be located approximately 30 feet upstream of the existing structure. The project is located on S. R. 4007, Section 671, Segment 0280, Offset 0017, approximately 0.5 mile north of the Buckingham Township/Lebanon Township boundary (Lake Como, PA Quadrangle N: 5.2 inches; W: 5.4 inches), in Buckingham Township, **Wayne County**.

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

E05-245. Encroachment. **Chestnut Ridge Area Joint Municipal Authority**, Larry Fischer, R. D. 1, Box A320, New Paris, PA 15554. To construct and maintain: (1) a wastewater treatment facility within the right banks 100-year floodplain of Dunning Creek located about 1,900 feet upstream of US 220 bridge; (2) Camp Pleasant wastewater pump station within the left bank's 100-year floodplain of Dunning Creek located about 1 mile north of Spring Meadow Village; (3) Bobs Creek wastewater pump station within the left bank's 100-year floodplain of Bobs Creek located about 1 mile south of Osterburg Village; and, (4) Imler wastewater pump station within the right bank's 100-year floodplain of Scrubgrass Creek located about 1,800 feet south of Imler Village. (The treatment facility is in Bedford, PA Quadrangle N: 18.8 inches; W: 5.0 inches in East St. Clair Township, Bedford County). (The Camp Pleasant and the Bobs Creek wastewater pump stations are in Alum Bank, PA Quadrangle N: 8.4 inches; W: 10.95 inches and N: 6.1 inches; W: 4.37 inches respectively in East St. Clair Township, Bedford County). The Imler pump station is in Alum Bank, PA Quadrangle N: 14.05 inches; W: 3.7 inches) in King Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E05-265. Encroachment. **PA Department of Transportation, Engineering District 9-0**, 1620 N. Juniata

Street, Hollidaysburg, PA 16648. To remove an existing bridge and to construct and maintain a prestressed concrete bridge having two spans of 48 feet each and a minimum underclearance of 6.88 feet over Bobs Creek located on SR 0869, Section 002, Segment 0180, Offset 0423, Station 276+00 (Alum Bank, PA Quadrangle N: 16.1 inches; W: 8.2 inches) in King Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E21-279. Encroachment. **Lower Allen Township**, Raymond Rhodes, 1993 Hummel Avenue, Camp Hill, PA 17011. To construct and maintain an 18-inch diameter storm sewer line and an outfall structure along the left bank and floodplain of the Yellow Breeches Creek in order to safely divert surface run-off into the creek located along McCormick Drive in Lisburn Village (Lemoyne, PA Quadrangle N: 7.19 inches; W: 5.7 inches) in Lower Allen Township, **Cumberland County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E67-618. Encroachment. **Patrice Hartman**, Northeastern York County Sewer Authority, 175 Chestnut Street, Mt. Wolf, PA 17347. To remove 500 linear feet of an existing sanitary sewer interceptor along Hartman Run and to construct and maintain a replacement sewer line consisting of 500 linear feet of an 18-inch diameter steel pipe. The new line will be supported by a new reinforced concrete retaining wall. The wall will be supported with a system of piers and counterforts. Mortared R-5 riprap will be placed along the length of the wall between these supports. The project is located behind the New York Wire facility west of Chestnut and Main Streets (York Haven, PA Quadrangle N: 12 inches; W: 11.6 inches) in Mount Wolf Borough, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E14-321. Encroachment. **PA Department of Transportation, Engineering District 2-0**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a precast concrete box culvert with a span of 16 feet and effective underclearance of 6 feet in Halfmoon Creek located on SR 550 approximately 0.8 mile north of its intersection with SR 3017 (Port Matilda, PA Quadrangle N: 9.88 inches; W: 1.71 inches) in Halfmoon Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E14-325. Encroachment. **PA Department of Environmental Protection**, 208 W. Third St., Williamsport, PA 17701. To install and maintain streambank fencing along approximately 400 feet of Pine Creek and a 12-foot wide livestock stream crossing spanning 20 feet of Pine Creek located just east of Quarry Road about 500 feet north of SR 2018 (Millheim, PA Quadrangle N: 2.12 inches; W: 2.37 inches) in Haines Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E59-366. Encroachment. **James M. Steele**, 1404 Rochester Road, Avon, NY 14414. To excavate and maintain: (1) a 3 acre-foot reservoir area measuring 250 feet long, a

maximum of 115 feet wide and a maximum of 7 feet deep; 2) a grass-lined trapezoidal spillway, measuring 2.2 feet deep, 20 feet wide at its base and approximately 70 feet long in the floodway of an unnamed tributary to Pine Creek for a non-jurisdictional on-stream dam located 1 mile west of the SR 0362 and SR 0006 intersection (Tiadaghton, PA Quadrangle N: 21.8 inches; W: 10.8 inches) in Shippen Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Tank Type and Capacity</i>
98-51-001	Westway Terminal Co. Inc. 365 Canal Street Suite 2900 New Orleans, LA 70130	Philadelphia County Philadelphia City	ASTs storing Caustic Soda; 2,000,000, 1,500,000, and 500,000 gallons

STORAGE TANKS

SITE SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site Specific Installation Permit under the authority of the Storage Tank and Spill Prevention Act (35 P. S. §§ 6021.304, 504, 1101—1102) and 25 Pa. Code Chapter 245, Subchapter C has been issued by the Bureau of Watershed Conservation, Director, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-5267.

SPECIAL NOTICES

102/NPDES/Stormwater Construction Activity Permit

The Department of Environmental Protection (DEP) Water Management Program will be holding a fact finding hearing on the following Stormwater NPDES permit application:

West Bradford Township, NPDES Permit No. PAS10-G327—Broad Run Park

The hearing is scheduled for September 3, 1998, at 1:30 p.m. at Chester County Conservation District Office, Conference Room 240, 610 Westtown Road, West Chester, PA 19382-4519, Chester County. The hearing is being held to solicit pertinent comments on this application. The application is for stormwater construction activities, with a discharge to Broad Run. A copy of this application is available for review in the Southeast Regional Office's Record Management Section, (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is:

West Bradford Township, 1385 Campus Drive, Downingtown, PA 19335.

Comments received will be considered by DEP in completing its review and prior to taking final action concerning the application. The hearing will not be a question and answer session.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program at the above address. The notice should include your name, address and phone number, whether you are opposed or in favor of the project and a brief statement about your presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to DEP may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Proposed Revisions to the NPDES Permit and Related Permit Handbooks; Public Notice of Availability

The Process Improvement Team (PIT), comprised of individuals from public and private interests, has been actively working for about 3 years to review and, where necessary, recommend changes to the Department's current NPDES and Water Quality Management (Part II) permit and related documents. Early in the process the team reviewed all work activities involved and set priorities to focus initial efforts on the permits, followed by related permit applications and finally the actual permit terms and conditions. So far, the majority of the PIT focus has been on the NPDES permitting process and related documents. The objective of PIT is to make the NPDES documents simple to understand, clear and concise with detailed legal citations and explanatory language normally contained in the current permit moved to two permit handbooks (one for Publicly Owned Treatment Works (POTW) and non-municipal wastewater dischargers and the other for industrial wastewater dischargers). The Department obtained the services of the Susquehanna River Basin Commission (SRBC) to help PIT re-write the permits and develop supplementary permit handbooks.

The PIT is requesting public comment on the following draft NPDES documents:

1. *NPDES Permit for Wastewater Discharges*. Final draft of a one permit format system proposed to be used for municipal, non-municipal and industrial discharges.

2. *Supplemental Handbook—NPDES Permit for POTW and Non-municipal Wastewater Dischargers*. Final draft of handbook which contains detailed information related to POTW and non-municipal dischargers.

3. *Supplemental Handbook—NPDES Permit for Industrial Wastewater Dischargers*. Final draft of handbook which contains detailed information related to industrial dischargers.

Public Participation Activities Completed

The PIT mission, specific charge, the meeting schedule and meeting proceedings have been regularly posted on the PIT-2 Web Page on the DEP web site. In addition, SRBC has formed an Ad hoc NPDES Advisory Committee consisting of State, Federal and local government officials and private groups to solicit further public input on the issues and help guide the PIT and the Department in

completing its permit related efforts. The SRBC Ad hoc NPDES Advisory Committee has met twice last year and provided input to various draft documents. In addition, a PIT exhibit booth was set up at the June 14—17, 1998, Water Environment Federation/Pennsylvania Water Environment Association Annual Conference at Seven Springs, PA. Over 125 of the documents described above were distributed to conference attendees made up of municipal government officials and consultants. A detailed work plan and schedule to complete and distribute the documents also has been posted on the PIT-2 Web page since April 1998.

Public Availability of Draft Documents.

The draft permit document package is available from the Department's Central Office in the Division of Wastewater Management, Bureau of Water Quality Protection at the location noted below. The document package can be obtained by writing to the following address or by calling the telephone number given.

Department of Environmental Protection, Bureau of Water Quality Protection, Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774, 11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184.

E-mail address: Patel.ratilal@A1.DEP.STATE.PA.US.

World Wide Web Address: HTTP://WWW.DEP.STATE.PA.US.

The Department of Environmental Protection invites public comments on the proposed revisions to the NPDES permit and related permit handbooks. All comments must be submitted within 30 days from the date of this publication notice in the *Pennsylvania Bulletin*. If there is significant public interest or if requested, the comment period may be extended at the discretion of the Department for one additional 15-day period. All comments received within the specified period will be considered by the Department in the formulation of the final documents.

Written comments should be submitted to the above address. The comments will also be accepted by electronic mail to be sent at "Patel.ratilal@a1.dep.state.pa.us". Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Comments will not be accepted by facsimile or on voice mail. Following the specified comment period, the SRBC, SRBC Ad hoc NPDES Advisory Committee and PIT will review all submitted comments, prepare written comments and response document and prepare the final documents package for this permit. The availability of the final permit documents will be announced in the *Pennsylvania Bulletin*. From that time on any one wishing to receive a copy of the final documents may request them by contacting the above addresses or telephone numbers.

Upon completion of the final documents, the Department will provide training to permit writers. Once training is completed these documents will be released through the DEP Web site for public information. The expected implementation date is January 1999.

[Pa.B. Doc. No. 98-1189. Filed for public inspection July 24, 1998, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "January 1998 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1998.

Ordering Paper Copies of DEP Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Notice of Intent to Develop Technical Guidance

Title: Quality Management Program for Medical Accelerators Description: Provides guidance to registrants and applicants for developing policies and procedures for the Quality Management (QM) program. Anticipated Effective Date: November 1998 Anticipated Draft Development Date: July 1998 Contact: Stuart Levin at (717) 787-3720

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 98-1190. Filed for public inspection July 24, 1998, 9:00 a.m.]

DEPARTMENT OF HEALTH

Availability of Draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 1999

The Department of Health is making copies available of the draft Preventive Health and Health Services Block Grant Application for FFY 1999, under 42 U.S.C.A. § 300 w-4. This application is the Commonwealth of Pennsylvania's draft request to the United States Department of Health and Human Services for block grant funding to address the Healthy People 2000 Health Status Objectives.

The block grant application describing proposed services, program goals, and objectives and activities will be available on or after July 20, 1998, and can be obtained by calling the Bureau of Chronic Diseases at (717) 787-6214. Persons with a disability who require an alternative format of the above-mentioned application (for

example, large print, audio tape, braille) should also contact the Bureau of Chronic Diseases at (717) 787-6214 [TDD: (717) 783-6514].

A public hearing will be conducted by the Department of Health for the purpose of receiving testimony on the above-mentioned application in accordance with 42 U.S.C.A. § 300 w-4. Comments and suggestions from the public should relate to the priorities and program plans included in the application.

The hearing will be held from 10 a.m. until 2 p.m., August 12, 1998, in the Conference Room 933, Health & Welfare Building, 7th and Forster Streets, Harrisburg, PA. Persons wishing to testify are requested to preregister by contacting the Bureau of Chronic Diseases at (717) 787-6214. Registration will be accepted on the day of the hearing. Persons will be allotted a maximum of 15 minutes to testify. Testifiers should provide the Department with two copies of their testimony at the time of the hearing.

Written comments will be accepted and should be sent to the Bureau of Chronic Diseases, Room 1000, Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108, and should be received no later than 4 p.m., September 11, 1998.

Persons with a disability who desire to comment in alternative format (for example, large print, audio tape, braille) should notify the Bureau of Chronic Diseases at (717) 787-6214 [TDD: (717) 783-6514].

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 98-1191. Filed for public inspection July 24, 1998, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Expansion of the Long Term Care Capitated Assistance Program (LTCCAP); Request for Information

The LTCCAP demonstration project is a replication of the On Lok Model Program of All-inclusive Care for the Elderly (PACE). Under this Request for Information (RFI), the Department of Public Welfare (Department) is asking organizations interested in participating as an LTCCAP provider during Fiscal Year 1998-1999 to contact the Department. Providers will be responsible to provide a specific package of services to individuals who are eligible for both Medicare and Medicaid and have been determined to require nursing facility services. In order to be considered for an LTCCAP site during Fiscal Year 1998-1999, organizations must be enrolled in the Medical Assistance Program, meet the requirements included in the PACE Protocols, and have a completed feasibility study through a PACE Technical Assistance Center.

The Department will consider, among other things, the following factors when determining site selection for the LTCCAP demonstration project:

- Medical Assistance service need
- Medical Assistance service availability (underbedded, overbedded, home and community based services, and the like)

- Project location (suburban v. urban, existing project sites, and the like)
- Uniqueness of project design (closing existing nursing facility beds, collaboration efforts, and the like)

Any questions regarding PACE Protocols or the feasibility study through a PACE Technical Assistance Center should be directed to Cindy Proper at the telephone number listed.

If you feel you meet the above criteria, and are interested in being considered to provide services during Fiscal Year 1998-1999, please submit a letter of interest, along with a copy of your completed feasibility study by August 22, 1998 to: LTCCAP, Division of LTC Client Services, Department of Public Welfare, 4th Floor Bertolino Building, P. O. Box 2675, Harrisburg, PA 17105. (717) 772-2525

FEATHER O. HOUSTOUN,
Secretary

[Pa.B. Doc. No. 98-1192. Filed for public inspection July 24, 1998, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation, pursuant to the authority contained in section 2002(c) of the Administrative Code (71 P. S. § 512(c)) and in 67 Pa. Code of § 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by Dennis J. Schmidt of 5256 East Trindle Road, Mechanicsburg, PA, seeking to lease highway right-of-way located along Ramp E of S. R. 1081-spur A, Section A04 and along S. R. 0230 from Township Road 715 to Ramp E for parking purposes and ground maintenance. The approximate lease area consists of 9,780 square feet.

Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Barry G. Hoffman, P.E., District Engineer, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699.

Questions regarding this application or the proposed use may be directed to: Kim J. Smith, R/W Representative, 2140 Herr St., Harrisburg, PA 17013-1699, (717) 772-5119.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1193. Filed for public inspection July 24, 1998, 9:00 a.m.]

Finding

Butler County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing Harmony Bridge, carrying Borough Road T-335 (Mercer Street) over the Connoquenessing Creek in the Borough of Harmony, Butler County. The existing Harmony Bridge has been determined eligible for the National Register of Historic Places. The effect of this project on the Harmony Bridge will be mitigated by the following measures to minimize harm to the resource.

1. A documentation package will be prepared as a permanent record of the Harmony Bridge's existence to the Pennsylvania State level.

2. A marketing plan for the relocation and preservation of the existing Harmony Bridge will be developed and executed prior to proceeding with the construction contract for the new structure.

3. The design of the replacement structure will be coordinated with the State Historic Preservation Officer to ensure that the proposed design is compatible with historic resources in the project area.

I have considered the environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, and have concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from the replacement of this bridge.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1194. Filed for public inspection July 24, 1998, 9:00 a.m.]

Finding

Chester County

Pursuant to the provisions of 71 P. S. Section 2002(b), The Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing bridge which carries Red Lion Road (S. R. 3027) over Pocopson Creek in Pocopson Township, Chester County. The bridge will be replaced on existing alignment with a reinforced concrete box culvert. Roadway approaches will be improved approximately 82.3 meters (270 ft.) on both sides of the bridge. There will be 804.6 square meters (8,660.6 square feet) of right-of-way acquired from the Mordecai Cloud property, which is eligible for listing in the National Register of Historic Places and, therefore, is protected by Section 2002 of Pennsylvania Act 120.

The effect of this project on the Mordecai Cloud property will be mitigated by the following measures to minimize harm to the resource:

1. Pocopson Creek is a designated scenic river. The changes to the scenic and aesthetic qualities of the river and surrounding land are, therefore, of great importance. In order to maintain the existing aesthetics of the bridge, the scenic river resource, and the surrounding land, treatments recommended by the Pennsylvania Department of Conservation and Natural Resources, Scenic Rivers Program, will be applied during construction. These include treating all new concrete surfaces with linseed oil to age it and provide a more natural appear-

ance, and to use weathering steel guide rail or wood posts and wood guide rail instead of galvanized steel.

2. An Erosion and Sediment Pollution Control Plan, approved by the Chester County Conservation District, will be implemented for this project. Through strict adherence to this E & S Pollution Control Plan, impacts to the project area will be eliminated and/or minimized.

3. The project area for the bridge is located within the stocking limits for trout placed in Pocopson Creek. Therefore, coordination will be conducted with the Pennsylvania Fish and Boat Commission to avoid impacts to this recreational fishing resource.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, have been considered. It has been concluded that there is no prudent and feasible alternative to the project as designed, and all reasonable steps have been taken to minimize such effects.

No adverse environmental effect is likely to result from the replacement of this bridge.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1195. Filed for public inspection July 24, 1998, 9:00 a.m.]

Opportunity for a Corridor-Design Public Hearing and Announcement of Availability of an Environmental Assessment/Draft Section 4(f) Evaluation

All interested persons are advised that the Pennsylvania Department of Transportation, in compliance with the National Environmental Policy Act of 1969, as amended, and in cooperation with the Federal Highway Administration, has prepared plans, an Environmental Assessment/Draft Section 4(f) Evaluation, and supporting technical files for the proposed safety improvements to U. S. Route 22 at Water Street, S. R. 6022, Section 005 in Morris Township, Huntingdon County.

The following is a description of the alternatives studied in detail:

Southern Alternative E (Preferred Alternative)

The Southern Alternative would substantially improve traffic safety by providing an improved alignment primarily on new location to the south of and parallel to existing U. S. Route 22. This alternative is comprised of a two-lane facility and would include a truck climbing lane. The proposed alignment and relocated U. S. Route 22/PA 453 intersection would begin just north of the existing intersection. It would cross over existing U. S. 22 and Shaffer's Run on structure and proceed in a westerly direction and run parallel to existing U. S. 22 before tying into existing U. S. Route 22 west of the village of Shaffersville. The total length of this alignment would be approximately 1.7 miles. This alternative impacts 0.01 acres of wetlands and two (2) National Register eligible historic districts.

Revised Southern Alternative I Modified

Alternative I is similar to Alternative E in that it also would provide an improved alignment primarily on new location to the south and parallel to existing U. S. Route 22. It would consist of a two-lane facility and a truck climbing lane. The proposed alignment and relocated U. S. Route 22/PA 453 intersection would begin south of the existing intersection. From here the alignment would

proceed in a westerly direction and run parallel to existing U. S. 22 before tying into existing U. S. Route 22 west of the village of Shaffersville. The total length of this alignment would be approximately 1.8 miles. This alternative requires crossing Shaffer's Run at four (4) locations and a 170-foot cut through Tussey Mountain. It also impacts 0.40 acres of wetlands and one National Register eligible historic district.

No-Build Alternative

The no-build alternative would consist of no improvements to existing conditions with the exception of routine maintenance.

The plans, Environmental Assessment/Draft Section 4(f) Evaluation, and supporting technical files are available for review and comment for a 45-day period at the Department of Transportation District Office located at 1620 North Juniata Street, Hollidaysburg, PA 16648 (telephone 814-696-7250) between the hours of 8 a.m. and 4:30 p.m., Monday through Friday and the Federal Highway Administration's Office at 228 Walnut Street, Room 508, Harrisburg, Pennsylvania between the hours of 8 a.m.—4 p.m., Monday through Friday.

This Environmental Assessment/Draft Section 4(f) Evaluation is also available for review at the Huntingdon County Courthouse, Planning Commission Office, Huntingdon, Pennsylvania between the hours of 8:30 a.m.—4:30 p.m., Monday through Friday; Memorial Public Library, Main Street, Alexandria, PA between the hours of 11:00 a.m. and 5:00 p.m., Monday, Tuesday, Thursday and Friday and 7:00 p.m. to 9:00 p.m., Monday and Thursday; and at the home of Tina Hall, Morris Township Secretary. Interested persons may contact the secretary at (814) 669-4320 to arrange a date and time to review the documents.

Also, any interested party may request that a public hearing be held to present testimony concerning the specified location and major design features of the proposed highway improvement, including the social, economic, environmental, and other effects of alternate designs and location.

Any request to hold a public hearing and all comments on the above documents must be delivered in writing to Earl L. Neiderhiser, P.E., District Engineer, Pennsylvania Department of Transportation, District 9-0 Office, 1620 North Juniata Street, Hollidaysburg, PA 16648 or Ronald W. Carmichael, Division Administrator, Federal Highway Administration, P. O. Box 1086, Harrisburg, PA 17101-1720 on or before August 26, 1998.

In the event a request for a public hearing is received, a further notice of the time and place of the hearing will be published.

BRADLEY MALLORY,
Secretary

[Pa.B. Doc. No. 98-1196. Filed for public inspection July 24, 1998, 9:00 a.m.]

Retention of Engineering Firms

Allegheny County Project Reference No. 08430AG2224

The Department of Transportation will retain an engineering firm for a multi-phase, specific project agreement to provide preliminary engineering, environmental stud-

ies; final design, including preparation of bridge and roadway plans, specifications, and estimates; shop drawing review; and consultation during construction. This project is for the I-4R rehabilitation of S. R. 0079, Section A12, Interstate Route 79, for an approximate length of 6.55 km (4.1 miles). This project is located from a point south of the Kirwan Heights Interchange on I-79 to a point north of the Parkway West Interchange (I-279) in Collier, Scott, and Robinson Townships, Allegheny County. The design portion of the multi-phase project is expected to have an overall duration of approximately thirty-six (36) months with shorter, varying schedules for individual phases. The estimated construction cost of the new roadway and structures is over \$40 million.

The selected firm will be required to provide a variety of services including the following: project administration; field surveys; utility coordination; geotechnical studies; preliminary right-of-way investigation; safety reviews; value engineering; environmental studies to aide the Department in environmental document preparation; alternative analyses; preliminary line, grade and typical section development; and preliminary type, size, and location submission; final design activities including Final Step 9 and TS&L.; drainage and highway lighting design; right-of-way plans; traffic control plans; erosion and sedimentation control plans; structure designs; and preparation of a plans, specifications, and estimates package; engineering services during construction including shop drawing review and consultation services.

The design of this project will be developed using metric units.

The Department is seeking a moderate to large, multi-disciplined firm with environmental, geotechnical, highway design, and structure design experience.

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

- a. Ability to package and present the letter of Interest in accordance with the "General Requirements and Information" section.
- b. Specialized experience and technical competence of firm.
- c. Experience in highway design, structure design, geotechnical design, and hydrological/hydraulic analysis and design.
- d. Past record of performance with respect to cost control, work quality, and ability to meet schedules.
- e. Workload.
- f. Listing of subconsultants.
- g. Other factors, if any, specific to the project.

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

Limits to the Letter of Interest in addition to the General Requirements and Information are:

- a. Resumes ten (10) pages total, one side
- b. Standard Form 255, Item 8 (Number of project descriptions which demonstrate the firm's competence) five (5) project descriptions.

The District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Henry M. Nutbrown, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Attention: Mr. Virgil Q. Barton, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. Virgil Q. Barton, P.E., District 11-0, at (412) 429-4929.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Cambria County
Project Reference No. 08430AG2225**

The Department of Transportation will retain an engineering firm to provide preliminary engineering, environmental studies, and public involvement and agency coordination for S. R. 3037, Section 003, Walnut Street Bridge, Cambria County, City of Johnstown. The estimated construction cost is \$1.3 million.

The required services for this project will include preparation of intent to enter notices; field surveys; alignment studies; hydrologic and hydrology study; type, size, and location report; preliminary right of way plan; utility investigations; and public and agency coordination. The public and agency coordination will consist of preparation of drawings, handouts, and displays to be used at these meetings. Consultant personnel will also be used as resource people at these meetings.

A preliminary, visual inspection of this bridge indicates that it may be historic in nature. The actual determination of historic eligibility will be determined during preliminary engineering.

Letters of Interest will be evaluated at the Engineering District 9-0 Office with emphasis on the following factors, which are listed in order of importance:

- a. Ability to package and present the Letters of Interest in accordance with the "General Requirements and Information" section.
- b. Specialized experience and technical competence of the firm.
- c. Personnel expertise and staffing levels of the prime and subconsultants.
- d. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience with projects of this nature.
- e. Quality Assurance/Quality Control Plan of prime and subconsultants.
- f. Familiarity with PennDOT procedures and the Transportation Project Development Process.
- g. Available facilities and location of office to perform work.

The District will announce the firms that have been shortlisted at an open public meeting. This meeting is scheduled for September 11, 1998, at 10:00 A.M., to be held at Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

All candidates will be notified if this date is changed. Specify a contact person in the Letter of Interest.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is con-

tained in the General Requirements and Information section after the advertised project(s).

The District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Earl L. Neiderhiser, P.E., District Engineer, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648, Attention Mr. Joseph H. Reed.

Any technical questions concerning the requirements for this project should be directed to: Mr. Walter Bagley, District 9-0, at (814) 696-7170.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Fayette, Greene, Washington and Westmoreland
Counties
Project Reference No. 08430AG2226**

The Department of Transportation will retain a consulting firm for an Open-End Contract to provide right-of-way acquisition services on various projects located in Engineering District 12-0, that is, Fayette, Greene, Washington and Westmoreland Counties. The Contract will be for a sixty (60) month time period with a maximum amount of \$500 thousand.

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

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Familiarity with the applicable provisions of the Department's Right-of-Way Manual in compliance with Federal and State Regulations, including but not limited to the Pennsylvania Eminent Domain Code, the State Highway Law and the Real Estate Law and the Uniform Relocation Assistance and Real Property Acquisition Policies Act.
- c. Experience as a firm with personnel experienced and qualified in performing their assigned functions.
- d. Demonstrate ability to perform work in compliance with current Federal and State policies, procedures and regulations.

The selected firm will be required to provide professional right-of-way acquisition services necessary to clear right-of-way. These services include, but are not limited to, relocation assistance planning, negotiations, title services, settlement/closing services, property management, assistance during construction, appraisal administrative services (no appraisal reports), outdoor advertising and beautification surveys, sign removal permit review and inspection, legal procedures, court testimony and any other right-of-way duties as required.

The right-of-way 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 District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Michael H. Dufalla, P.E., District Engineer, District 12-0, P. O. Box 459, Uniontown, PA 15401.

Any technical questions concerning the requirements for this project should be directed to: Mr. William Oshnack, District 12-0 at (724) 439-7321.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Westmoreland County
Project Reference No. 08430AG2227**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately seven (7) inspectors, under the Department's Inspector(s)-in-Charge, for construction inspection and documentation services on the following two (2) projects:

1. S. R. 0070, Section 18M, Westmoreland County. This project involves the bridge replacement over S. R. 3005 and over S. R. 3003.
2. S. R. 0070, Section A15, Westmoreland County. This project involves roadway resurfacing from N. Belle Vernon to S. R. 0201.

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

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Number of available inspectors in each payroll classification.
- c. Number of NICET certified inspectors in each payroll classification.
- d. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving and drainage.
- e. Past Performance.
- f. Location to Project.

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

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

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

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1998:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$39.36
(TCI)	\$34.43
(TA)	\$23.67

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

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

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

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

- 1 Nuclear Densometer Gauge/License
- 1 Vehicle for the Transportation of Nuclear Gauge

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

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project(s).

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	2
TCI	5

No resumes are required for the TA Classification.

The District's copy of the letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Michael H. Dufalla, P.E., District Engineer, District 12-0, P. O. Box 459, Uniontown, PA 15401, Attention: Mr. Anthony M. Dzurko, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. Anthony M. Dzurko, P.E., District 12-0, at (724) 439-7137.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Allegheny, Beaver and Lawrence Counties
Project Reference No. 08430AG2228**

The Department of Transportation will retain two (2) engineering firm for two (2) Open-End Contracts to provide various engineering services and environmental studies on various projects located in Engineering District 11-0, that is Allegheny, Beaver and Lawrence Counties. Each Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The required services may encompass a wide range of design and environmental efforts with the possibility of several different types of projects having short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacements or bridge rehabilitations with minor approach work, roadway betterments (3R Type), traffic studies and final design, Capital Improvement Projects (bridges or roadways), and minor location studies. The maximum amount of the Open-End Contracts will be \$900 thousand.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating two (2) Open-End Contracts based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will *not* be requested prior to the establishment of the ranking.

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

a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.

b. Specialized experience and technical competence of firm.

c. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firms shall be considered.

d. Available staffing for this assignment.

e. Firm's use and choice of subconsultants.

f. Current Workload.

g. Location of Consultant in respect to the District.

The work and services required under these Contracts may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under these Contracts include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies 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 District's copy of the letter of interest and required forms (see "General Requirements and Information" section) shall be sent to: Mr. Henry M. Nutbrown, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Attention: Mr. Robert M. Collins, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. Robert M. Collins, P.E., District 11-0, at (412) 429-4829.

Any questions concerning the submittal of the letter of interest for this Open-End Contract can be directed to the Consultant Agreement Division at (717) 783-9309.

General Requirements and Information

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

The first copy of the Letter of Interest and required information must be submitted to: Mr. Charles W. Allwein, P.E., Chief, Consultant Selection Committee, 7th Floor, Forum Place, 555 Walnut Street, P. O. Box 3060, Harrisburg, Pennsylvania 17105-3060. Note: The Zip Code for express Mailing is 17101-1900.

The Letter of Interest and required information must be received within twenty (20) calendar days of this Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 P.M. prevailing time of the twentieth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual, firm, or corporate which is permitted under the state law to engage in the practice of engineering.

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

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum

opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The Act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act, WBEs or combinations thereof).

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

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

Each Letter of Interest must include the following information and the information must be packaged and presented in the following order:

1. Transmittal Letter (Maximum of two (2) 8 1/2" x 11" typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional Engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm.

2. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart must show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

The Standard Form 255 must be signed, dated, and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project.

Under Item 4 of this form, Column A must specify only the number of subconsultant personnel and Column B must specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do *not* include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant may include no more than one page each for Items 10 and 11.

If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm

must also be presently certified by the Department of Transportation and indicated in Item 6.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, must accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and *each* subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the Letter of Interest, the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the Bureau of Design and appropriate Engineering District/Central Office Bureau.

These Forms must be assembled with the prime's form first, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Form 255.

5. Workload Projection Graph (Not required for Construction Inspection Services)

Separate Workload Projection Graphs for the prime and each subconsultant shown in Item 6 of the Form 255 must be included and must indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graphs must be submitted for the office(s) where the work would be performed and must only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (For Construction Inspections Services, if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees must be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

Firms with out-of-state headquarters or corporations not incorporated in Pennsylvania must include, with each Letter of Interest, a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

8. Overhead Rates (one page)

A single page summary must indicate the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Accountant must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

9. Additional Information

Additional information, not to exceed ten (10) one sided 8 1/2" x 11" pages or five (5) double sided 8 1/2" x 11" pages may be included at the discretion of the submitting firm.

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 98-1197. Filed for public inspection July 24, 1998, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Marple Township v. DEP; EHB Doc. No. 97-281-MG

The Department of Environmental Protection (Department) and Marple Township (Township) have agreed to a settlement of the above matter. The Department had ordered, on December 5, 1997, that the Township: (1) remove waste and leaves from the Langford and Sproul Road Sites; (2) complete specified work at the Sites; (3) return specified grant money; and (4) pay a civil penalty of \$100,000. The Department further denied the Township's yard waste composting facility registration application.

The parties have agreed to a settlement, the major provisions of which include: (1) that the Township, having already removed all visible waste from the Sites and having removed the leaves from the Langford Road Site, will stabilize and seed the area of the Langford Road Site impacted by the Township's leaf removal activity; (2) the Township will install a locking gate at the Sproul Road Site and a security barrier to prevent access to the Langford Road Site; (3) the Township will undertake specified additional work at the Sproul Site under specified conditions; (4) the Township will retain its grants; (5) the Township shall pay a civil penalty of \$25,000; and (6) the Township may submit a permit application for a yard waste composting facility.

Copies of the full agreement are in the hands of: Marc E. Gold, Esquire, Manko, Gold & Katcher, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 and Paul M. Rettinger, Esquire, Department of Environmental Protection, Office of Chief Counsel - Southeast Region, Lee Park - 555 North Lane, Suite 6015, Conshohocken, PA 19428-2283, and at the office of the Environmental Hearing Board, and may be reviewed by an interested party on request during normal business hours.

A person believing himself aggrieved by the above settlement has a right to appeal to the Hearing Board, 2nd Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457.

Appeals shall be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement which becomes final if no objection is timely made.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 98-1198. Filed for public inspection July 24, 1998, 9:00 a.m.]

**Redbank Valley Municipal Authority v. DEP, EHB
Doc. No. 98-117-R**

Redbank Valley Municipal Authority has appealed the denial by the Department of Environmental Protection of an NPDES permit to same for a facility in New Bethlehem Borough, Clarion County.

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

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, please contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 98-1199. Filed for public inspection July 24, 1998, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee, to review Senate Bill 887, Printers Number 958 (Uliana), the Mental Health Antidiscrimination Act, which would prohibit health insurance discrimination on the basis of mental illness, requiring that every health insurance policy shall provide medical coverage for the diagnosis and treatment of mental illnesses. The Council has also been requested by Representative Thomas P. Gannon, Chairperson of the House Judiciary Committee, to review House Bill 1798, Printer's Number 3378, and by Representative Nicholas A. Micozzie, Chairperson of the House Insurance Committee, to review House Bill 2544, Printer's Number 3459. House Bill 1798 and House Bill 2544 prohibit health insurance discrimination on the basis of mental illness and require health plans to cover mental

health services without any arbitrary treatment limits or financial requirements not imposed on coverage of other services. The Council is conducting one general review of mandated mental health benefits, examining the provisions of each bill.

Initial notification of request for information and documentation for Senate Bill 887 was published in the *Pennsylvania Bulletin* on May 2, 1998, with documentation due to the Council by July 2, 1998. Initial notification of request for information and documentation for House Bill 1798 and House Bill 2544 was published in the *Pennsylvania Bulletin* on May 9, 1998, with documentation due to the Council by July 9, 1998.

Following is a list of the documentation received. This information is available for public review and comment at the Council offices during regular business hours (8:30 a.m. to 5 p.m.) until August 14, 1998. Any additional comments on this information must also be received by that date. Council offices are located at: 225 Market Street, Suite 400, Harrisburg, PA 17101. Send comments (six copies) to Flossie Wolf at this address.

Mental Health Parity Submissions (SB 887, HB 1798, and HB 2544)

1. Representative Thomas P. Gannon (Chairperson, House Judiciary Committee)

- Statement supporting House Bill 1798
- Attachments addressing Section 9 requirements.

2. Pennsylvania Community Providers Association (C. Lu Conser, MPH, Director of Government Relations)

- Letter supporting House Bill 1798 and endorsing the list of materials submitted by Representative Gannon's office.

3. Pennsylvania Psychiatric Society (Gwen Yackee Lehman, Executive Director)

- Letter supporting House Bill 1798 and endorsing the list of materials submitted by Representative Gannon's office.

4. Mental Health Associations in Pennsylvania (Sue Walther, Policy Coordinator)

- Letter supporting House Bill 1798 and endorsing the list of materials submitted by Representative Gannon's office.

5. Mental Health Association in Lancaster County (Mary Steffy, Executive Director)

- Letter supporting House Bill 1798 and endorsing the list of materials submitted by Representative Gannon's office.

6. Alliance for the Mentally Ill of Pennsylvania (Mary Ellen Rehrman, Director of Policy)

- Letter supporting House Bill 1798 and endorsing the list of materials submitted by Representative Gannon's office.

7. George Herr-Riser, MS (Psychotherapist)

- Letter supporting House Bill 1798 and endorsing the list of materials submitted by Representative Gannon's office.

8. Pennsylvania Psychological Association (Samuel Knapp, Ed.D., Professional Affairs Officer)

- Statement in support of SB 887, HB 1798, and HB 2544 and addressing the social and financial impact of the benefit.

- Endorsement of the list of materials submitted by Representative Gannon's office.

- Attachments related to the social impact of the proposed benefit.

9. Community Behavioral HealthCare Network of Pennsylvania (Joan Erney, J.D., CEO)

- Letter supporting House Bill 1798 and endorsing the list of materials submitted by Representative Gannon's office.

10. The Insurance Federation of Pennsylvania, Inc. (John R. Doubman, President)

- Statement in opposition to SB 887 and addressing Section 9 requirements.

- Statement in opposition to HB 1798 and HB 2544 and addressing Section 9 requirements.

- Attachments addressing the cost, effectiveness and the social impact of the benefit.

11. Independence Blue Cross (Mary Ellen McMillen, Vice President, Legislative Policy)

- Statement in opposition to SB 887, HB 1798, HB 2544 and addressing the costs, effectiveness and social impact of the benefit.

- Attachments addressing the financial impact of mandated benefits.

12. Managed Care Association of Pennsylvania (Kimberly J. Kockler, Executive Director)

- Statement in opposition to SB 887, HB 1798, HB 2544 and addressing Section 9 requirements.

- Attachments addressing the costs, effectiveness and social impact of the benefit.

13. Pennsylvania Business Roundtable (Michael T. McCarthy, President)

- Statement in opposition to SB 887, HB 1798, HB 2544 and addressing the impact of the benefit.

14. AFLAC—American Family Life Assurance Company of Columbus (Richard J. Gmerek and Elvira O. Guida of Maley, Williamson, Hayden & Gmerek)

- Statement relating to SB 887, HB 1798, HB 2544 requesting exemption from supplemental policies.

15. Highmark (Bruce Hironimus, Vice President, Government Affairs)

- Statement in opposition to SB 887, HB 1798, HB 2544 and addressing Section 9 requirements.

- Attachments addressing the costs, effectiveness and social impact of the benefit.

The Council also received 250 letters from Pennsylvania residents, psychological centers and others in support of HB 1798. Some submitted brief cost benefit and/or other information supporting HB 1798.

The Council also received a letter from Rohm and Haas Company indicating opposition to health care mandates in general, mentioning SB887, HB 1798 and HB 2544.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 98-1200. Filed for public inspection July 24, 1998, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, July 9, 1998, and took the following actions:

Regulations Approved:

State Board of Medicine #16A-498: Licensure, Certification, Examination and Registration Fees (amends 49 Pa. Code Chapter 16)

State Board of Landscape Architects #16A-613: Fees (amends 49 Pa. Code Chapter 15)

Regulations Disapproved:

State Board of Pharmacy #16A-542: General Revisions (amends 49 Pa. Code §§ 27.1, 27.11, 27.12, 27.14—27.16, 27.18, 27.21, 27.23, 27.24 and 27.26)

Regulations Deemed Approved under Section 5(g) of the Regulatory Review Act: Effective July 7, 1998

Department of Transportation #18-340: Mechanical, Electrical and Electronic Speed-Timing Devices (amends 67 Pa. Code Chapter 105)

Regulations Deemed Approved under Section 5(g) of the Regulatory Review Act: Effective June 23, 1998

Insurance Department #11-150: Anti-Arson Application (deletes 31 Pa. Code §§ 117.1—117.8)

Insurance Department #11-159: Qualifications of Persons Signing Annual Financial Statements (deletes 31 Pa. Code §§ 135.1 and 135.2)

Insurance Department #11-157: Uniform Bylaws for Mutual Fire Companies (deletes 31 Pa. Code Chapter 103)

Regulations Deemed Approved under Section 5(g) of the Regulatory Review Act: Effective June 26, 1998

Insurance Department #11-152: Uniform Classification of Expenses (deletes 31 Pa. Code Chapters 1, 5, 7, and 9)

Commissioners Present: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

State Board of Medicine—Licensure, Certification, Examination and Registration Fees; Regulation No. 16A-498

Order

On February 4, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Chapter 16. The authority for this regulation is section 6 of the Medical Practice

Act (63 P. S. § 422.6). The proposed regulation was published in the February 14, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 29, 1998.

The regulation increases the renewal fees for six classes of licensees under the Board.

Licensee	Current Fee	New Fee
Medical	\$80	\$125
Graduate Trainee	\$10	\$15
Phys. Assistant, Midwife, Acupuncturist	\$25	\$40
Drugless Therapist	\$25	\$35

We have reviewed this regulation and find it to be in the public interest. The fees are necessary for the Board to meet its statutory obligation and to ensure that revenues are sufficient to meet expenditures.

Therefore, It Is Ordered That:

1. Regulation No. 16A-498 from the State Board of Medicine, as submitted to the Commission on May 29, 1998, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Test Date	1998 LARE		1999 LARE		2000 LARE	
	12/98	6/99	12/99	6/00		
Section 1	Not available	\$39	Not available	\$40		
Section 2	Not available	\$69	Not available	\$70		
Section 3—6 each	\$108	\$108	\$115	\$115		

We have reviewed this regulation and find it to be in the public interest. The fees are being established to offset the contracted cost for the LARE licensing examination as required by the Law.

Therefore, It Is Ordered that:

1. Regulation No. 16A-613 from the State Board of Landscape Architects, as submitted to the Commission on June 16, 1998, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson, Dissenting; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

State Board of Pharmacy—General Revisions; Regulation No. 16A-542

Order

On February 28, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Pharmacy (Board). This rulemaking amends 49 Pa. Code sections 27.1, 27.11, 27.12, 27.14—27.16, 27.18, 27.21, 27.23, 27.24 and 27.26. The proposed regulation also adds Section 27.25 Licensure by reciprocity and deletes Section 27.25 Failure

Commissioners Present: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

State Board of Landscape Architects—Fees; Regulation No. 16A-613

Order

On June 16, 1998, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Landscape Architects (Board). This rulemaking amends 49 Pa. Code Chapter 15. The authority for this regulation is Section 4(2) and 4(3) of the Landscape Architects Registration Law (law) (63 P. S. §§ 904(2) and 904(3)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The regulation deletes fees for the Landscape Architectural Registration Examination (LARE) for the 1995, 1996 and 1997 licensing examinations. Additionally, it establishes new testing fee amounts for the December 1998 and June and December of 1999 and 2000 licensing examinations as shown below.

to appear for examination. The authority for this regulation is 63 P. S. §§ 390-3(f), 4(j) and 6(k)(1) and (9). The proposed regulation was published in the March 9, 1996 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 6, 1998. The Commission disapproved the final-form regulation at the Public Meeting held May 7, 1998. The Board submitted this revised final-form regulation on June 15, 1998.

The Board submitted this proposed regulation to generally revise, clarify and update existing regulations in 49 Pa. Code, which cover a broad range of pharmacy operations, including standards of practice, permits, equipment requirements, pharmacy technicians and pharmacy internships. The Board made many modifications to the regulation in response to the commentators' and Commission's Comments. However, the Commission had concerns with section 27.26(h) of the regulation regarding requirements for registration as a pharmacist preceptor and the definition of "satellite pharmacy" in section 27.1.

In the revised final-form regulation, the Board inserted language that satisfactorily addresses our concerns with section 27.26(h) of the regulation regarding requirements for registration as a pharmacist preceptor. Pharmacists who have been convicted of a criminal offense related to the practice of pharmacy will not be allowed to be preceptors.

The second concern cited in the Commission's disapproval Order was the definition of "satellite pharmacy" in section 27.1. This definition states: "The term does not

include . . . a pharmacy located off premises from the centrally located pharmacy of the institution regardless of whether the pharmacy is owned by the same person or entity which owns the institution." Health system providers commented that they are currently developing new efficiencies, and associated cost savings, which will not be realized if these regulations are approved. They believe the definition of satellite pharmacy would unnecessarily inhibit efficiencies they are developing in their delivery of care. The Commission also questioned the need to require a separate permit for "off premises" pharmacies.

The Board has not modified the definition of satellite pharmacy in the revised final regulation. However, the Board has explained in the Preamble that it will work with the Department of Health (DOH) and other interested parties to develop overall standards and policies for health system-wide pharmaceutical care delivery. The Board stated the regulation is not meant to inhibit innovation in the delivery of pharmaceutical care. The Board will continue to make judgement calls in conjunction with DOH on the basis of individual institutional needs. The Board does not intend to require a pharmacy in a long-term care facility. However, the Board notes ". . . where two acute care institutions are located miles apart, and where patient conditions may change dramatically, a single shared pharmacy would not likely protect the public health."

The Hospital and Healthcare Association of Pennsylvania (HAP) submitted a letter dated July 7, 1998, requesting that the Commission disapprove this revised final-form regulation. HAP finds the section relating to satellite pharmacies, as interpreted by the Board in the Preamble, to be confusing and unacceptable. HAP believes the plain language of the regulation does not support the Board's implication that it has the authority to determine when and where safe patient care demands an onsite pharmacy. HAP asserts that an institution is not dispensing drugs by simply accepting a "locked box" from another hospital's pharmacy for individual patient use and therefore the receiving facility is not engaging in the practice of pharmacy. HAP maintains that it is not the Board, but rather the DOH that has statutory authority to require a pharmacy in an institution to adequately safeguard patient care.

We continue to have concerns with the regulation. We stated in our disapproval order that the language of the regulation needs to be clearer regarding when a pharmacy is considered to be "off premises." The regulation simply does not provide a clear standard of what is and what is not a satellite pharmacy. Therefore, the definition of "satellite pharmacy" does not satisfy our criteria for clarity. Furthermore, we question the need for, economic impact and the cost-effectiveness of a definition that may require separate permits within a single healthsystem.

We also question the statutory authority for the position the Board has taken in its Preamble. The Preamble implies that the Board has the authority to require a pharmacy in a separate facility. We disagree. This authority is vested in DOH and not the Board. (Healthcare Facilities Act (35 P. S. §§ 448.103—448.904b)) If a pharmacy is present, the Board has the authority to regulate its operation. We agree with HAP that the plain language of the regulation does not support the Board's implication that it has the authority to determine whether an on-site pharmacy is required at a facility.

Second, the statute speaks to actions, which constitute the practice of pharmacy. In particular, the statute defines the term "dispensing" as "the preparation of a

prescription or non-prescription drug in a suitable container appropriately labeled for subsequent administration to or use by a patient or other individual entitled to receive the drug." Therefore, the practice of pharmacy occurs where drugs are dispensed, not at the point of administration. In a health systems environment, every aspect of operation is highly regulated by State and Federal authority. The distance between where a drug is dispensed and where it is administered is not subject to the jurisdiction of the Board.

For these reasons we find that the regulation is still not in the public interest. The addition of language in section 27.26(h)(1) regarding pharmacist preceptors addresses the clarity and protection of the public concerns we raised. However, the Board did not make amendments to provide a clear standard of what is and what is not a satellite pharmacy. Therefore, the definition of "satellite pharmacy" violates our criteria of clarity, and raises serious questions of need, cost-effectiveness and economic impact.

Therefore, It Is Ordered That:

1. Regulation No. 16A-542 from the State Board of Pharmacy, as resubmitted to the Commission on June 15, 1998, is disapproved; and
2. The Commission will notify the State Board of Pharmacy of its action disapproving Regulation No. 16A-542;
3. The Commission will transmit this Order and the Report of the State Board of Pharmacy to the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee;
4. The Commission will transmit a copy of this Order to the Legislative Reference Bureau; and
5. This Order constitutes a bar to final publication of Regulation No. 16A under section 7(c) of the Regulatory Review Act.

Commissioners Present: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

Department of Transportation—Mechanical, Electrical and Electronic Speed-Timing Devices; Regulation No. 18-340

Order

On March 31, 1997, the Independent Regulatory Review Commission (Commission) received the proposed version of this regulation from the Department of Transportation (Department). This rulemaking would amend 67 Pa. Code Chapter 105. The authority for this regulation is contained in sections 3368 and 6103 of the Vehicle Code (75 Pa. C.S. §§ 3368 and 6103). The proposed version of this regulation was published in the April 12, 1997 edition of the *Pennsylvania Bulletin* with a 30-day public comment period. The final-form version of this regulation was submitted to the Commission on June 16, 1998.

The final-form version of this regulation contains no changes from the initially proposed version. We did not file any comments on the proposed version of this regulation. Furthermore, we did not receive any negative recommendations on the final-form version of this regulation from the House Transportation Committee or the Senate Transportation Committee.

Therefore:

The Commission will notify the Legislative Reference Bureau that Regulation No. 18-340 from the Department of Transportation, as submitted to the Commission on June 16, 1998, was deemed approved under section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) on July 7, 1998.

Commissioners Present: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

Insurance Department—Anti-Arson Application; Regulation No. 11-150

Order

On March 31, 1997, the Independent Regulatory Review Commission (Commission) received the proposed version of this regulation from the Insurance Department (Department). This rulemaking would delete 31 Pa. Code §§ 117.1 through 117.8. The authority for this regulation is 40 P. S. § 1615. The proposed version of this regulation was published in the April 12, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form version of this regulation was submitted to the Commission on June 1, 1998.

The final-form version of this regulation contains no changes from the initially proposed version. We did not file any comments on the proposed version of this regulation. Furthermore, we did not receive any negative recommendations on the final-form version of this regulation from the House Insurance Committee or the Senate Banking and Insurance Committee.

Therefore:

The Commission will notify the Legislative Reference Bureau that Regulation No. 11-150 from the Insurance Department, as submitted to the Commission on June 1, 1998, was deemed approved under section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) on June 23, 1998.

Commissioners Present: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

Insurance Department—Uniform Classification of Expenses; Regulation No. 11-152

Order

On June 3, 1997, the Independent Regulatory Review Commission (Commission) received the proposed version of this regulation from the Insurance Department (Department). This rulemaking would delete 31 Pa. Code Chapters 1, 5, 7 and 9. The authority for this regulation is 40 P. S. § 443. The proposed version of this regulation was published in the July 5, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form version of this regulation was submitted to the Commission on June 5, 1998.

The final-form version of this regulation contains no changes from the initially proposed version. We did not file any comments on the proposed version of this regula-

tion. Furthermore, we did not receive any negative recommendations on the final-form version of this regulation from the House Insurance Committee or the Senate Banking and Insurance Committee.

Therefore:

The Commission will notify the Legislative Reference Bureau that Regulation No. 11-152 from the Insurance Department, as submitted to the Commission on June 5, 1998, was deemed approved under section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) on June 26, 1998.

Commissioners Present: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

Insurance Department—Qualifications of Persons Signing Annual Financial Statements; Regulation No. 11-159

Order

On June 3, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Insurance). This rulemaking deletes 31 Pa. Code §§ 135.1 and 135.2. The authority for these changes is sections 206, 506, 1501, and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412); section 301(g) of the Insurance Department Act of 1921 (section 301(g)) (40 P. S. § 71(g)); and section 320(a)(2) of the Insurance Company Law (section 320(a)(2)) (40 P. S. § 443). The proposed regulation was published in the *Pennsylvania Bulletin* on June 14, 1997, with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 1, 1998.

This rulemaking will delete existing provisions that are outdated and no longer used by Insurance. Insurance applies, instead, other requirements. Section 301(g), section 320(a)(2) and provisions of 31 Pa. Code § 84b.5(b) establish qualifications for actuaries regarding financial statements filed by life insurers, property and casualty insurers, and fraternal benefit societies.

The final-form regulation contains no changes from the proposed version. The Commission did not file any comments on the proposed regulation. Furthermore, we did not receive any negative recommendations on the final-form regulation from the House Insurance Committee or the Senate Banking and Insurance Committee.

Therefore:

The Commission will notify the Legislative Reference Bureau that Regulation No. 11-159 from the Insurance Department, as submitted to the Commission on June 1, 1998, was deemed approved under sections 5(g) of the Regulatory Review Act on June 23, 1998.

Commissioners Present: Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
July 9, 1998

Insurance Department—Uniform Bylaws for Mutual Fire Companies; Regulation No. 11-157

Order

On June 18, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department. This rulemaking deletes 31 Pa. Code Chapter 103. The authority for this regulation is sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412). The proposed regulation was published in the June 28, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 1, 1998.

This regulation repeals Chapter 103. This chapter was originally adopted in 1936 and is now obsolete and out of date. The chapter recommends but does not require the standardization of bylaws for one small subset of insurers—domestic mutual fire insurance companies. In 1988, the Commonwealth adopted a comprehensive corporations code in the Associations Code (15 Pa.C.S.A. § 101 et seq.) and insurers may adopt bylaws consistent with this law. Chapter 103 does not contain all the provisions that a domestic mutual fire insurance company may need in its bylaws to be consistent with the current code. Hence, the existing regulation is incomplete as well as outdated.

The final-form regulation contains no changes from the proposed regulation. We did not file any comments on the proposed regulation. Furthermore, we did not receive any negative recommendations on the final-form regulation from the House Insurance Committee or Senate Banking and Insurance Committee.

Therefore:

The Commission will notify the Legislative Reference Bureau that Regulation No. 11-157 from the Insurance Department, as submitted to the Commission on June 1, 1998, was deemed approved under section 5(g) of the Regulatory Review Act on June 23, 1998.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 98-1201. Filed for public inspection July 24, 1998, 9:00 a.m.]

Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. 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.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-563	State Real Estate Commission Examination Fees	7/9/98
15-404	Department of Revenue Super 6 Lotto	7/9/98
11-153	Insurance Department Fraternal Beneficial Societies Administration	7/14/98

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-174	Insurance Department Publications of Citations and Notice of Hearings	7/14/98

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 98-1202. Filed for public inspection July 24, 1998, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Leonard Gottfried; Order to Show Cause; Doc. No. SC98-06-009

A prehearing/settlement conference shall occur on August 25, 1998 at 1 p.m. in Room 200, Administrative Hearing Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law. A date for a hearing shall be determined, if necessary, at the August 25, 1998 prehearing/settlement conference.

Motions preliminary to those at hearing, if any, must be filed with the Docket Clerk, PA Insurance Department, Capitol Associates Building, Room 200, 901 N. 7th Street, Harrisburg, PA 17102 on or before August 11, 1998.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1203. Filed for public inspection July 24, 1998, 9:00 a.m.]

Application for Acquisition of a Domestic Stock Casualty Insurance Corporation

Everett Sorenson has filed an application to purchase the issued and outstanding stock of Capitol Guaranty Holding Corporation, the sole shareholder of Capitol Insurance Company. The filing was made under the requirements set forth under the Insurance Holding Company Act, 40 P. S. § 991.1402 *et. seq.* Persons wishing to comment on the acquisition are invited to submit a written statement to the Pennsylvania Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Pennsylvania Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Pennsylvania Insurance Department, 1345 Strawberry

Square, Harrisburg, PA 17120; FAX (717) 787-8557; email <http://www.csmith@ins.state.pa.us>.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1204. Filed for public inspection July 24, 1998, 9:00 a.m.]

Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1206. Filed for public inspection July 24, 1998, 9:00 a.m.]

Deadline for Submission of Merger, Consolidation, Acquisition, Redomestication and Recapitalization Filings

Merger, consolidation, acquisition of voting stock, redomestication and recapitalization filings requiring the approval of the Insurance Commissioner as mandated by the Insurance Company Law of 1921 (40 P. S. §§ 341—991) or the Business Corporation Law (15 Pa.C.S. § 21101 *et seq.*) should be submitted to the Insurance Department on or before October 1, 1998 if the filer requires approval on or before December 31, 1998. Filings made on or after October 1, 1998 cannot be guaranteed appropriate review and disposition by the Insurance Department by December 31, 1998.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1205. Filed for public inspection July 24, 1998, 9:00 a.m.]

Highmark, Inc.; Filing No. 1-65S-98-HBCBS; Requesting Authority to Increase Direct Pay Security 65 Hospital Rates (Medicare Part A)

By Filing No. 1-65S-98-HBCBS, Highmark, Blue Cross Blue Shield requests approval of an increase to its Direct Pay Security 65 Hospital rates for Plans A, B, C and H. The filing requests an average increase of 19% varying by plan. The rate increase will impact about 138,311 policyholders and produce an additional annual premium income of \$20.8 million. The requested approval date is January 1, 1999.

The rate increases by Medicare Supplement Plan are shown as follows:

<i>Security 65 Hospital Plan</i>	<i>Percentage Increase</i>	<i>Average Increase Per Sub. Month</i>
Plan A	35.6%	\$13.08
Plan B	24.6%	\$13.72
Plan C	11.7%	\$ 9.08
Plan H	20.3%	\$22.24
Overall	19.0%	\$12.55

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

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311

Highmark, Inc.; Filing No. 1-DPCM-98-HI; Requesting Authority to Increase Direct Pay Security 65 Medical Surgical Medicare Supplement Product Rates (Medicare Part B)

By Filing No. 1-DPCM-98-HI, Highmark, Inc., requests approval of an increase to its Direct Pay Security 65 Medical Surgical Medicare Supplement Product rates. The filing requests an average increase of 4.5% varying by Blue Cross Plan area. The rate increase will impact about 386,756 policyholders and produce an additional annual premium income of \$10.8 million. The requested approval date is January 1, 1999.

The rate increases by Blue Cross Plan are shown below:

<i>Plan Area</i>	<i>Percentage Increase</i>	<i>Average Increase Per Sub. Month</i>
Blue Cross of Northeastern PA	11.4%	\$5.37
Highmark Blue Cross Blue Shield	2.8%	\$1.28
Capital Blue Cross	2.0%	\$0.88
Independence Blue Cross	5.7%	\$3.83
Overall	4.5%	\$2.33

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

Interested parties are invited to submit written comments, suggestions or objections to Carol Slack, Actuary Supervisor, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1207. Filed for public inspection July 24, 1998, 9:00 a.m.]

Highmark, Inc.; Filing No. 2-65P-98-HBCBS; Requesting Authority to Increase Direct Pay 65 Plus I Prescription Drug Plan Rates

By Filing No. 2-65P-98-HBCBS, Highmark Blue Cross Blue Shield requests approval of an increase to its Direct Pay 65 PLUS I Prescription Drug rate. The filing requests an average increase of 21.6%. The rate increase will impact about 46,618 policyholders and produce an

additional annual premium income of \$7.5 million. The requested approval date is January 1, 1999.

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

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1208. Filed for public inspection July 24, 1998, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

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

Appeal of Paul Kurland; file no. 98-215-32523; Liberty Mutual Fire Insurance Company; doc. no. PH98-07-011; August 25, 1998, at 11 a.m.;

Appeal of Marvin R. Kraut; file no. 98-267-32275; State Farm Mutual Automobile Insurance Co.; doc. no. PH98-07-010; August 26, 1998, at 11 a.m.;

Appeal of Kenton and Paula Cornmesser; file no. 98-497-90542; State Farm Mutual Automobile Insurance Co.; doc. no. PH98-07-009; September 2, 1998, at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1209. Filed for public inspection July 24, 1998, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with the termination of the insured's automobile policy.

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

Appeal of State Farm Mutual Automobile Insurance Co.; file no. 98-210-32082; Stephanie E. Breccia; doc. no. PH98-07-012; August 26, 1998 at 1 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1210. Filed for public inspection July 24, 1998, 9:00 a.m.]

The Medical Protective Company; Rate Filing

On July 6, 1998, the Insurance Department received from The Medical Protective Company a Pennsylvania Physicians & Surgeons Rate filing, which proposes to modify the current filed Class Plan by reassigning several specialties and file to increase the policy limit to \$400,000 per occurrence, and \$1,200,000 per annual aggregate, to comply with Act 135. The overall premium effect of this filing is +10.0%. The proposed effective date is January 1, 1999.

Unless formal administrative action is taken prior to September 4, 1998, the subject filing may be deemed approved by operation of law.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1211. Filed for public inspection July 24, 1998, 9:00 a.m.]

United Services Automobile Association; Private Passenger Automobile Rate and Rule Revision

On July 7, 1998, the Insurance Department received from United Services Automobile Association a filing for a proposed rate level and rules change for Private Passenger Auto insurance.

The company requests an overall -3.1% decrease amounting to -\$2,025,000 annually, to be effective September 30, 1998.

Unless formal administrative action is taken prior to September 5, 1998, the subject filing may be deemed approved by operation of law.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 98-1212. Filed for public inspection July 24, 1998, 9:00 a.m.]

MILK MARKETING BOARD

Hearing, Presubmission Schedule and Prehearing Conference for All Milk Marketing Areas Over-Order Premium

Under the Milk Marketing Law (31 P. S. § 700j-101 *et seq.*) the Commonwealth of Pennsylvania, Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1, 2, 3, 4, 5 and 6 on September 4, 1998, at 9 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning whether an adjustment should be made to the over-order premium, which is scheduled to be reduced from \$.80 per hundredweight to \$.50 per hundredweight on November 1, 1998.

Entries of appearance

The staff of the Board is deemed to be a party to this hearing, and the attorneys representing staff are deemed to have entered their appearances. Other persons that may be affected by the Board order pertaining to an over-order premium may be included on the Board's list of parties by:

1. Having their counsel file with the Board, on or before August 3, 1998, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with the Board, on or before August 3, 1998, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

Witnesses, exhibits, presentation of evidence

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. On or before August 14, 1998, each party shall file with the Board seven copies and serve on all other parties one copy of:

- a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

- b. Each exhibit to be presented, including testimony to be offered in written form.

2. On or before August 21, 1998, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests for data from Board staff

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office on or before August 10, 1998.

Prehearing conference

A prehearing conference for all parties will be held at 1:30 p.m. on August 28, 1998, in Room 110 of the

Agriculture Building, 2301 North Cameron Street, Harrisburg. Parties shall come prepared to address requests for the production of documents relied on in formulating their testimony and exhibits.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD Users).

BEVERLY R. MINOR,
Chairperson

[Pa.B. Doc. No. 98-1213. Filed for public inspection July 24, 1998, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Delegation of Additional Routine, Ministerial and Nonpolicymaking Public Meeting Agenda Items; Doc. No. M-00970915

The Pennsylvania Public Utility Commission (Commission) at its July 9, 1998, public meeting delegated certain routine ministerial and nonpolicymaking public meeting agenda items to the Bureau Directors for disposition. These matters include the following:

Bureau of Fixed Utility Services

1. Tariff language changes which are ministerial, corrective, administrative, or those which have been specifically required and set forth by the Commission in a regulation or policy statement.

2. Uncontested compliance tariff filings made in response to § 1308(d) general rate increases approved by the Commission.

3. Uncontested applications by the eight major electric utilities for transfer by sale of electric facilities or equipment with net depreciated values of \$1 million or less, to nonaffiliated businesses or municipalities.

4. Uncontested local exchange telephone company extended area service filings which have no rate effect for the company's intrastate regulated services and no rate effect for the end-users of the company's intrastate regulated services.

5. Uncontested local exchange telephone company extended area service filings resulting in rate changes for the company's end-user customers into preexisting rate structure elements and/or bands, and where the total overall revenue effect is either neutral or decreases the company's intrastate regulated operations.

6. Uncontested additions of routes to preexisting and preapproved optional calling plans which have no or de minimis rate and revenue effects.

Bureau of Transportation and Safety

1. Uncontested motor carrier complaints carrying possible fines of up to and including an aggregate amount of \$1,000, as well as possible penalties of certificate suspension or revocation.

These items will now be addressed by Secretarial Letter. These actions may be appealed to the Commission by filing a petition within 10 days after service of notice of the action, unless a different time period is specified. 52 Pa. Code § 5.44.

The contact person for this matter is Susan D. Colwell, Assistant Counsel, Law Bureau (717) 783-3459.

JAMES P. MCNULTY,
Secretary

[Pa.B. Doc. No. 98-1214. Filed for public inspection July 24, 1998, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9720.5, Underground Storage Tank Closures, Packer Avenue Marine Terminal until 2 p.m. on Thursday, August 13, 1998. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., 13th Flr., Philadelphia, PA 19106, (215) 928-9100 and will be available July 28, 1998. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations. Mandatory prebid job site meeting will be held August 5, 1998, 10 a.m. at Packer Ave. Marine Terminal, South Gate.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 98-1215. Filed for public inspection July 24, 1998, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9807.4, Repair of 225 kva Transformer—Building #1, Packer Avenue Marine Terminal, until 2 p.m. on Thursday, August 13, 1998. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., 13th Flr., Philadelphia, PA 19106, (215) 928-9100 and will be available July 28, 1998. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held Thursday, August 6, 1998, 10 a.m. at the job site, Delaware Ave. & South Gate at Pumphouse #1, Philadelphia, PA 19148.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 98-1216. Filed for public inspection July 24, 1998, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9819.7, Repairs to Rail Track at Pier 78 So. Annex until 2 p.m. on Thursday, August 13, 1998. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Sq., 13th Flr., Philadelphia, PA 19106, (215) 928-9100 and will be available July 28, 1998. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held August 6, 1998, 11 a.m. at McKean St. and Columbus Blvd.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 98-1217. Filed for public inspection July 24, 1998, 9:00 a.m.]

STATE BOARD OF NURSING

Commonwealth of Pennsylvania v. Peter John Gallagher, LPN

Notice to Peter John Gallagher, LPN:

On September 10, 1997, the Commonwealth of Pennsylvania, State Board of Nursing instituted a formal administrative action against you, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law. Under 1 Pa. Code § 33.31 and Pa.R.C.P. Rule 430 providing for service of process upon you by publication:

If you wish to defend against the allegations in the order to show cause, or to present evidence on your behalf in mitigation of any penalties which may be imposed upon you or your license, certification, registration, permit or other authorization to practice your profession, the procedures for doing so are set forth in the order to show cause. You have the right to be represented by an attorney in this matter. Although you may represent yourself, you are advised to seek the advice of an attorney. All proceedings are conducted in accordance with the Administrative Agency Law and the general rules of administrative practice and procedure.

You are directed to respond by filing an answer in writing within thirty (30) days of the date of this notice. An original and two copies must be submitted. *Also, you must send a separate copy of the answer, and any other pleadings or documents, to the prosecuting attorney named in this document.* If you do not file an answer, disciplinary action may be taken against you without a hearing.

Answers and any other pleadings should be filed with: Deanna S. Walton, Prothonotary, Bureau of Professional

and Occupational Affairs, 124 Pine Street, Suite 200, Harrisburg, PA 17101.

M. CHRISTINE ALICHNIE, Ph.D., R.N.
Chairperson

[Pa.B. Doc. No. 98-1218. Filed for public inspection July 24, 1998, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Harrisburg, PA 17108:

August 24, 1998	Thelma Winand (dec'd) (Member's Option Selection)	1:30 p.m.
August 26, 1998	Chas T. Alessie, Sr. (Military Service)	10 a.m.
September 30, 1998	Nevin C. Shenck (Student Service)	1 p.m.
October 14, 1998	Robert D. Rossi (DRO)	1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 98-1219. Filed for public inspection July 24, 1998, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT SYSTEM

General Investment Consulting and Performance Evaluation Services; Request for Proposal 1998-1

The Commonwealth of Pennsylvania State Employees' Retirement Board is soliciting proposals for General Investment Consulting and Performance Evaluation Ser-

vices for the Commonwealth of Pennsylvania State Employees' Retirement System (SERS).

Eight signed copies of the proposal must be submitted in accordance with the specific instructions set forth in Request For Proposal 1998-1 (RFP 1998-1). Proposals should be sent to Peter M. Gilbert, Chief Investment Officer, State Employees' Retirement System, 30 North Third Street, Harrisburg, PA 17101, Attention: RFP 1998-1. Proposals must be received at this address no later than 4 p.m. on Thursday, August 20, 1998. Proposals received after that time will be rejected.

A preproposal conference will be held on Monday, August 3, 1998 at 11 a.m. at the SERS office located at 30 North Third Street, 5th Floor, Harrisburg, PA. Prospective bidders are invited to attend the preproposal conference before submitting a proposal to SERS for consideration. The preproposal conference is to clarify any points

in RFP 1998-1 which may require explanation. Questions regarding the contents of RFP 1998-1 should be submitted in writing and received at SERS 2 days prior to the preproposal conference. All bidders will receive written responses to the submitted questions 1 week after the preproposal conference. Please note the preproposal conference is not mandatory.

Interested parties should contact Peter M. Gilbert, Chief Investment Officer, at the address referenced above or via telephone at (717) 787-9008 to obtain a copy of RFP 1998-1.

JOHN BROSIUS,
Executive Director

[Pa.B. Doc. No. 98-1220. Filed for public inspection July 24, 1998, 9:00 a.m.]

STATE SYSTEM OF HIGHER EDUCATION

Basic Fee and Tuition Schedule for the 1998/99 Academic Year

Notice is hereby given to all students that the Board of Governors of the State System of Higher Education, acting under section 2006-A of the act of November 12, 1982 (P. L. 660, No. 188), has established the following schedule for assessment of basic fees and tuition to be effective fall semester 1998 at the System's 14 universities: Bloomsburg, California, Cheyney, Clarion, East Stroudsburg, Edinboro, Indiana, Kutztown, Lock Haven, Mansfield, Millersville, Shippensburg, Slippery Rock and West Chester Universities of Pennsylvania.

1998/99 Tuition		
<i>Student Level/Residency Status</i>	<i>Full-time Per Academic Year</i>	<i>Part-time¹ Per Credit Hour</i>
Undergraduate Students		
Pennsylvania Residents	\$3,468	\$144
Nonresidents ²	\$8,824	\$368
Graduate Students		
Pennsylvania Residents	\$3,468	\$193
Nonresidents	\$6,236	\$346

JAMES H. MCCORMICK,
Chancellor

¹The resident part-time rates per credit hour shall pertain to all summer session and interim session course offerings; some universities within the State System of Higher Education charge a lower nonresident rate to nonresident students from a particular market for summer and/or interim session courses.

²Certain universities within the State System of Higher Education charge a lower nonresident tuition rate to nonresident students from a particular market.

[Pa.B. Doc. No. 98-1221. Filed for public inspection July 24, 1998, 9:00 a.m.]

TURNPIKE COMMISSION

Request for Proposals

Sealed Proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 94-004—FU44: Structural Demolition and/or Removal for the Mon/Fayette Expressway in Washington and Allegheny Cos., PA

Bid Opening Date: August 26, 1998, 11 a.m.

Bid Surety: 5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Adminis-

tration Building. Copies may be purchased upon payment of \$25 per set by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission. Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

A prebid site review of the project will be made on August 5, 1998. The inspection party will meet at the office of the project Construction Manager, Trumbull Corporation, 600 Park Avenue, Monongahela, PA 15063, (412) 258-9234 at 10 a.m., and will proceed to each site under the direction of authorized Commission personnel.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 98-1222. Filed for public inspection July 24, 1998, 9:00 a.m.]

Retention of an Engineering Firm

Redecking of the Delaware River Bridge Bucks County Reference No. 4-050

The Turnpike Commission will retain an engineering firm to perform preliminary and final design for the deck replacement of the girder spans on the Pennsylvania side of the Delaware River Bridge (ten spans totaling approximately 1,240 feet in length). The Delaware River Bridge connects the New Jersey Turnpike and the Pennsylvania Turnpike.

The engineering services required will include the following tasks: review of an existing redecking study and in-depth bridge inspection report, development of preliminary traffic control and structure plans, utility investigation and coordination, preparation of final traffic control and structure plans, and preparation of all necessary contract documents in order for the Commission to proceed with advertisement and construction. Because Span 10 of the girder spans crosses AMTRAK rail lines, coordination will also be necessary with AMTRAK. In addition, coordination will be necessary with the United States Fish and Wildlife Service, Pennsylvania Game Commission and other associated agencies. This coordination is necessary to provide the proper protection during construction for any peregrine falcons that may nest on the Delaware River Bridge.

Direct any inquiries to Brian M. Ranck, P.E., at (717) 939-9551, Extension 3630; or by FAX at (717) 986-8742; or by e-mail at branck@paturpike.com.

General Requirements and Information

Firms interested in performing the above services are invited to submit Expanded Letters of Interest 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, Highspire, PA 17034 (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The expanded letters of interest must include in the heading the project reference number indicated in the advertisement. A Standard Form 254, "Architect-Engineer and Related Services Questionnaire," not more than 1 year old as of the date of this advertisement, and Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project," must accompany each expanded letter of interest. Explanation that the firm has successfully completed similar type projects, of the same magnitude, is required. If the firm has multiple offices, the location of the office performing the work must be identified.

Firms with out-of-State headquarters or corporation not incorporated in Pennsylvania must include with each expanded letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State.

The Turnpike Commission currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Commission currently limits its participation in the consultant's indirect payroll costs (overhead) on design projects to 130% or the consultant's actual audited overhead rate, whichever is less.

The Consultant in their submission should identify the following factors:

(A) Specialized experience and technical competence of firm. The firm must clearly demonstrate their capabilities of completing this project by identifying similar projects that have been completed, the magnitude of the project, and the client.

(B) Past record of performance with respect to cost control, work quality and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.

(C) Expanded letters of interest must include an indication of the prime consultant's and subconsultant's current workload for all Department of Transportation and Turnpike Commission projects.

(D) Location of consultant's office where the work will be performed.

(E) Listing of subconsultant's intended. Any deviation from the subconsultant's listed in the expanded letter of interest will require written approval from the Commission.

(F) Special requirements of the project.

(G) An organization chart for the Project, identifying key personnel. Only resumes of key personnel should be included.

(H) Other factors, if any, specific to the project.

Each firm should demonstrate in their expanded letter of interest their ability to perform the specific requirements indicated for this project by including a maximum three page report on this project.

The expanded letter of interest and required forms must be received by 12 p.m., Friday, August 7, 1998. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable expanded letters of interest received in response to this solicitation, one firm will be selected for this 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 expanded letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for these services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 98-1223. Filed for public inspection July 24, 1998, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

Reader's Guide

Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.
- ③ Contract Information
- ④ Department
- ⑤ Location
- ⑥ Duration
- ⑦ (For Commodities: Contact: Vendor Services Section 717-787-2199 or 717-787-4705)

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.
 Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division 787-0000

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340

Commodities

PSU 4403-g Computer and related equipment—1 each Codec system.

Department: Penn State University
Location: University Park, Centre County, PA
Duration: FY 98—99
Contact: Steve Blazer, fax (814) 865-3028 or call (814) 865-1402

PSU 4405-g Computer and related equipment—4 each CCD general pan/tilt camera.

Department: Penn State University
Location: University Park, Centre County, PA
Duration: FY 98—99
Contact: Steve Blazer, fax (814) 865-3028 or call (814) 865-1402

PSU 4402-g Computer and related equipment—1 Pictoretel Concorde 4500 and power MIC.

Department: Penn State University
Location: University Park, Centre County, PA
Duration: FY 98—99
Contact: Steve Blazer, fax (814) 865-3028 or call (814) 865-1402

PSU 4404-g Computer and related equipment—1/6 each UHF transmitter/wireless microphone.

Department: Penn State University
Location: University Park, Centre County, PA
Duration: FY 98—99
Contact: Steve Blazer, fax (814) 865-3028 or call (814) 865-1402

1042158 Laboratory instruments and equipment—1 lot casework, laboratory (wood and stainless steel) for Roddy Science Building.

Department: State System of Higher Education
Location: Millersville University, Millersville, Lancaster County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1464155 Maintenance and repair shop equipment—1 each furnish and install car wash, provide all labor, material, supervision and all items necessary to make operational.

Department: General Services
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1052388 Motor vehicles, trailers and cycles—1 each latest model multi-terrain, self propelled track vehicle and tow behind snow grooming equipment.

Department: Conservation and Natural Resources
Location: Harrisburg, Dauphin County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

8183100 Pipe tubing, hose and fittings—5,500 foot 10 inch corrugated polyethylene underdrain pipe in 20 foot lengths; 280 each 10 inch split polyethylene pipe couples to fit the pipe.

Department: Transportation
Location: Lancaster, Lancaster County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

1072118 Woodworking machinery and equipment—24,750 pounds sodium orthosilicate, technical, hydrated, Class II flake (55 lb. bags).

Department: Corrections
Location: Camp Hill, Cumberland County, PA
Duration: FY 98—99
Contact: Vendor Services: fax request to (717) 787-0725 or call (717) 787-2199

SERVICES

Audio/Video—04

RFP 97-21 Electronic Weather/Traveller Information System. The objective of this project is to provide weather forecasting, weather-related information and traffic information at welcome center sites and other PennDOT locations. Additional details and a request for proposals are available upon request. Fax your request to Tina Chubb at (717) 783-7971.

Department: Transportation
Location: Statewide
Duration: 24 months
Contact: Tina Chubb, (717) 787-7001

Construction and Construction Maintenance—09

Project No. 903 Bituminous pavement of driveway/ramp and approach.

Department: Military and Veterans Affairs
Location: PAARNG Armory, 826 Crane Avenue, Pittsburgh, Allegheny County, PA
Duration: August 1, 1998—September 30, 1999
Contact: Emma Schroff, (717) 861-8518

1206 The contractor shall provide all labor, tools, materials, equipment, services, and appurtenances necessary to replace a roofing system over the W-Section inmate housing modular building at the State Correctional Institution at Greensburg. A rubber E.P.D.M. type roofing system shall be installed to replace the existing roof and the contractor will provide all required accessories.

Department: Corrections
Location: State Correctional Institution at Greensburg, R. D. 10, Box 10, Route 119 South, Greensburg, PA 15601-8999
Duration: November 2, 1998 to June 30, 2000
Contact: Karen Caudill, (724) 837-4397, ext. 336

401-BL-570 Provide all labor, equipment and material necessary to construct new recreational fields on upper campus of Bloomsburg University. The work would include the construction of lighted softball and multipurpose field and a par course. To obtain bid documents furnish a non-refundable \$50.00 deposit to Reilly Associates, 222 Wyoming Avenue, West Pittston, PA 18643. Bids and plans will be mailed to bidders the end of July 1998 and all bid and prebid information will be included in the bid package.

Department: State System of Higher Education
Location: Bloomsburg University, Bloomsburg, PA 17815
Duration: 250 days
Contact: Joseph C. Quinn, (717) 389-4311

AE-5136 Construction of a material storage building. Fax (717) 783-7971.

Department: Transportation
Location: Maintenance District 12-5, Stockpile No. 1, Greensburg, Westmoreland County, PA
Duration: 90 calendar days; proposed bid August, 1998
Contact: Tina Chubb, (717) 787-7001

AE-5198.1 General construction of renovations and additions to Interstate 80, westbound and eastbound rest area facilities. Pre-bid walk-through on site August 10, 1998 at 11 a.m. Plans and specs will be available at the site at that time. To have mailed contact Tina Chubb at (717) 787-7001. Questions should be addressed to Joseph DeSantis at (717) 787-9213. Fax (717) 783-7971. Prebid walk through will begin on westbound side.

Department: Transportation
Location: Interstate 80, Westbound and Eastbound Rest Area Facilities, Liberty Township, Montour County, PA
Duration: Approximately 10 months; Bid date August 25, 1998
Contact: Tina Chubb, (717) 787-7001

DGS 407-64 Project title: Renovation of Clark Hall. Brief description: Work consists of interior and exterior renovations of the existing Clark Hall Building which includes new construction of a three story addition, all involving general, HVAC, plumbing and electrical construction. Plans deposit: \$300 per set. Payable to: Apostolou Associates. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Apostolou Associates, 47 Bailey Avenue, Pittsburgh, PA 15211, (412) 381-1400. Bid date: Wednesday, August 19, 1998 at 11 a.m. Pre-bid conference has been scheduled for Wednesday, July 29, 1998 at 10:30 a.m. in the Corell Recital Hall on the Second Floor, Room 220 of Sutton Hall, Indiana University of PA, Indiana, PA. Immediately following the pre-bid conference, a walk through of Clark Hall will be held. Contact person: Bob Marx, (724) 357-2289. All contractors who have secured contract documents are invited and urged to attend this pre-bid conference and Clark Hall walk through.

Department: General Services
Location: Indiana University of PA, Indiana, Indiana County, PA
Duration: 270 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

DGS 948-35 Phase 6, Part B Revised Rebid Project title: Fire Safety Code Improvements. Brief description: Work includes a sprinkler system, fire alarm system and basic electrical work, including installation and renovation of walls and ceilings, cutting and patching for the fifth floor down through the basement of the Health and Welfare Building. General, HVAC and electrical construction. Plans deposit: \$400 per set. Payable to: Brinjac, Kambic and Associates, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Brinjac, Kambic and Associates, Inc., 114 North Second Street, Harrisburg, PA 17101-1401, (717) 233-4502. Bid date: Wednesday, August 19, 1998 at 2 p.m. A pre-bid conference has been scheduled for the subject project on Monday, August 3, 1998 at 10 a.m. in the Department of General Services Corporate Board Room, 18th and Herr Streets, Harrisburg, PA 17125. Contact: Tim Myers, (717) 233-4502. All contractors who have secured plans and specifications are invited and urged to attend this pre-bid conference.

Department: General Services
Location: Health and Welfare Building, Capitol Complex, Harrisburg, Dauphin County, PA
Duration: 720 calendar days from date of initial job conference
Contact: Contract Bidding Unit, (717) 787-6556

Contract No. FBP-96-1-0010A Demolition of existing bridge (steel I-beams, concrete deck and stone masonry abutments); construct new precast concrete box culvert with case-in-place concrete wingwalls and architectural surface treatment. All work is located in Forest District No. 1, approximately 3 miles north of Caledonia State Park.

Department: Conservation and Natural Resources
Location: Southampton Township, Cumberland County, PA
Duration: Complete all work by October 31, 1999
Contact: Construction Management Section, (717) 787-5055

Contract No. FBP-96-4-0002A Demolition of existing bridge (steel I-beams, open grid steel deck, hand placed stone abutments); construction of new bridge (prestressed concrete beams, reinforced concrete abutments, wingwalls and deck), and architectural surface treatment. Work is located in Forest District No. 4 near Seven Springs.

Department: Conservation and Natural Resources
Location: Middlecreek Township, Somerset County, PA
Duration: Complete all work by October 31, 1999
Contact: Construction Management Section, (717) 787-5055

Contract No. FDC-012-133 Removal of an existing steel, wood and masonry structure; provide and place 54" R.C. pipe with reinforced concrete (cast-in-place) endwalls; rock lining; selected material surfacing; E and S measures; traffic signing and landscaping. Work is located in Forest District 12, north and west of Exit 29 of I-80.

Department: Conservation and Natural Resources
Location: Washington Township, Lycoming County, PA
Duration: Complete work by June 30, 1999
Contact: Construction Management Section, (717) 787-5055

S35:124-101.1 Removal of abandoned Mill Creek railroad bridge consisting of excavation, installation of 196 s. y. riprap, backfilling 505 c. y. and 13 c. y. of unclassified fill.

Department: Environmental Protection
Location: Moosic and Old Forge, Lackawanna County, PA
Duration: 45 days after notice to proceed
Contact: Construction Contracts Unit, (717) 783-7994

SP-338419 Provide materials and installation of woven wire deer fencing as follows: Fence area No. 1—Approximately 5,400 lineal feet perimeter and 5,100 perimeter of the Arksill proposed timber sale area in Grove Township, Cameron County. Fence area No. 2—Approximately 6,700 lineal feet perimeter of the Pavilion, Timber Sale No. 13-97BC12, in Wharton Township, Potter County.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, Forest District 13, Arksill Fence Area, Grove Township, Cameron County; Whitehead Pavilion Fence Area, Wharton Township, Potter County, PA
Duration: May 15, 1999
Contact: Robert G. Merrill, Jr., (814) 486-3353

Engineering Services—14

08430AG2224 To provide preliminary engineering, environmental studies, final design, shop drawing review and consultation during construction on S. R. 0079-A12, I-79 from Kirwin Heights to I-279 in Allegheny County.

Department: Transportation
Location: Engineering District 11-0
Duration: Twenty-four (24) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2225 Retain an engineering firm to provide preliminary engineering and environmental studies for S. R. 3037, Section 003, Walnut Street Bridge, City of Johnstown, Cambria County.

Department: Transportation
Location: Engineering District 9-0
Duration: Eighteen (18) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2226 Open-end contract to provide right-of-way acquisition services on various projects located in Engineering District 12-0, that is Fayette, Greene, Washington and Westmoreland Counties.

Department: Transportation
Location: Engineering District 12-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2227 To provide supplementary construction inspection staff of approximately seven inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on S. R. 0070, Section 18M and S. R. 0070, Section A15 in Westmoreland County, Engineering District 12-0.

Department: Transportation
Location: Engineering District 12-0
Duration: Eighteen (18) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2228 Two open-end contracts for various engineering and environmental studies within Engineering District 11-0, that is Allegheny, Beaver and Lawrence Counties.

Department: Transportation
Location: Engineering District 11-0
Duration: Sixty (60) months
Contact: Consultant Agreement Division, (717) 783-9309

Environmental Maintenance—15

AMD 33(1308)102.1 Acid mine drainage abatement, Conifer, involves approximately 36,000 c. y. of grading and 21 acres of seeding.

Department: Environmental Protection
Location: Beaver Township, Jefferson County, PA
Duration: 270 days after notice to proceed
Contact: Construction Contracts Unit, (717) 783-7994

BOGM 98-8 Clean out and plug one abandoned gas well estimated to be 1,800 feet deep on the Jessica D. Copeland Volante property.

Department: Environmental Protection
Location: Moon Township, Allegheny County, PA
Duration: 45 days after notice to proceed
Contact: Construction Contracts Unit, (717) 783-7994

Financial and Insurance Consulting Services—17

98-502-0100 Request for proposals to provide the Department of Community and Economic Development with auditing services for the Machinery and Equipment Loan Fund.

Department: Community and Economic Development
Location: Machinery and Equipment Loan Fund, 480 Forum Building, Harrisburg, PA 17120
Duration: 5 years
Contact: Anne Cavender, (717) 787-6245

Food—19

4620-02 The Department of Transportation will solicit vending services for: Pike County, Site K. Items vended will be limited to nonperishables such as soda/juice, candy/snacks, ice cream sandwiches and hot drinks. The vendor will be responsible for the installation, stocking and maintenance of a minimum of five vending machines. General liability insurance will be required. Contracts will be awarded to the highest monthly fee bid to the Department of Transportation expressed in lump sum bid form. Persons interested in obtaining a proposal to bid should contact the name listed below within 10 days of this notice. Bid opening is August 10, 1998 in Room F7A, 7th Floor, Forum Place, 555 Walnut Street, Harrisburg, PA at 2 p.m.

Department: Transportation
Location: I-84 WB, Pike County, PA
Duration: 1 year, 1 month per specifications and provisions
Contact: LuAnn J. Shadle, (717) 787-0188

HVAC—22

1205 The contractor shall provide all labor, tools, materials, equipment, services, and appurtenances necessary to replace electrical wiring, conduit cabling, control terminations, and collateral devices as required to refurbish the main control center at the State Correctional Institution at Greensburg.

Department: Corrections
Location: State Correctional Institution at Greensburg, R. D. 10, Box 10, Route 119 South, Greensburg, PA 15601-8999
Duration: November 2, 1998 to June 30, 2000
Contact: Karen Caudill, (724) 837-4397, ext. 336

060207 Maintain integrity of HVAC system and related components at 200 Radnor-Chester Road, St. Davids, PA 19087-5178, District 6-0 Office Building No. 100-5762.

Department: Transportation
Location: Transportation District 6-0, District Office Building, Building No. 100-5762, 200 Radnor-Chester Road, St. Davids, PA 19087-5178
Duration: November 01, 1998 to October 31, 2000 with one 2-year renewal
Contact: Michael Masterson/Larry J. McCool, (610) 964-6670

AE-5198.3 Plumbing construction of renovations and additions to Interstate 80, westbound and eastbound rest area facilities. Pre-bid walk-through on site August 10, 1998 at 11 a.m. Plans and specs will be available at the site at that time. To have mailed: contact Tina Chubb at (717) 787-7001. Questions should be addressed to Joseph DeSantis at (717) 787-9213. Fax (717) 783-7971. Prebid walk through will begin on westbound side.

Department: Transportation
Location: Interstate 80, Westbound and Eastbound Rest Area Facilities, Liberty Township, Montour County, PA
Duration: Approximately 10 months; Bid date August 25, 1998
Contact: Tina Chubb, (717) 787-7001

AE-5198.4 Electrical construction of renovations and additions to Interstate 80, westbound and eastbound rest area facilities. Pre-bid walk-through on site August 10, 1998 at 11 a.m. Plans and specs will be available at the site at that time. To have mailed: contact Tina Chubb at (717) 787-7001. Questions should be addressed to Joseph DeSantis at (717) 787-9213. Fax (717) 783-7971. Prebid walk through will begin on westbound side.

Department: Transportation
Location: Interstate 80, Westbound and Eastbound Rest Area Facilities, Liberty Township, Montour County, PA
Duration: Approximately 10 months; Bid date August 25, 1998
Contact: Tina Chubb, (717) 787-7001

AE-5232 Installation of front office lighting. Fax (717) 783-7971.

Department: Transportation
Location: Maintenance Building, District 6-5, Blaine and Ruffner Streets, Philadelphia, PA
Duration: 90 calendar days; Proposed bid August, 1998
Contact: Tina Chubb, (717) 787-7001

MI-710 Project title: Student Memorial Center Valance AC. Scope of work: Install valance AC units in seven rooms. Provide and install electric resistance heat. Provide all necessary wiring, plumbing and appurtenances for complete system. Plans cost: \$15 non-refundable.

Department: State System of Higher Education
Location: Student Memorial Center, Millersville University, Millersville, Lancaster County, PA 17551-0302
Duration: December 21, 1998—January 11, 1999; 21 days from notice to proceed
Contact: Bernadette J. Wendler, Dilworth Building, (717) 872-3730

Janitorial—23

SP 342571 Janitorial services for cabin colony located at Ricketts Glen State Park, Benton, Luzerne County, PA.

Department: Conservation and Natural Resources
Location: State Parks, Ricketts Glen State Park, R. R. 2, Box 130, Benton, Luzerne County, PA 17814-8900
Duration: December 31, 2001
Contact: Regional Park Office, (215) 453-5016

Property Maintenance—33

Service Purchase Contract No. 331072 Comfort Station Renovation—Marsh Creek State Park. A pre-bid conference will be held on August 04, 1998 at 10:30 a.m. at Marsh Creek State Park, 675 Park Road, Downingtown, PA 19335, (610) 458-5119. Bidders must visit park and make an on-site inspection of work to be done. Sealed bids will be received at Marsh Creek State Park, 675 Park Road, Downingtown, PA 19335 until 2 p.m. prevailing time on August 14, 1998 and then publicly opened and read. All pertinent information must be obtained from the office of the Assistant Park Manager.

Department: Conservation and Natural Resources
Location: State Parks, Marsh Creek State Park, 675 Park Road, Downingtown, Chester County, PA 19335
Duration: June 30, 1999
Contact: Park Manager's Office, (610) 458-5119

AE-5195 Door removal and replacement. Fax (717) 783-7971.

Department: Transportation
Location: Roadside Rest, Route I-95 Northbound, Delaware County, PA
Duration: 120 calendar days; proposed bid August, 1998
Contact: Tina Chubb, (717) 787-7001

JC-15-98 Maintenance and Repair Services. Touch-up interior wall paint; general building maintenance; all caulking; clean out roof drains; trouble-shoot, repair or replace minor miscellaneous defects, broken, inoperative or impaired components of the physical plant relative to the Erie Job Center on an as-needed basis.

Department: Labor and Industry
Location: ES, 1316 State Street, Erie County, Erie, PA 16501
Duration: October 1, 1998 through September 30, 2002
Contact: Thomas E. Newhouse, Manager, (814) 871-4229

JC-16-98 Snow/ice removal services—to be provided for parking lot (approximately 60' X 150'), driveway (approximately 270' and sidewalks (approximately 740') on an as-needed basis (at 1316 State Street, Erie, PA) at the discretion of the Office Manager or when snow accumulation reaches 3" or more in the parking lot and driveway and 1" or more for sidewalks. Snow to be physically removed from the parking lot as necessary to ensure that all parking spots are clear. Service to include spreading of anti-skid materials, which is to be included in price quote. Damage to parking lot surface, sidewalks, lawns to be repaired or replaced by contractor.

Department: Labor and Industry
Location: ES, 1316 State Street, Erie County, Erie, PA 16501
Duration: October 1, 1998 through May 30, 2002
Contact: Thomas E. Newhouse, Manager, (814) 871-4229

Real Estate Services—35

0500 Right of way unit. Contemplated sale of land no longer required for Transportation purposes. Notice is hereby given that the Department of Transportation, pursuant to 71 P. S. Subsection 513(e)(7), intends to sell certain land owned by it. There is a parcel of property containing approximately 10,325 square feet or 0.237 acre located on the west side of S. R. 209 approximately 0.35 mile south of the intersection of S. R. 209 and S. R. 54 in the County of Carbon, Borough of Nesquehoning. It has been determined that the land is no longer required for present and future transportation purposes. Interested public entities are invited to express their interest in purchasing the property within 30 calendar days from this notice. Prebid walk through will begin on westbound side.

Department: Transportation
Location: Engineering District 5-0, 2460 Parkwood Drive, Allentown, PA 18103
Duration: Indeterminate 1998-99
Contact: John M. Davis, Property Manager, (610) 791-6027

Miscellaneous—39

AE-5198.2 Mechanical construction of renovations and additions to Interstate 80, westbound and eastbound rest area facilities. Pre-bid walk-through on site August 10, 1998 at 11 a.m. Plans and specs will be available at the site at that time. To have mailed: contact Tina Chubb at (717) 787-7001. Questions should be addressed to Joseph DeSantis at (717) 787-9213. Fax (717) 783-7971.

Department: Transportation
Location: Interstate 80, Westbound and Eastbound Rest Area Facilities, Liberty Township, Montour County, PA
Duration: Approximately 10 months; Bid date August 25, 1998
Contact: Tina Chubb, (717) 787-7001

ITQ 357013 Facilities Construction, Repair and Maintenance. The scope of work covered under this invitation to qualify includes, but is not limited to, general construction, plumbing, heating and HVAC, flooring (tile installation), asbestos removal, electrical, masonry, roofing and installation/repair/maintenance of vehicle exhaust systems. Additional details and a copy of the ITQ are available upon request. Fax your requests to Joseph DeSantis (717) 783-7971 or call (717) 787-9213.

Department: Transportation
Location: Statewide
Duration: 60 months
Contact: Joseph DeSantis, (717) 787-9213

[Pa.B. Doc. No. 98-1224. Filed for public inspection July 24, 1998, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

STATE CONTRACTS INFORMATION

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of
1105-02	07/17/98	US Armor	25,000.00
1105-02	07/17/98	Protective Products International	25,000.00
1105-02	07/17/98	Law Enforcement Supply	25,000.00
1105-02	07/17/98	PA Police Supply	86,412.50
1105-02	07/17/98	Markl Supply Co.	25,000.00
3830-01 RIP No. 1	07/17/98	Winter Equipment Co., Inc.	150,090.00
4240-01	07/17/98	Century Products	19,350.00
7920-07	07/17/98	Desantis Janitor Supply Co.	29,404.40

Requisition or Contract #	Awarded On	To	In the Amount Of
7920-07	07/17/98	Calico Industries, Inc.	28,121.58
1104158-01	07/14/98	Zakback, Inc.	7,565.25
8129610-01	07/14/98	Koch Material Company	133,250.00
8249120-01	07/14/98	Manheim Chrysler Plymouth GMC Truck	199,720.00
8249570-01	07/14/98	Walsh Equipment, Inc.	50,295.00
8504500-01	07/14/98	Monroe Snow and Ice	82,560.00
8504520-01	07/14/98	Monarch Hydraulics, Inc.	26,000.00

GARY E. CROWELL,
Secretary

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