

# PENNSYLVANIA BULLETIN

Volume 28  
Saturday, November 14, 1998 • Harrisburg, Pa.  
Number 46  
Pages 5657—5748

**Agencies in this issue:**

The Courts  
Department of Banking  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Public Welfare  
Department of Revenue  
Department of Transportation  
Environmental Quality Board  
Human Relations Commission  
Independent Regulatory Review Commission  
Insurance Department  
Liquor Control Board  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
State Employees' Retirement System  
Turnpike Commission

**Detailed list of contents appears inside.**

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

**No. 288, November 1998**

---

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 340  
(800) 334-1429 ext. 340 (toll free, out-of-State)  
(800) 524-3232 ext. 340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

Copyright © 1998 Commonwealth of Pennsylvania  
ISBN 0-8182-0004-9

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# Contents

## THE COURTS

<b>DISCIPLINARY BOARD OF THE SUPREME COURT</b>	
Notice of disbarment (2 documents) . . . . .	5668
<b>JUDICIAL SYSTEM GENERAL PROVISIONS</b>	
Certification of questions of law; no. 197 Judicial Administration doc. no. 1 . . . . .	5667
<b>LOCAL COURT RULES</b>	
<b>Carbon County</b>	
District Justice offices hours of operation; no. 30MI98 (criminal division); 98-0041 (civil division) . . . . .	5668
<b>PHILADELPHIA RULES</b>	
Mental Health Procedures Act of 1976, as amended; designation of hearing site; administrative doc. no. 001 of 1998 . . . . .	5668

## EXECUTIVE AGENCIES

<b>DEPARTMENT OF BANKING</b>	
<b>Notices</b>	
Action on applications . . . . .	5691
<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
<i>See also ENVIRONMENTAL QUALITY BOARD</i>	
<b>Notices</b>	
Applications, actions and special notices . . . . .	5692
Biosolids Education Workgroup . . . . .	5722
Biosolids Technical Workgroup . . . . .	5723
<b>DEPARTMENT OF GENERAL SERVICES</b>	
<b>Notices</b>	
Contract awards . . . . .	5747
State contracts information . . . . .	5740
<b>DEPARTMENT OF HEALTH</b>	
<b>Notices</b>	
Renal Disease Advisory Committee public meeting . . . . .	5723
<b>DEPARTMENT OF PUBLIC WELFARE</b>	
<b>Notices</b>	
Payments to nursing facilities; October 1, 1998 proposed rates . . . . .	5723
<b>DEPARTMENT OF REVENUE</b>	
<b>Rules and Regulations</b>	
Return of information as to payment in excess of \$10 . . . . .	5669
<b>Notices</b>	
Pennsylvania Barnyard Bonanza instant lottery game . . . . .	5724
Pennsylvania Double Time instant lottery game . . . . .	5725
Pennsylvania New Year's Bonus instant lottery game . . . . .	5726
Pennsylvania 10 Times Lucky instant lottery game . . . . .	5727

## DEPARTMENT OF TRANSPORTATION

<b>Rules and Regulations</b>	
Vehicle equipment and inspection . . . . .	5670
<b>Notices</b>	
Contemplated sale of land no longer needed for transportation purposes . . . . .	5729
Retention of engineering firms . . . . .	5729
<b>ENVIRONMENTAL QUALITY BOARD</b>	
<b>Notices</b>	
Cancellation of meeting . . . . .	5732
<b>HUMAN RELATIONS COMMISSION</b>	
<b>Notices</b>	
Public hearing opinions . . . . .	5732
<b>INDEPENDENT REGULATORY REVIEW COMMISSION</b>	
<b>Notices</b>	
Notice of filing of final-form rulemakings . . . . .	5732
<b>INSURANCE DEPARTMENT</b>	
<b>Notices</b>	
Application for acquisition of a domestic health maintenance organization . . . . .	5732
List of names of qualified unlicensed reinsurers . . . . .	5733
Review procedure hearings; cancellation or refusal of insurance . . . . .	5735
<b>LIQUOR CONTROL BOARD</b>	
<b>Notices</b>	
Expiration of leases . . . . .	5736
<b>PENNSYLVANIA PUBLIC UTILITY COMMISSION</b>	
<b>Notices</b>	
Service of notice of motor carrier applications . . . . .	5736
Water service:	
Borough of Tyrone . . . . .	5737
Citizens Utilities Water Company of Pennsylvania . . . . .	5738
<b>PHILADELPHIA REGIONAL PORT AUTHORITY</b>	
<b>Notices</b>	
Request for proposals . . . . .	5738
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>	
<b>Notices</b>	
Request for proposal for real estate consulting services . . . . .	5738
<b>TURNPIKE COMMISSION</b>	
<b>Notices</b>	
Request for proposals . . . . .	5738

---

**Now Available Online at <http://www.pabulletin.com>**

---

# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***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.

**SUBSCRIPTION INFORMATION: (717) 766-0211  
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

### 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.

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

#### § 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1998.

### 4 Pa. Code (Administration)

#### Adopted Rules

1 .....	466
6 .....	4619
5 .....	471, 1746, 2128, 2366
7 .....	356

#### Proposed Rulemaking

116 .....	2817
117 .....	2822

#### Statements of Policy

9 .....	49, 382, 1640, 1842, 2045, 2414, 2511, 2929, 4949, 5259, 5345
---------	--

### 7 Pa. Code (Agriculture)

#### Proposed Rulemaking

130d .....	4923
------------	------

### 10 Pa. Code (Banks and Banking)

#### Adopted Rules

7 (with correction) .....	5094, 5340
11 .....	14
13 .....	14
17 .....	14
35 .....	14
41 .....	14, 2687

#### Proposed Rulemaking

41 .....	44
----------	----

#### Statements of Policy

41 .....	1956
81 .....	2049

### 12 Pa. Code (Community and Economic Development)

#### Adopted Rules

63 .....	4629
135 .....	4893

#### Proposed Rulemaking

33 .....	1530
----------	------

#### Statements of Policy

61 .....	1139
123 .....	3807

### 16 Pa. Code (Community Affairs)

#### Proposed Rulemaking

81 .....	5249
83 .....	5249
85 .....	5249
87 .....	5249
91 .....	5249

#### Statements of Policy

45 .....	5136, 5578
----------	------------

### 19 Pa. Code (Corporations and Business Associations)

#### Adopted Rules

41 .....	799
----------	-----

### 22 Pa. Code (Education)

#### Adopted Rules

14 .....	1002
101 .....	2580
201 .....	5226
211 .....	5226
213 .....	2688, 5226
215 .....	5226
342 (with correction) .....	1004, 1135

#### Proposed Rulemaking

4 .....	3875
14 .....	4939
16 .....	4939
33 .....	3506
44 .....	2148
121 .....	1535
201 .....	1543
211 .....	1543
213 .....	1543
215 .....	1543
342 .....	4939
701 .....	3412

### 25 Pa. Code (Environmental Protection)

#### Adopted Rules

77 (with correction) .....	619, 801
78 .....	1234
79 .....	1234
80 .....	1234
86 .....	15, 2227
87 .....	2215, 2227
88 .....	2215, 2227
89 .....	2227, 2761
90 .....	2227
93 (with correction) .....	137, 1633, 3378, 4510
94 .....	4517
103 .....	18
128 .....	4525
129 .....	4525
131 .....	4525
139 .....	2035, 4525
216 .....	4894
218 .....	4894
221 .....	4894
223 .....	4894
227 .....	4894
228 .....	4894
245 (with correction) .....	1135
803 (with correction) .....	3588
901 .....	1136
1021 .....	4714

#### Proposed Rulemaking

86 .....	941
92 .....	4431
93 .....	1635, 3507, 4431
95 (with correction) .....	4431, 5577
96 .....	4431
97 .....	4431
102 .....	769
109 .....	2265
121 .....	4792, 4867
126 .....	4792

129 ..... 4867  
 139 ..... 4792  
 215 ..... 881  
 217 ..... 881  
 219 ..... 881  
 220 ..... 881  
 224 ..... 881  
 225 ..... 881  
 226 ..... 881  
 230 ..... 881  
 232 ..... 881  
 250 ..... 4073  
 271 ..... 4319  
 272 ..... 4319  
 273 ..... 4319  
 277 ..... 4319  
 278 ..... 4319  
 279 ..... 4319  
 281 ..... 4319  
 283 ..... 4319  
 285 ..... 4319  
 287 ..... 4073  
 288 ..... 4073  
 289 ..... 4073  
 291 ..... 4073  
 295 ..... 4073  
 297 ..... 4073  
 299 ..... 4073  
 1021 ..... 807

**Statements of Policy**  
 83 ..... 4634

**28 Pa. Code (Health and Safety)**  
**Adopted Rules**  
 6 ..... 5094  
 51 ..... 2643  
 136 ..... 2643  
 138 ..... 2643  
 139 ..... 2643  
 158 ..... 2643

**Proposed Rulemaking**  
 6 ..... 485, 1008

**Statements of Policy**  
 9 ..... 5011

**31 Pa. Code (Insurance)**  
**Adopted Rules**  
 1 ..... 3753  
 5 ..... 3753  
 7 ..... 3753  
 9 ..... 3753  
 27 ..... 2406  
 41 ..... 4530  
 57 ..... 4531  
 67 ..... 5482  
 71 (with correction) ..... 1401, 1518  
 73 (with correction) ..... 1401, 1518, 1941  
 103 ..... 3755  
 113 ..... 1235, 1518  
 117 ..... 3756  
 131 ..... 1314  
 135 ..... 3758  
 137 ..... 1237

**Proposed Rulemaking**  
 33 ..... 5246  
 35 ..... 4932

64 ..... 4931  
 67a ..... 5246  
 84 ..... 4794  
 84a ..... 4927  
 121 ..... 3805  
 123 ..... 4932  
 124 ..... 4932  
 125 ..... 4796

**Statements of Policy**  
 301 ..... 5019

**34 Pa. Code (Labor & Industry)**  
**Adopted Rules**  
 65 ..... 21  
 122 ..... 329  
 123 ..... 329  
 125 ..... 5459  
 127 ..... 329  
 131 ..... 329

**Proposed Rulemaking**  
 61 ..... 2925  
 63 ..... 2925  
 65 ..... 2925  
 121 ..... 4603

**37 Pa. Code (Law)**  
**Adopted Rules**  
 81 ..... 2500  
 91 ..... 4719  
 93 ..... 2501, 4719  
 203 ..... 2924

**Proposed Rulemaking**  
 31 ..... 2037  
 33 ..... 2037  
 203 ..... 2925  
 309 ..... 5343

**40 Pa. Code (Liquor)**  
**Adopted Rules**  
 3 ..... 1418  
 5 ..... 1418  
 9 ..... 279  
 11 ..... 279, 5103  
 13 ..... 1418, 4920  
 15 ..... 1418

**Proposed Rulemaking**  
 11 ..... 2591  
 13 ..... 488

**49 Pa. Code (Professional and Vocational Standards)**  
**Adopted Rules**  
 9 ..... 3273  
 15 ..... 5340  
 16 ..... 1315, 1316, 4721  
 23 ..... 2586  
 25 ..... 3282  
 27 ..... 4532, 5241, 5485  
 33 ..... 2589  
 35 ..... 3938  
 36 ..... 1941  
 41 ..... 2412

**Proposed Rulemaking**  
 1 ..... 1559  
 15 ..... 3414  
 16 ..... 814  
 21 ..... 2693

31 ..... 2289, 2927  
 33 (with correction) ..... 3293, 3296, 3593  
 36 ..... 2036  
 41 ..... 1421

**Statements of Policy**

21 ..... 5345  
 61 ..... 382

**52 Pa. Code (Public Utilities)**

**Adopted Rules**

1 ..... 647  
 3 ..... 647, 3760  
 5 ..... 647, 801  
 21 ..... 647  
 23 ..... 647  
 29 ..... 647  
 31 ..... 647  
 37 ..... 801  
 53 ..... 801  
 54 ..... 3283, 3760, 3775, 3780, 3791  
 55 ..... 801  
 56 ..... 801, 3379  
 57 ..... 3385  
 58 ..... 25  
 59 ..... 3050  
 63 ..... 3394  
 64 ..... 3394  
 65 ..... 801, 804  
 69 ..... 801  
 71 ..... 801

**Proposed Rulemaking**

3 ..... 2143  
 5 ..... 2143  
 32 ..... 2146  
 53 ..... 508  
 53a ..... 508  
 54 ..... 490, 493, 501, 508, 514, 518, 2139  
 57 ..... 493, 4724  
 63 ..... 3059

**Proposed Statements of Policy**

41 ..... 3959  
 69 ..... 1425, 5497

**55 Pa. Code (Public Welfare)**

**Adopted Rules**

141 ..... 3939  
 175 ..... 3939  
 177 ..... 3939  
 181 ..... 2810  
 183 ..... 3939

**Proposed Rulemaking**

140 ..... 1531  
 141 ..... 2287  
 147 ..... 2287  
 181 ..... 1531  
 289 ..... 2287  
 3480 ..... 1079  
 3490 ..... 1079  
 3680 ..... 953, 1320  
 3710 ..... 953, 1320  
 3760 ..... 953, 1320  
 3800 (with correction) ..... 953, 1138, 1320  
 3810 ..... 953, 1320  
 5310 ..... 953, 1320  
 6400 ..... 953, 1320

**Statements of Policy**

259 ..... 3301  
 1101 ..... 138  
 1163 ..... 2150  
 1187 ..... 138

**58 Pa. Code (Recreation)**

**Adopted Rules**

21 ..... 1238  
 51 ..... 30, 1521, 1753  
 53 ..... 30, 4788  
 61 ..... 5103  
 63 ..... 1753  
 65 ..... 1754, 1755, 4788  
 91 ..... 4789  
 93 ..... 30, 34, 40, 1006, 4788  
 95 ..... 4789  
 97 ..... 4789  
 109 ..... 30, 4789  
 113 ..... 4789  
 135 ..... 2504  
 139 ..... 2504, 5486  
 141 ..... 2504, 3801, 5486  
 143 ..... 1316, 3801, 5487  
 147 ..... 1316

**Proposed Rulemaking**

53 ..... 1837, 5132  
 61 ..... 45, 1322, 1322, 1758, 1840, 3591, 4542  
 65 ..... 45, 1322, 1322, 1758, 1937, 3058, 5134  
 75 ..... 3591, 4542  
 91 ..... 1533  
 93 ..... 1837, 3057, 5132  
 95 ..... 1533  
 97 ..... 1533, 5131  
 109 ..... 1533, 1954, 5132  
 103 ..... 1533  
 133 ..... 5244  
 135 ..... 1243  
 139 ..... 1243, 3804  
 141 ..... 1243, 2814, 3804  
 143 ..... 2814  
 145 ..... 5244  
 147 ..... 5244  
 163 ..... 4797  
 165 ..... 4797

**61 Pa. Code (Revenue)**

**Adopted Rules**

6 ..... 1522  
 8a ..... 1522  
 9 ..... 5488, 5492  
 35 (with correction) ..... 1522, 1836  
 47 ..... 5488, 5492  
 71 ..... 979  
 72 ..... 979  
 73 ..... 979  
 75 ..... 979  
 76 ..... 979  
 77 ..... 979  
 79 ..... 979  
 83 ..... 979  
 85 ..... 979  
 103 ..... 5104  
 117 ..... 5669  
 162 ..... 4630  
 858 ..... 5342  
 865 ..... 5342  
 870 ..... 3945



**Proposed Rulemaking**  
 7 ..... 366  
 31 ..... 366  
 32 ..... 366, 1320  
 33 ..... 366  
 34 ..... 366  
 42 ..... 366  
 44 ..... 366  
 45 ..... 366  
 46 ..... 366  
 47 ..... 366  
 58 ..... 366  
 101 ..... 1946  
 155 ..... 380

**Statements of Policy**  
 60 ..... 3418

**64 Pa. Code (Securities)**  
**Adopted Rules**  
 203 ..... 2509

**Proposed Rulemaking**  
 202 ..... 3950  
 206 ..... 3950  
 302 ..... 3950  
 606 ..... 3950  
 609 ..... 3950  
 610 ..... 3950

**Statements of Policy**  
 604 ..... 3302

**67 Pa. Code (Transportation)**  
**Adopted Rules**  
 71 ..... 364  
 75 ..... 364  
 83 ..... 364  
 105 ..... 3588  
 175 ..... 5670

**Proposed Rulemaking**  
 60 ..... 2139  
 63 ..... 2139  
 255 ..... 2814  
 449 ..... 2510

**70 Pa. Code (Weights, Measures and Standards)**  
**Proposed Rulemaking**  
 1 ..... 5109  
 2 ..... 5109  
 3 ..... 5109  
 4 ..... 5109  
 5 ..... 5109  
 6 ..... 5109  
 7 ..... 5109  
 8 ..... 5109  
 9 (with correction) ..... 5109, 5244  
 10 ..... 5109  
 21 ..... 5109  
 35 ..... 5109  
 39 ..... 5109

**Statements of Policy**  
 39 ..... 2416

**201 Pa. Code (Rules of Judicial Administration)**  
**Adopted Rules**  
 7 ..... 2283

**204 Pa. Code (Judicial System General Provisions)**  
**Adopted Rules**  
 29 (with correction) ..... 3252, 3253, 3502, 3586, 5667  
 71 (with correction) ..... 3503  
 81 ..... 5479  
 83 ..... 2024  
 89 ..... 1834, 3504  
 91 ..... 1933  
 215 ..... 3928

**207 Pa. Code (Judicial Conduct)**  
**Adopted Rules**  
 1 ..... 1632  
 5 ..... 359  
 7 ..... 2806  
 21 ..... 1388  
 119 ..... 2131  
 303 ..... 2283

**Proposed Rulemaking**  
 1 ..... 795  
 3 ..... 1632  
 5 ..... 5330  
 7 ..... 2025  
 119 ..... 646

**210 Pa. Code (Appellate Procedure)**  
**Adopted Rules**  
 33 ..... 4624

**225 Pa. Code (Rules of Evidence)**  
 Unclassified ..... 2369, 4787

**231 Pa. Code (Rules of Civil Procedure)**  
**Adopted Rules**  
 100 ..... 3928  
 200 ..... 359, 3928, 3929, 3930  
 400 ..... 3373, 3928  
 1000 ..... 3928  
 1300 ..... 3930  
 1900 ..... 1391  
 2950 ..... 2026  
 3000 ..... 2026  
 4000 ..... 2026, 2131, 4175

**Proposed Rulemaking**  
 200 ..... 3253  
 400 ..... 5570  
 1910 ..... 1216  
 2120 ..... 5570  
 2150 ..... 5570  
 2170 ..... 5570  
 4000 ..... 2032, 3253

**234 Pa. Code (Rules of Criminal Procedure)**  
**Adopted Rules**  
 50 ..... 1126  
 100 ..... 1126  
 300 ..... 4624  
 1100 ..... 4883  
 1400 ..... 480  
 6000 ..... 4625  
 Unclassified ..... 5330

**Proposed Rulemaking**  
 20 ..... 475, 1505  
 50 ..... 1510  
 100 ..... 1505, 3931  
 300 ..... 475, 3931, 5089  
 305 ..... 276

**5666**

1100 ..... 475  
6000 ..... 3931

**246 Pa. Code (Minor Court Civil Rules)  
Proposed Rulemaking**

100 ..... 2685  
300 ..... 2685

**249 Pa. Code (Philadelphia Rules)**

Unclassified (with correction) .....997, 1516, 2919, 2920,  
3021, 3373, 3586, 3935, 4627, 5336, 5668

**252 (Allegheny County Rules)**

Unclassified ..... 133, 135, 1936, 3373, 5479

**255 Pa. Code (Local Court Rules)**

Unclassified .....8, 9, 10, 135, 136, 277, 481,  
482, 646, 795, 796, 798, 1000, 1128,1132, 1233, 1312,  
1516, 1750, 1751, 1834,1835, 1939, 2033, 2132, 2283,  
2285, 2403, 2404, 2405, 2499, 2578, 2685, 2686, 2806,  
2808, 2921, 2922, 2923, 3024, 3048, 3255, 3257, 3258,  
3504, 3587, 3752, 3936,3937, 4176, 4177, 4178, 4179,  
4243, 4509, 4627, 4891, 5092, 5093, 5225, 5338, 5339,  
5572, 5573, 5574, 5575, 5576, 5668

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

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

#### Certification of Questions of Law; No. 197 Judicial Administration Doc. No. 1

*Per Curiam*

*And Now*, this 28th day of October, 1998, the Supreme Court of Pennsylvania adopts the following rules and procedures regarding certification of questions of Pennsylvania law.

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART II. GENERAL ADMINISTRATION

#### CHAPTER 29. MISCELLANEOUS PROVISIONS

#### Subchapter L. CERTIFICATION OF QUESTIONS OF LAW

##### § 29.451. Order.

1. This Court will accept Certification Petitions, on a trial basis, from January 1, 1999 to January 1, 2000.

2. Any of the following courts may file a Certification Petition with this Court:

- a. The United States Supreme Court; or
- b. Any United States Court of Appeals.

3. A court may file a Certification Petition either on the motion of a party or sua sponte.

4. A Certification Petition shall contain the following:

- a. A brief statement of the nature and stage of the proceedings in the petitioning court;
- b. A brief statement of the material facts of the case;
- c. A statement of the question or questions of Pennsylvania law to be determined;
- d. A statement of the particular reasons why this Court should accept certification; and
- e. A recommendation about which party should be designated Appellant and which Appellee in subsequent pleadings filed with this Court.

f. The petitioning court shall attach to the Certification Petition copies of any papers filed by the parties regarding certification, e.g., a Motion for Certification, a Response thereto, a Stipulation of Facts, etc.

##### § 29.452. Internal Operating Procedures.

**A. Court limitation and One Year Trial Period.** This Court will accept Certification Petitions from any of the following courts:

1. The United States Supreme Court; or
2. United States Courts of Appeal.

This will be for a trial period, from January 1, 1999 to January 1, 2000.

**B. Standards.** Like granting allocatur, acceptance of certification is a matter of judicial discretion. This Court may accept certification of a question of Pennsylvania law only where there are special and important reasons therefor, including, but not limited to, any of the following:

1. The question of law is one of first impression and is of such substantial public importance as to require prompt and definitive resolution by this Court;

2. The question of law is one with respect to which there are conflicting decisions in other courts; or

3. The question of law concerns an unsettled issue of the constitutionality, construction, or application of a statute of this Commonwealth.

4. This Court shall not accept certification unless all facts material to the question of law to be determined are undisputed, and the question of law is one that the petitioning court has not previously decided.

5. This Court shall decide whether to accept or refuse certification without hearing oral argument.

**C. Assignment and Disposition.** The prothonotary shall refer Certification Petitions to the Chief Justice. The Chief Justice will prepare memoranda setting forth the positions of the parties and a recommended disposition. Vote proposals shall be circulated within thirty days from the date of assignment, and shall contain a proposed disposition date no greater than thirty days from the date of circulation. A vote of the majority of those participating is required to implement the proposed disposition.

Every Certification Petition shall be decided within sixty days. Orders disposing of Certification Petitions shall include the names of any justices who did not participate in the consideration or decision of the matter.

Upon acceptance of certification, the prothonotary shall:

1. Issue an order accepting certification, which shall specify the questions of law for which certification was accepted, and whether the case is to be submitted on briefs or designated by the Court to be heard at the argument session;

2. Establish a briefing schedule;

3. If oral argument is granted, list the matter for oral argument; and

4. Take such further action as this Court directs.

**D. Reconsideration.** A vote of the majority is required to grant reconsideration.

[Pa.B. Doc. No. 98-1870. Filed for public inspection November 13, 1998, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

**Mental Health Procedures Act of 1976, As Amended; Designation of Hearing Site; Administrative Doc. No. 001 of 1998**

#### Order

*And Now*, this 30th day of October, 1998, upon review and consideration of the request made by Kirkbride Center, located at 111 North 49th Street, in the City and County of Philadelphia, to be designated as a Hearing Site for Mental Health Hearings conducted pursuant to the Mental Health Procedures Act of 1976, as amended, the Court being satisfied that the facilities meet the Court's criteria, *It Is Hereby Ordered and Decreed* that Kirkbride Center is designated as a Hearing Site for Mental Health Hearings, effective November 2, 1998.

The scheduled day(s) and time(s) of Mental Health Hearings at the site shall be as directed by the Court from time to time.

This Order is issued in accordance with Phila. R. Civ. P. No. 7109. The original Order shall be filed with the Prothonotary in an Administrative Docket maintained for Orders issued by the President Judge of the Court of Common Pleas of Philadelphia County, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil Procedure Rules Committee. Copies of the Order shall also be submitted to Legal Communications, Ltd., *The Legal Intelligencer*, Jenkins Memorial Law Library, and the law library for the First Judicial District.

*By the Court*

ALEX BONAVIDACOLA,  
*President Judge*

[Pa.B. Doc. No. 98-1871. Filed for public inspection November 13, 1998, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

**District Justice Offices Hours of Operation; No. 30MI98 (Criminal Division); 98-0041 (Civil Division)**

#### Amended Administrative Order No. 5-1998

*And Now*, this 28th day of October, 1998, pursuant to the official action taken by the Carbon County Commis-

sioners on October 21, 1998 restoring one-half (1/2) hour to regular business hours, it is hereby

*Ordered and Decreed* that the hours of operation in the District Justice Offices *Are Reset* to 8:30 a.m. to 4:30 p.m., Eastern Standard Time, Monday through Friday, commencing November 2, 1998.

*By the Court*

JOHN P. LAVELLE,  
*President Judge*

[Pa.B. Doc. No. 98-1872. Filed for public inspection November 13, 1998, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Gerald Robert Patterson a/k/a G. Robert Patterson, having been disbarred from the practice of law in the State of New Jersey, the Supreme Court of Pennsylvania issued an Order dated October 28, 1998, disbaring Gerald Robert Patterson, a/k/a G. Robert Patterson from the Bar of this Commonwealth. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director & Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 98-1873. Filed for public inspection November 13, 1998, 9:00 a.m.]

### Notice of Disbarment

Notice is hereby given that Dale John Belock, having been disbarred from the practice of law in the State of Ohio, the Supreme Court of Pennsylvania issued an Order dated October 28, 1998, disbaring Dale John Belock from the Bar of this Commonwealth. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director & Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 98-1874. Filed for public inspection November 13, 1998, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 61—REVENUE

### DEPARTMENT OF REVENUE

#### [61 PA. CODE CH. 117]

#### Return of Information as to Payment in Excess of \$10

The Department of Revenue (Department), under the authority contained in section 354 of the Tax Reform Code of 1971 (TRC) (72 P. S. § 7354), by this order amends § 117.18 (relating to return of information as to payment in excess of \$10).

#### *Purpose of Amendment*

In March 1996, the Department adopted a final-form regulation that amended § 117.18 in addition to other personal income tax regulatory sections. During the final stages of the adoption process, a public comment was made regarding the information return required to be made by a regulated investment company. As a result of this public comment, the Department is amending § 117.18.

#### *Explanation of Regulatory Requirements*

This amendment allows a regulated investment company to meet the information return requirement of § 117.18(c) in two additional ways. A regulated investment company that furnishes a Federal Form 1099-DIV to its distributees may now attach or provide a separate statement that, together with the information on the Federal form, allows distributees to compute the correct amount of Pennsylvania exempt-interest dividends. A regulated investment company that is not required to furnish its distributees with a Federal Form 1099-DIV may provide a statement that allows the distributees to compute the amount of taxable dividend distributions and any adjustment to basis or taxable gain for the taxable year.

#### *Affected Parties*

Regulated investment companies that have chosen not to report their investors' items of income and distribution using either the Pennsylvania Form 1099-DIV or a separate statement showing the ratio of Pennsylvania exempt-interest dividends to total ordinary dividends reported on the Federal Form 1099-DIV will be affected by this amendment.

#### *Comment and Response Summary*

Notice of proposed rulemaking was published at 27 Pa.B. 2125 (May 3, 1997). This amendment is being adopted with no changes to the proposed rulemaking.

The Department did not receive any comments during the public comment period. No comments were received from the House or Senate Finance Committee. No comments were received from the Independent Regulatory Review Commission (IRRC).

#### *Fiscal Impact*

The Department has determined that the amendment will have no fiscal impact on the Commonwealth.

#### *Paperwork*

The amendment will not generate additional paperwork for the public or the Commonwealth.

#### *Effectiveness/Sunset Date*

The amendment will become effective upon final publication in the *Pennsylvania Bulletin*. The amendment is scheduled for review within 5 years of final publication. No sunset date has been assigned.

#### *Contact Person*

The contact person for an explanation of the final-form regulation is Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 23, 1997, the Department submitted a copy of the notice of proposed rulemaking, published at 27 Pa.B. 2125, to IRRC and the Chairpersons of the House and Senate Committees on Finance for review and comment. In compliance with section 5(c) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of all comments received, as well as other documentation.

In preparing this final-form regulation, the Department has considered all comments received from IRRC, the Committees and the public.

This final-form regulation was deemed approved by the House and Senate Committees on September 23, 1998. IRRC met on September 24, 1998, and approved the final-form regulation in accordance with section 5.1(e) of the Regulatory Review Act (71 P. S. § 745.5a(e)).

#### *Findings*

The Department finds that:

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

(2) The regulation is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### *Order*

The Department acting under the authorizing statute, orders that:

(a) The regulations of the Department, 61 Pa. Code Chapter 117, are amended by amending § 117.18 to read as set forth in Annex A with ellipses referring to the existing text of the regulation.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to form and legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

ROBERT A. JUDGE, Sr.  
*Secretary*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 5189 (October 10, 1998).)*

**Fiscal Note:** 15-380. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 61. REVENUE**

**PART I. DEPARTMENT OF REVENUE**

**Subpart B. GENERAL FUND REVENUES**

**ARTICLE V. PERSONAL INCOME TAX**

**CHAPTER 117. RETURN AND PAYMENT OF TAX**

**§ 117.18. Return of information as to payment in excess of \$10.**

\* \* \* \* \*

(c) *Pennsylvania information return.* The Pennsylvania information return shall be made in one of the following ways:

\* \* \* \* \*

(2) If a regulated investment company furnishes Federal Form 1099-DIV to a recipient in compliance with Federal Income Tax requirements, the Pennsylvania information return may be made by attaching or providing one of the following:

(i) A separate statement showing the ratio of Pennsylvania exempt-interest dividends paid to total ordinary dividends reported on the Federal form.

(ii) A separate statement showing other information, if the statement and Federal form contain sufficient information to enable distributees to compute the correct amount of Pennsylvania exempt-interest dividends.

(3) If a regulated investment company is not required to furnish Federal Form 1099-DIV, the Pennsylvania information return may be made by separate statement showing the amount of dividends, nontaxable distributions and Pennsylvania exempt-interest dividends paid or containing sufficient information to enable distributees to compute the amount of taxable dividend distributions and any adjustment to basis or taxable gain for the taxable year.

\* \* \* \* \*

[Pa.B. Doc. No. 98-1875. Filed for public inspection November 13, 1998, 9:00 a.m.]

**Title 67—  
TRANSPORTATION**

**DEPARTMENT OF TRANSPORTATION  
[67 PA. CODE CH. 175]**

**Vehicle Equipment and Inspection**

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), by this order adopts amendments to Chapter 175 (relating to vehicle equipment and inspection). Notice of proposed rulemaking was published at 26 Pa.B. 4230 (August 31, 1996), with an invitation to submit written comments within 30 days of publication. The Department received nine comments.

*Comments Received*

The Department received comments from the Independent Regulatory Review Commission (IRRC), the Specialty Equipment Market Association (SEMA), Carlisle

Productions, Posies Incorporated (Posies), Hamlin's Service Center, Automotive Service Association of Pennsylvania, Incorporated (ASAP), Bayfront Auto Center, Lisa Pytlarz and representatives of the inspection station industry who attend meetings of the Safety Roundtable sponsored by the Department. At the request of SEMA and Carlisle Productions, the Department met with representatives of these organizations to discuss the comments submitted in greater detail. The following is a summary of the comments received and the Department's response.

(1) SEMA, IRRC, Posies, Incorporated, Hamlin's Service Center, ASAP and Bayfront Auto Center submitted comments regarding ornamental lighting and cargo lamps. SEMA, IRRC and Posies suggested that § 175.2 (relating to definitions) be further amended to remove requirements that ornamental lamps must be installed by the vehicle manufacturer or provided by the vehicle manufacturer. Since the Department never intended to limit equipment to that provided by vehicle manufacturers, the Department has further amended the proposed regulations to permit ornamental lamps on vehicles if the lamp, at the time of the vehicle's manufacture, was available as standard or optional equipment from the vehicle manufacturer. The Department believes this amendment addresses the commentators' concerns that only vehicle manufacturers can supply replacement or supplemental ornamental lamps.

(2) SEMA, IRRC, Hamlin's Service Center and ASAP suggested the further amendment of § 175.65(b) (relating to tires and wheels). This subsection presently requires vehicle tires to conform to the vehicle manufacturer's specifications as to size. The suggested amendment would incorporate a reference to the Federal Motor Vehicle Safety Standard which vehicle tires must meet at the time of vehicle manufacture. The commentators believed this reference would help maintain continuity between Pennsylvania regulatory requirements and Federal standards. The Department believes the burden of requiring inspection personnel to obtain and interpret these standards is overly cumbersome. In response to the concerns raised by commentators, the Department has further amended this subsection by deleting the requirement that vehicle tires conform to the vehicle manufacturer's specifications relating to tire size. Mirror provisions in §§ 175.95(b), 175.124(b) and 175.145(b) (relating to tires and wheels) have also been amended to reflect this change.

(3) SEMA, IRRC, Carlisle Productions, Bayfront Auto Center, Hamlin's Service Center and ASAP suggested § 175.65(g) be further amended to incorporate a reference to the applicable Federal Motor Vehicle Safety Standards. As previously stated, the Department does not wish to unduly burden inspection personnel by requiring them to obtain and interpret these standards. The Department contacted the commentators to further discuss incorporating references to Federal Motor Vehicle Safety Standards and explained the Department's reasoning for not wishing to do so. As a result of this discussion, all parties concurred that the Department would further amend the proposal to require tires and rims to have a load rating which is equal to or higher than that offered by the vehicle manufacturer. Mirror provisions in §§ 175.95(g) and 175.124(g) have been similarly amended to reflect this change.

IRRC also suggested that the Department consider further amending § 175.65(g) to designate parameters for the maximum size of tires and wheels which exceed the load rating needs of vehicles. The Department

believes that this provision is currently addressed in § 175.80(d)(1)(vi), (vii) and (ix) (relating to inspection procedure). These requirements, which are cause for rejection during the inspection procedure, prohibit tires which are not designated as suitable for highway use or those which extend beyond the body line or makes contact with the body or chassis. Additionally, since advances in manufacturing of tires are constantly changing, the Department is concerned that more restrictive requirements regarding load rating may unwittingly be contrary efforts to promote highway safety. Further, there is no evidence the use of tires with a disproportionately higher load rating than the vehicle requires would cause safety concerns. Therefore, the Department has not amended the proposal in response to this comment.

(4) SEMA and Carlisle Productions commented on the Department's proposed amendment of § 175.65(h), regarding spacers, which are between the wheel and the hub assemblies of a vehicle to increase wheel track (width). Carlisle Productions did not offer alternative language, but believed the Department should be more specific regarding the amount of lug thread that should remain when spacers are added to increase wheel track. SEMA suggested language that the Department believes may be burdensome for inspection personnel since the lengths of wheel lugs used in calculating thread engagement differ from vehicle to vehicle. Therefore, after further consultation with a representative from Meridan Off-Road Center, a four-wheel drive specialty shop located in western Pennsylvania, the Department is further amending the proposal to allow for a wheel spacer if it does not exceed 1/4 inch in thickness. The Department believes this best addresses the concerns of the commentators while maintaining the integrity of the thread engagement. A mirror provision appears in § 175.80(d)(1)(xxi).

(5) SEMA expressed concern with the Department's proposed amendments in §§ 175.66(f), 175.96(f) and 175.125(d) (relating to lighting and electrical systems), which requires lamps of a type used as original equipment. The commentator believed this language could be misinterpreted to prohibit after-market businesses from providing replacement lamps, thus hindering their ability to conduct business in this Commonwealth. The Department met with representatives of SEMA and Carlisle Productions to discuss their concerns. As a result of this meeting, in which all parties concurred that the language appeared to be excessively restrictive, the Department further amended the proposal to eliminate the reference to lamps "of a type used as original equipment" and replaced this phrase with "designed for that specific function." This verbiage adequately satisfied all commentators concerns relating to the after-market providers ability to supply replacement lamps.

(6) SEMA requested the Department amend § 175.66(h) to allow ornamental lamps unless they oscillate, rotate, flash or otherwise create a known safety hazard. Since flashing and revolving lights may be used only on emergency and other authorized vehicles, this type of light is not categorized with ornamental lamps. The use of these lights is addressed in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles). Subsection (h) has been amended to reference the relevant chapters and explain that flashing or revolving lights are not ornamental lamps. Therefore, § 175.66(h) has been further amended to clarify that a lamp not enumerated in this section, or located as described in Tables III, IV and V of this

chapter, is prohibited unless available as original equipment, thereby promoting consistency with the amended definition of "ornamental lamps" found in § 175.2. This addresses the concern discussed previously, whereby the proposal appears to restrict after-market businesses from supplying replacement or supplemental lamps. The definition of "ornamental lamps" in § 175.2, and §§ 175.96(h), 175.125(f), 175.146(h) and 175.175(h) (relating to lighting and electrical systems) was similarly amended to provide consistency and clarity throughout the chapter.

(7) SEMA, IRRC, Carlisle Productions, Hamlin's Service Center and ASAP submitted comments regarding § 175.66(l)(10) which allowed white or clear cargo lights if installed as original equipment. The commentators believed the proposal was excessively restrictive. Therefore, § 175.66(l)(10) has been further amended to clarify that white or clear cargo lamps are permitted if this type of lamp was available as original equipment. To maintain consistency throughout the chapter, this amendment also appears in § 175.96(l)(10).

(8) SEMA, Carlisle Productions, Posies, Incorporated, Hamlin's Service Center and ASAP requested the Department further amend the proposal in §§ 175.66(n), 175.96(n) and 175.146(m) and §§ 175.80(c)(6) and 175.110(c)(7) (relating to inspection procedure). These are mirror provisions that address battery fastening. The commentators believed the requirement that battery fastening mechanisms must be equivalent to those used as original equipment could hinder the ability of the after-market industry to provide replacement equipment. The Department agreed the language was excessively restrictive and therefore, further amended these sections to delete reference to equivalency to original equipment and require battery fastening devices that are specifically designed for the secure fastening of the battery.

(9) Carlisle Productions commented on the proposed amendments regarding § 175.67(d)(4) (relating to glazing) which establishes acceptable obstructions forward of the windshield of a vehicle. Carlisle Productions believed the proposed language would adversely affect existing hood scoops, both after-market and manufacturer-installed. They suggested the Department establish guidelines for the visual inspection for this type of obstruction. The Department met with representatives from Carlisle Productions and explained that the proposed amendments establish acceptable parameters by designating that any obstruction forward of the windshield may not extend more than 2 inches upward into the horizontally projected vision area. Since this area is located above any factory installed equipment which does not permit the driver to see through the lowest portion of the windshield (that is, dashboard), this does not adversely impact the use of hood scoops or other equipment which is more than 2 inches high. The Department believed it necessary to address the use of these types of obstructions, such as hood scoops and externally mounted gauges. Presently, language controlling the amount of obstructions forward of the windshield is only addressed in sections pertaining to street rods, specially constructed and reconstructed vehicles. However, the Department believes there are other types of vehicles which are equipped with potentially unsafe obstructions forward of the windshield, thus acceptable criteria is being established in the remaining subchapters. The Department's intention in incorporating the provisions of § 175.67(d)(4) was to provide consistency with similar requirements which apply to street rods, specially constructed and reconstructed vehicles. Since this language is no more restrictive than what appears in § 175.206(c) (relating to glazing), it should not

adversely affect the existing vehicle fleet. Therefore, the requested amendment has not been made.

Further, at 26 Pa.B. 4640 (September 26, 1996), the Department published final-form regulations, amending Chapter 175. The order amended the regulations regarding vehicle glazing as they relate to the use of sun screening devices or other materials and incorporated amendments to § 175.67(d) by adding a new paragraph (4). Since the final-form regulations published at 26 Pa.B. 4640 were adopted after the notice of proposed rule-making published at 26 Pa.B. 4230, the amendment discussed previously now appears in § 175.67(d)(5). In addition, the amendment published in the notice of proposed rulemaking at 26 Pa.B. 4230 added § 175.80(a)(5)(iii). Because of amendments published as a final adoption order at 26 Pa.B. 4640, this subparagraph now appears in § 175.80(a)(5)(v).

(10) SEMA and Carlisle Productions requested additional amendments to § 175.77(f) (relating to body). Carlisle Productions commented that the proposed language was unclear as to the Department's intent. SEMA believes that the language would prohibit doors which operate in an unconventional manner, thereby hindering the ability of the after-market industry to provide equivalent replacement equipment. The Department agreed that the proposed language was excessively restrictive and has therefore further amended this section to delete reference to equivalency to original equipment and require doors which open and close securely, if so equipped. Similar amendments appear in §§ 175.107(f) and 175.127(c) (relating to body) as well as §§ 175.80(a)(4)(ii) and 175.110(a)(4)(ii) which also address doors.

(11) SEMA and Carlisle Productions requested that the Department amend the proposal in § 175.78(e) (relating to chassis) which requires that vehicles be equipped with bumpers of a type used as original equipment. The requested amendments would add language to permit the use of a "suitable replacement" for the original bumper. The commentators believe that the after-market industry is capable of providing a "suitable replacement" bumper. The Department believes that this term could be easily misinterpreted to permit vehicle owners and the after-market industry to design an impact-absorbing system in lieu of a traditional bumper. The Department is concerned that highway safety may be compromised by an extreme interpretation of this term through the use of an inferior impact-absorbing system than the bumper originally designed for use on the vehicle. Therefore, the Department has provided further definition for this term by adding language that permits, in addition to a bumper of a type used as original equipment, the use of a "suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer." Mirror provisions appear in § 175.108(e) (relating to chassis).

(12) SEMA and Carlisle Productions commented on the proposed bumper heights located in § 175.78(e)(5)(i) which establishes minimum and maximum bumper or frame heights. The commentators believe the Department should revise minimum and maximum bumper heights to more readily accommodate vehicle owners who wish to modify their vehicles. Additionally, the commentators suggested the Department adopt requirements contained in the American Association of Motor Vehicle Administrators (AAMVA) standards. The Department has refrained from amending the proposed language since the application of some portions of the AAMVA standards may result in dangerous vehicle bumper modifications. For example,

AAMVA recommends four-wheel drive vehicles and trucks equipped with dual rear wheels be permitted a maximum front bumper height of 28 inches and a maximum rear bumper height of 31 inches. This is of particular concern due to the changes in vehicle designs, the increase in four-wheel drive passenger cars and the increased use of multipurpose passenger vehicles as personal transportation vehicles many of which are vehicles with shorter wheel bases and lower gross vehicle weight ratings than traditional trucks.

SEMA and Carlisle Productions also requested similar changes regarding bumper heights located in § 175.80(a)(8)(iii). However, since the Department deemed corresponding revisions inappropriate in § 175.78(e)(5)(i), the amendment of this paragraph is unwarranted.

The Department has further amended § 175.78(e)(5)(i) to clarify the original intent of the proposed amendment to regulate bumper or frame heights based on the gross vehicle weight rating (GVWR) of the vehicle. The Department believed this further amendment was necessary to avoid misinterpretation of the vehicle weight designations listed in this section since the proposal did not designate how these weights are determined. To clarify that these weights refer to the GVWR established by the vehicle manufacturer, the Department has further amended these regulations to include the term GVWR after each weight class listed. Mirror provisions in § 175.80(a)(8)(iii) have been similarly amended.

(13) SEMA requested the Department add language to § 175.80(a)(2)(i)(A) specifying the Federal Motor Vehicle Safety Standard that vehicle glazing must meet to successfully pass the required periodic safety inspection. The Department believes the burden of requiring inspection personnel to obtain and interpret these standards is overly cumbersome. Since these regulations require all glazing used in motor vehicles to be identified with external markings as prescribed by Federal regulations, the Department decided that incorporating a reference to this Federal Motor Vehicle Safety Standard was unnecessary.

Further, at 26 Pa.B. 4640, the Department published final-form regulations amending Chapter 175. The order amended the regulations regarding vehicle glazing as they relate to the use of sun screening devices or other materials. Since these final-form regulations were adopted after the notice of proposed rulemaking published at 26 Pa.B. 4230, the Department has withdrawn proposed amendments to §§ 175.80(a)(2)(i)(A) and (G) and 175.110(a)(2)(i)(A) and (G). Therefore, this language does not appear in the final-form regulations.

(14) The Department further amended the proposal in § 175.80(b)(4)(iv). This language establishes rejection criteria relating to antilock brake (ABS) warning lamps. This amendment was a result of research conducted by the Department and comments received from members of the Safety Inspection Roundtable after the close of the public comment period following publication of the notice of proposed rulemaking at 26 Pa.B. 4230. The Safety Inspection Roundtable is a group which meets periodically with Department representatives to discuss issues relating to Pennsylvania's vehicle inspection program. This group consists of representatives from inspection stations, new and used car dealers, consumer groups and educational facilities which have an interest in the Vehicle Equipment and Inspection Regulations. On April 14, 1998, members of the Safety Inspection Roundtable voiced concern regarding the Department's lack of clarify-



ing regulations relating to ABS malfunctions. In response to the concerns raised, the Department contacted Dave Messenger, Service Manager for Sutliff Chevrolet in Harrisburg, PA and Dan Adams, Service Manager for Model Motors Nissan in Camp Hill, PA to further discuss these concerns. Dave Messenger and Dan Adams both related that most vehicles equipped with ABS will revert to traditional braking power if the ABS malfunctions. Therefore, the Department determined that the proposed rejection criteria is insufficient since it may be unnecessary for vehicle owners to absorb the expense of diagnosing and repairing an ABS system when there is no evidence of compromised brake performance. However, the Department wished to clarify that vehicles which may not revert to normal braking function, or those that are not equipped with ABS, should be rejected for the purpose of inspection if a system warning lamp or other device indicates a malfunction of the braking system. This additional language will ensure that all braking systems will meet minimum performance criteria without unduly burdening vehicle owners financially.

(15) SEMA, Carlisle Productions, Hamlin's Service Center and ASAP expressed concern that the proposal to amend § 175.80(d)(1)(ix) would not permit the use of fender flares previously allowed by the regulations. This amendment clarified that a tire's tread could not extend beyond the wheel housing. However, the intent was to include any permissible fender flare as the commentators suggested. The Department, believing this language will help further clarify the intent of the regulations, has incorporated the suggested language in § 175.80(d)(1)(ix) and its mirror provision in § 175.110(d)(1)(xii).

(16) SEMA suggested the Department amend the proposal in § 175.80(d)(3) regarding the use of spring shackle kits. Specifically, SEMA requested the Department amend § 175.80(d)(3)(viii) to prohibit the use of spring shackle kits to lower the suspension of the front of a vehicle since this is not considered a safe practice by industry standards. The Department, agreeing that a legitimate safety concern exists, has amended § 175.80(d)(3)(viii) to reflect this change.

SEMA also requested that the Department further amend § 175.80(d)(3)(ix) to permit the use of spring shackle kits which raise the vehicle no more than 2 inches over the original equipment. This amendment was requested since the proposal was believed to be excessively restrictive and not consistent with accepted industry standards for safety. Therefore, the Department, agreeing with the commentator, has revised § 175.80(d)(3)(ix) to reflect this suggested amendment.

(17) SEMA and IRRC requested the Department further amend § 175.146(k)(6) to specify that motorcycles may be equipped with no more than four forward-projecting lamps illuminated during operation. The commentators believed that this would provide a maximum allowable number of forward-projecting lamps while allowing for increased conspicuousness for these vehicles. The Department, agreeing with the commentators' reasoning, and believing that specifying these particular lamps must be forward-projecting may help avoid possible misinterpretation of the proposal, has incorporated the suggested amendment into these final-form regulations. A mirror provision has also been amended in § 175.175(k)(6).

IRRC also commented that some vehicles are now equipped by the manufacturer with rear fog lamps. Therefore, IRRC suggested the Department address the presence of the lamps in mirror provisions of this

chapter. Therefore, the Department has amended the proposal to recognize that rear-projecting fog lamps are acceptable if available as original equipment. This amendment appears in §§ 175.66(l)(3), 175.96(l)(3), 175.146(k)(2) and 175.175(k)(2).

(18) SEMA, Hamlin's Service Center, ASAP and Posies suggested the Department consider amending the requirements contained in § 175.206(b)(1) for specially constructed and reconstructed vehicles. The commentators' proposed amendment would permit specially constructed and reconstructed vehicles to have a minimum vertical windshield height of 7 inches. In the current regulations, the 7-inch minimum applies only to street rods. Specially constructed and reconstructed vehicles currently must have a minimum vertical windshield height of 12 inches. The proposal permits a minimum vertical windshield height of between 7—12 inches if the original design of these specially constructed and reconstructed vehicles permitted a smaller windshield height. The Department realizes it may be a burden, in certain instances, for the vehicle owner to prove the original vehicle design included a windshield with a vertical height of less than 12 inches. This burden, however, is minimal when weighed against the concept that vehicle modifications allowing for less than a 12-inch vertical height windshield may compromise the integrity of the vehicle's original design. Moreover, the driver's ability to safely operate the vehicle may also be compromised because of decreased visibility on the road due to limited windshield area. Therefore, the Department has refrained from further amending this subsection to allow all specially constructed and reconstructed vehicles to have vertical windshield heights of between 7—12 inches.

Further, SEMA requested the Department similarly amend § 175.220(b)(1) (relating to inspection procedure) to maintain consistency throughout the subchapter. The Department has declined to make this change for the aforementioned reasons.

(19) SEMA, Posies and Carlisle Productions commented on § 175.209(b) (relating to chassis) and noted their opposition to the language contained in this subsection of the proposal. SEMA suggested language to further amend this subsection to allow vehicles to pass inspection without an originally equipped or designed bumper if the vehicle is designed or engineered to function properly without the bumper. The Department believes this suggested amendment would permit vehicle owners to engineer a system to absorb impact in lieu of a bumper. The Department further believes it would not be prudent for anyone but the original vehicle manufacturer to make this determination. The Department believes that allowing vehicles to operate without a bumper, if originally designed without one, is adequate and fair since the original manufacturer and their engineers originally designed the vehicle to meet Federal Motor Vehicle Safety Standards without a bumper. Therefore, the suggested amendment has not been made.

Carlisle Productions commented that owners of street rods, specially constructed and reconstructed vehicles may be financially burdened if these vehicles require modification to accommodate a bumper to comply with the proposal. They also believe that, since most of these vehicles have a lower ground clearance than many traditional vehicles, there is no highway safety concern regarding rolling over or sliding under another vehicle in the event of an accident. It appears the suggested amendment requested is to delete the amendments to § 175.209(b) in the final-form regulations. The Depart-

ment believes the proposed amendments sufficiently address this group of vehicles by further exempting these vehicles from bumper requirements if they were not originally so designed or equipped.

Carlisle Productions also commented that vehicles which previously passed inspection without a bumper should continue to do so since they were deemed safe under existing regulations. Since these vehicles were not previously exempt from bumper requirements, and should not have passed inspection without a suitable bumper, the Department believes the amendment will better address the concern of the commentator. Therefore, no amendment has been made.

Posies commented that none of these vehicles should be required to be equipped with bumpers since they believed the Department had no intent to require bumpers, even if the vehicle was originally designed or equipped with bumpers. The Department, in amending these regulations, does not intend to permit vehicles which were designed or originally equipped with bumpers to pass inspection without them. Therefore, the suggested amendment was not made.

(20) Lisa Pytlarz submitted comments regarding proposed amendments to 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. Ms. Pytlarz believed the proposed amendments would be detrimental to suppliers of after-market automotive equipment by prohibiting the use of their products in this Commonwealth. She also commented that, while she supports vehicle safety, she believes vehicle owners should be permitted to modify their vehicles without restrictions imposed by the Department. The Department, absent Legislative enactment, cannot change the provisions of 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103; these sections, as referenced in the notice of proposed rulemaking published at 26 Pa.B. 4230, merely provide the authority for the Department to amend Chapter 175. It appears Ms. Pytlarz's comments related to the restrictions on vehicle modifications contained in the proposal. Although the Department does not wish to burden vehicle owners with excessive restrictions regarding vehicle modifications, the agency is charged with responsibility for establishing acceptable criteria for vehicle equipment and inspection parameters which promote highway safety. Therefore, since no specific suggested amendments were submitted, the Department did not further amend the proposal in response to this commentator.

#### *Additional Modifications to the Proposed Rulemaking*

The text of these final-form regulations contains modifications, deletions and additions, none of which enlarges the scope of these amendments as originally proposed, and thus, may be published as final rulemaking. The following represents a summary of the changes:

(1) The Department has further amended the proposal in § 175.2 to permit ornamental lamps on vehicles if the lamp, at the time of the vehicle's manufacture, was available as standard or optional equipment from the vehicle manufacturer. This amendment allows flexibility regarding where vehicle owners may obtain ornamental lamps which, although available at the time of vehicle manufacture, were not provided as original equipment.

(2) The Department has further amended § 175.65(b) which required that vehicle tires conform to the vehicle manufacturer's specifications relating to tire size. By deleting language which requires vehicles to be equipped with tires conforming to the vehicle manufacturer's specifications, this amendment provides versatility to vehicle

owners who wish to equip their vehicle with tires or rims of a size or load rating other than that specified by the vehicle manufacturer. Mirror provisions in §§ 175.95(b), 175.124(b) and 175.145(b) have also been amended to reflect this change.

(3) The Department has also further amended § 175.65(g) to require tires and rims to have a load rating which is equal to or higher than that offered by the vehicle manufacturer. Mirror provisions in §§ 175.95(g) and 175.124(g) have been similarly amended to reflect this change. This amendment will allow vehicle owners to equip their vehicle with tires or rims of a size or load rating other than that specified by the vehicle manufacturer.

(4) Section 175.65(h) has been further amended to permit a wheel spacer if it does not exceed 1/4 inch in thickness. This amendment was made as a result of suggestions received and research conducted by the Department to ensure that the integrity of the thread engagement is maintained while permitting vehicle owners who wish to add wheel spacers to do so within safe parameters.

(5) Sections 175.66(f), 175.96(f) and 175.125(d), which required lamps of a type used as original equipment, have been further amended. As a result of comments received and subsequent meetings with commentators, the Department deleted references to lamps "of a type used as original equipment" and replaced this phrase with "designed for that specific function." The Department believes this will adequately address the desire of vehicle owners to replace or supplement original lamps.

(6) Section 175.66(h) has been further amended to allow ornamental lamps unless they oscillate, rotate, flash or otherwise create a known safety hazard. Since flashing and revolving lights, addressed in Chapters 15 and 173, may be used only on emergency and other authorized vehicles, this type of light is not categorized with ornamental lamps. Therefore, subsection (h) has been amended to reference these relevant chapters and explain that flashing or revolving lights are not ornamental lamps.

Section 175.66(h) has also been further amended to clarify that a lamp not enumerated in this section is prohibited unless available as original equipment. This amendment promotes consistency with the amended definition of "ornamental lamps" found in § 175.2 and addresses the concern discussed previously, whereby the proposed regulations appear to restrict after-market businesses from supplying replacement or supplemental lamps. Sections 175.96(h), 175.125(f), 175.146(h) and 175.175(h) have been similarly amended to provide consistency and clarity throughout the chapter.

(7) Section 175.66(l)(10) has been further amended to allow the use of white or clear cargo lights which were available as original equipment by the vehicle manufacturer or those installed in a manner which directly illuminates the cargo area of a multipurpose passenger vehicle, truck or bus. This amendment addresses concerns expressed by IRRC and SEMA regarding the implied restriction imposed on the after-market automotive supply industry by eliminating the requirement that these lamps are acceptable only if they were available from the vehicle manufacturer. This will provide the after-market industry with the ability to provide replacement or supplemental cargo lights if a vehicle was not originally so equipped by the vehicle manufacturer. A mirror provision in § 175.96(l)(10) has been similarly amended.

(8) The Department further amended the proposal in § 175.66(n) to require battery fastening by requiring battery fastening mechanisms that are specifically designed for the secure fastening of the battery. This amendment eliminates the requirement that battery fastening devices must be that installed by the vehicle manufacturer. This amendment provides flexibility to vehicle owners to permit them a wider range of resources to obtain acceptable battery fastening mechanisms. Mirror provisions in §§ 175.96(n) and 175.146(m) have also been similarly amended.

(9) The Department further amended the proposal in § 175.75(b)(2) (relating to exhaust systems) to maintain consistency with the remainder of the subchapter. This amendment was a result of a comment received from a member of the House Transportation Committee after the close of the public comment period. The commentator requested that the Department amend the language to eliminate reference to "a person" as opposed to the condition of the vehicle, as used throughout the remainder of the subchapter. The paragraph has been further amended, for consistency purposes with the other paragraphs in this subsection, by deleting the word "motor" before the term "vehicle." Mirror provisions in §§ 175.105(b)(2), 175.152(b)(1) and 175.181(b)(1) (relating to exhaust systems) were also similarly amended.

(10) Section 175.77(f) has been further amended by deleting the reference to equivalency to original equipment and requiring doors which open and close securely, if the vehicle is so equipped. This amendment was made to make after-market vehicle components more readily available to vehicle owners who wish to replace or customize their vehicle doors. Similar amendments appear in §§ 175.107(f) and 175.127(c) as well as §§ 175.80(a)(4)(ii) and 175.110(a)(4)(ii) which also address doors.

(11) The Department further amended the proposal in § 175.78(e) to clarify the type of bumpers which may be used as replacement equipment. The amended language provided further definition of acceptable bumpers by adding language that permits, in addition to a bumper of a type used as original equipment, the use of a "suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer." This amendment is intended to provide additional clarity regarding acceptable bumpers to ensure that, while providing a means for vehicle owners to replace bumpers, the integrity of the replacement is within safe parameters. A mirror provision in § 175.108(e) was similarly amended to reflect this change.

Section 175.78(e) was further amended to add clarity to the vehicle weight designations enumerated in this subsection by including the term "Gross Vehicle Weight Rating (GVWR)" after each weight designation. A mirror provision in § 175.80(a)(8)(iii) (relating to inspection procedure) was similarly amended.

Section 175.78(e)(5)(i) was also further amended, as a consequence of subsequent discussions with IRRC and SEMA, to add clarity to the heading "Maximum Height" to indicate that bumper heights should be measured using the frame as a reference point only when conditions specified in § 175.78(e)(5)(ii) apply. The Department believes this clarification will assist vehicle owners and inspection personnel in determining the appropriate measurement reference for establishing bumper heights. A mirror provision in § 175.80(a)(8)(iii) was similarly amended.

Section 175.78(e)(5)(ii) was further amended to clarify the measurement starting point for maximum height when using the frame rail as a point of reference. The proposed language has been modified to specify that front and rear height measurements should be made using the bottom edge of the foremost portion of the frame rail as a reference point. This amendment, which was a consequence of dialogue with IRRC and SEMA, provides added clarity to vehicle owners and inspection personnel regarding appropriate reference points for measuring front and rear bumper heights when these measurements are made from the frame rail. A similar amendment in § 175.80(a)(8)(iv) mirrors this amendment.

(12) The Department has further amended §§ 175.80(a)(2)(i)(A), (G) and 175.110(a)(2)(i)(A) by reverting to the original content contained in these subparagraphs. At 26 Pa.B. 4640, the Department published final-form regulations, amending Chapter 175. This order amended the regulations regarding vehicle glazing as they relate to the use of sun screening devices or other materials. Since these final-form regulations were adopted after the notice of proposed rulemaking published at 26 Pa.B. 4230, the Department has deleted proposed amendments to these sections adopted at 26 Pa.B. 4640.

(13) The Department further amended the proposal in § 175.80(b)(4)(iv). This language establishes rejection criteria relating to ABS warning lamps. The Department determined that the proposed rejection criteria was insufficient and added language to further clarify rejection criteria for all brake warning systems. This additional language will ensure that all braking systems will meet minimum performance criteria without unduly burdening vehicle owners financially.

(14) The proposed amendments to § 175.80(d)(1)(ix) have been further amended to clarify that the outer edge of the wheel housing includes fender flares, if installed. The Department also incorporated a mirror provision in § 175.110(d)(1)(xii).

(15) The Department further amended the proposal in § 175.80(d)(3) regarding the use of spring shackle kits. Section 175.80(d)(3)(viii) has been amended to prohibit the use of spring shackle kits or blocks to lower the suspension of the front of a vehicle. This amendment will establish acceptable criteria for lowering the suspension of a vehicle.

The Department further amended § 175.80(d)(3)(ix) to permit the use of spring shackle kits which raise the vehicle no more than 2 inches over the original equipment. These amendments were made to provide additional clarity regarding the acceptable use of spring shackle kits.

(16) The Department has further amended § 175.108(f) to correct a typographical error. The Department inadvertently numbered paragraph (6) as paragraph (2). This typographical error has been corrected to reflect the proper numbering sequence.

(17) The Department has further amended § 175.146(k)(6) to specify that motorcycles may be equipped with no more than four forward-projecting lamps illuminated during operation. This amendment was necessary to provide the maximum allowable lamps of this type and clarify that they must be forward-projecting. A mirror provision has also been amended in § 175.175(k)(6) to provide consistency throughout the chapter.

The Department has also further amended § 175.66(l)(3) to clarify that rear fog lamps are acceptable

if available as original vehicle equipment. This amendment is a result of vehicle manufacturers producing vehicles which are equipped with rear-projecting fog lamps. Similar amendments appear in §§ 175.96(l)(3), 175.146(k)(2) and 175.175(k)(2).

*Purpose of this Chapter*

The purpose of this chapter is to provide rules and procedures regarding proper equipment and safety inspection of vehicles.

*Purpose of these Amendments*

The purpose of these amendments is to implement the provisions of 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. For several years, the Department has received complaints regarding the need for more detailed vehicle equipment and inspection criteria to more clearly delineate the types of vehicle equipment which are acceptable in this Commonwealth. These concerns and complaints have been received from vehicle owners, inspection station owners and managers, certified inspection mechanics, as well as State and local law enforcement personnel. In addition, the increase in after-market modifications by vehicle owners and the increased availability of after-market equipment also prompted the Department to initiate the regulation process to more clearly define the types of vehicle equipment and modifications which are unacceptable or potentially dangerous.

*Persons or Entities Affected*

These final-form regulations affect official inspection stations; certified inspection mechanics; owners of vehicles equipped with nonconforming equipment; after-market vehicle equipment suppliers, distributors and installers; and the State Police and local law enforcement agencies.

*Fiscal Impact*

The Commonwealth will continue to incur some costs for printing Chapter 175 to administer the Vehicle Inspection Program. However, this publication was developed as a result of the requirements of 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. Since the printing costs associated with this publication are relatively low and since it is unknown how many copies of Chapter 175 will be requested by affected parties, the Department intends to continue to provide for these costs through existing moneys.

Owners of vehicles which have been modified and are in violation of this chapter as a result of the amendments may incur some costs to bring their vehicle into compliance with the regulations. However, due to the wide variety of vehicle modification equipment available and the fact that no statistics exist regarding vehicle modifications, the Department is unable to determine the extent of the fiscal impact to vehicle owners who must remove or alter previous vehicle equipment or related modifications to comply with the requirements of the final-form regulations.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 21, 1996, the Department submitted a copy of the notice of proposed rulemaking, published at 26 Pa.B. 4230, to IRRC and to the Chairpersons of the House Transportation Committee and the Senate Transportation Committee for review and comment. In compliance with section 5(b.1) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received, as well as other documentation.

In preparing these final-form regulations, the Department has considered all comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the House Transportation Committee and by the Senate Transportation Committee on October 19, 1998. IRRC met on October 22, 1998, and approved these final-form regulations in accordance with section 5(c) of the Regulatory Review Act.

*Sunset Provisions*

The Department is not establishing a sunset date for these final-form regulations, since these final-form regulations are needed to administer provisions required under 75 Pa.C.S. (relating to the Vehicle Code). The Department, however, will continue to monitor these final-form regulations for their effectiveness.

*Contact Person*

The contact person is John Munafo, Manager; Field Operations; Vehicle Inspection Division; Bureau of Motor Vehicles; Riverfront Office Center; 3rd Floor; 1101 South Front Street; Harrisburg, PA 17104; (717) 783-6254.

*Authority*

The final-form regulations are amended under the authority contained in 75 Pa.C.S. §§ 4103, 4301, 4501, 4521 and 6103. The statutory provisions, respectively, empower the Department to promulgate vehicle equipment standards; require the Department to promulgate regulations governing safety and antipollution equipment for vehicles; and authorize the Department to promulgate regulations to implement the Vehicle Code.

*Findings*

The Department of Transportation finds that:

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

(2) The amendment of the regulations of the Department in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statutes.

*Order*

The Department, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 175, are amended by amending §§ 175.2, 175.64—175.67, 175.75, 175.77, 175.78, 175.80, 175.91, 175.94—175.96, 175.98, 175.105, 175.107, 175.108, 175.110, 175.123—175.125, 175.127, 175.128, 175.130, 175.143—175.146, 175.152, 175.160, 175.172, 175.175, 175.181, 175.190, 175.206, 175.209 and 175.220 to read as set forth in Annex A, the ellipses referring to the existing text of regulations.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as to legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect May 13, 1999.

BRADLEY L. MALLORY,  
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 5636 (November 7, 1998).)

**Fiscal Note:** Fiscal Note 18-331 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 67. TRANSPORTATION**

**PART I. DEPARTMENT OF TRANSPORTATION**

**Subpart A. VEHICLE CODE PROVISIONS**

**ARTICLE VII. VEHICLE CHARACTERISTICS**

**CHAPTER 175. VEHICLE EQUIPMENT AND INSPECTION**

**Subchapter A. GENERAL PROVISIONS**

**§ 175.2. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*Antique motor vehicle*—A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer's specifications and registered with the Department as an antique motor vehicle.

\* \* \* \* \*

*Cargo lamp*—A lamp mounted on a multipurpose passenger vehicle, truck or bus that provides illumination to load or unload cargo.

\* \* \* \* \*

*Classic motor vehicle*—The term as defined in 75 Pa.C.S. § 102 (relating to definitions).

\* \* \* \* \*

*Implement of husbandry*—The term as defined in 75 Pa.C.S. § 102.

\* \* \* \* \*

*Ornamental lamps*—Lamps not required and not located as described in Tables III, IV and V of this chapter, unless available as original equipment. Flashing or revolving lights are not ornamental lamps. Flashing or revolving lights and their use are addressed in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

\* \* \* \* \*

*Passenger car*—The term as defined in 75 Pa.C.S. § 102.

\* \* \* \* \*

*Pole trailer*—A trailer, including those with a variable wheelbase, attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular-shaped loads, including poles, pipes or structural members capable of sustaining themselves as beams between the supporting connections.

\* \* \* \* \*

*Reconstructed vehicle*—The term as defined in 75 Pa.C.S. § 102.

\* \* \* \* \*

*Registered gross weight*—The term as defined in 75 Pa.C.S. § 102.

\* \* \* \* \*

*School bus*—The term as defined in 75 Pa.C.S. § 102.

\* \* \* \* \*

**Subchapter E. PASSENGER CARS AND LIGHT TRUCKS**

**§ 175.64. Braking systems.**

(a) *Condition of braking systems.* Braking systems and components shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Service brakes.* A vehicle specified under this subchapter shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

(1) The service brakes shall act on all wheels upon application and shall be capable of stopping a vehicle in not more than the maximum stopping distance prescribed in Table I (relating to brake performance), except on a vehicle being transported in driveaway-towaway operation.

(2) The brake lining and brake fluids shall be of a type approved by the vehicle manufacturer or shall meet the Society of Automotive Engineers (SAE) standards in Appendix A (relating to minimum requirements for motor vehicle brake lining—SAE J998).

(3) A passenger car manufactured or assembled after June 30, 1967, and designated as a 1968 or later model shall be equipped with a service brake system of a design that rupture or failure of either the front or rear brake system will not result in the complete loss of braking function. Braking function may be obtained by hydraulic or other means through a normal brake mechanism. In the event of a rupture or failure of an actuating force component, the unaffected brakes shall be capable of applying adequate braking force to vehicle.

(4) Metal from a shoe may not contact the brake drums or rotors.

(5) Brake lines shall be approved for use as brake lines.

(c) *Parking brake system.* A vehicle specified under this subchapter shall be equipped with a parking brake system. See 75 Pa.C.S. § 4502.

(1) A parking brake system shall be adequate to hold the vehicle on a surface free from ice or snow on a 20% grade with the vehicle in neutral.

(2) The parking brakes shall be separately actuated so that failure of any part of the service brake actuation system will not diminish the vehicle's parking brake holding capability.

**§ 175.65. Tires and wheels.**

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Tire standards.* A vehicle specified under this subchapter shall have tires manufactured in conformance with standards in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire

equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Radial ply tires.* A radial ply tire may not be used on the same axle with a bias or belted tire.

(d) *Different types of tires.* Tires of different types, such as one snow tire and one regular tire or bias, belted or radial tire, may not be used on the same axle except in an emergency.

(e) *Nonpneumatic tires.* A passenger car or light truck operated on highway may not be equipped with nonpneumatic tires except an antique vehicle with nonpneumatic tires if originally equipped by the manufacturer.

(f) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs or wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(g) *Tires and rims.* The axles of a vehicle specified under this subchapter shall be equipped with the number and type of tires and rims with a load rating equal to or higher than those offered by the manufacturer.

(h) *Spacers.* Spacers or similar devices thicker than 1/4 inch may not be installed to increase wheel track.

**§ 175.66. Lighting and electrical systems.**

\* \* \* \* \*

(f) *Illumination except headlamps, fog lamps and auxiliary driving lamps.* A vehicle specified under this subchapter shall be equipped with parking lamps, stop lamps, tail lamps, turn signal lamps and hazard warning lamps designed for that specific function, which under normal atmospheric conditions shall be capable of being seen and distinguished during nighttime operation at a distance of 500 feet. See 75 Pa.C.S. § 4303(b)—(d).

\* \* \* \* \*

(h) *Ornamental lamps.* A lamp not enumerated in this section and not located as described in Tables III, IV and V of this chapter, is prohibited unless it is available as original equipment. An illuminated sign is prohibited except on taxicabs, ambulances and trucks. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

\* \* \* \* \*

(j) *Back-up lamps.* Back-up lamps are not permitted to be lighted when the vehicle is in forward motion. Back-up lamps shall turn off automatically when the vehicle goes forward. If the lamps do not turn off automatically, a dash indicator that lights or creates audible warning is required.

\* \* \* \* \*

(l) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a passenger vehicle or light truck if the lamps comply with the following:

\* \* \* \* \*

(2) Fog lamps may not be substituted for headlamps.

(3) Auxiliary driving lamps and fog lamps shall be mounted on the front, spaced at least 20 inches apart from center to center and at a height not more than 42 inches above the level surface upon which the vehicle

stands nor lower than the lowest chassis part. Rear fog lamps, if originally installed or offered as optional equipment, are acceptable.

\* \* \* \* \*

(9) In accordance with 75 Pa.C.S. § 4303(f) (relating to general lighting requirements), roof or roll bar mounted off-road lights may be installed if they are not used on a highway or trafficway and are covered with an opaque covering at all times while operating on the highway or trafficway. Vehicles equipped with roof or roll bar mounted off-road lights shall have a switch that indicates to the driver, through the use of a pilot light, that the lights are on when so switched.

(10) White or clear cargo lamps are permitted if available as original equipment or installed in a manner which expressly illuminates the cargo area of a multipurpose passenger vehicle, truck or bus.

\* \* \* \* \*

(n) *Battery fastening.* A vehicle specified under this subchapter shall be equipped with a system specifically designed for the secure fastening of the battery.

**§ 175.67. Glazing.**

(a) *Condition of glazing.* Glazing shall meet the requirements of Chapter 161 (relating to glazing materials). See 75 Pa.C.S. § 4526 (relating to safety glass).

(b) *Safety glazing.* A vehicle specified under this subchapter shall be equipped with safety glazing in all windshields, windows and wings. The requirements of this subsection do not apply to a vehicle manufactured or assembled before January 1, 1934, if the original glazing is not cracked or discolored.

(c) *Stickers.* Stickers shall be located as follows:

(1) Truck weight classification sticker—trucks only—shall be affixed to lower left hand corner of the windshield to the immediate right of the certificate of inspection.

(2) The following stickers are authorized to be affixed to windshield or windows, as indicated:

(i) Out-of-State inspection stickers, tax stamps, road use permits or other government-related permits—municipalities and states—may be placed at the lower left or right-hand corner of the windshield.

(ii) A Delaware River Port Authority Bridge Travel Permit may be affixed to the left rear window. This permit is 2-1/4 inches by 4-1/4 inches and is an automatic triggering device for passing vehicles through toll gates on a bridge.

(iii) The suggested manufacturer's retail price sheet may be affixed to a new vehicle of a dealer. These labels are permitted only on the lower portion of a side window, as far to the rear of a vehicle as possible. When the vehicle is sold, this label shall be removed.

(d) *Obstructions.* A vehicle specified under this subchapter shall have glazing free from obstructions as described in § 175.80 (relating to inspection procedure).

(1) With the exception of materials in paragraph (4), signs, posters or other materials whose design prevents a driver from seeing through the material may not be placed on the windshield, a side wing, a side window or rear window so as to obstruct, obscure or impair the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, these restrictions do not

apply to the rear side windows, rear wings or rear window of trucks or multipurpose passenger vehicles.

(2) With the exception of materials in paragraph (4), signs, posters or other materials whose design prevents a driver from seeing through the material may not be placed on a rear side window, rear wing or rear window of a passenger car which either covers more than 20% of the exposed portion of the windows or wings, or extends more than 3 1/2 inches above the lowest exposed portion of the windows or wings.

(3) This subsection also applies to glass etchings, except those used for vehicle identification.

(4) A sun screening device or other material which does not permit a person to see or view the inside of the vehicle is prohibited, unless otherwise permitted by FMVSS No. 205, or a certificate of exemption has been issued in compliance with § 175.265 (relating to exemption provisions). See Table X for specific requirements for vehicles subject to this subchapter. Passenger car requirements relating to the rear window are delineated by vehicle model year in Table X.

(5) Vehicles specified under this subchapter may not have an obstruction forward of the windshield which extends more than 2 inches upward into the horizontally projected vision area of the windshield with the exception of windshield wiper components.

**§ 175.75. Exhaust systems.**

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Exhaust system requirements.* A vehicle specified under this subchapter shall be constructed, equipped, maintained and operated to prevent engine exhaust gases from penetrating and collecting in any part of the vehicle occupied by the driver or a passenger, in addition to requirements of this title for an emission control system and smoke control for a diesel-powered vehicle.

(1) A vehicle specified under this subchapter shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device and a muffler may not show evidence of external repair.

(2) The exhaust system of a vehicle may not be modified in a manner which will amplify or increase noise emitted by the motor of a vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(3) Headers and side exhaust are permitted if the vehicle meets the requirements of this section.

(4) An exposed exhaust system shall be equipped with an adequate heat shield or protective system.

(5) An exhaust system shall extend and discharge completely to the outside edge of the vehicle body, including a truck bed, or as originally designed.

(6) A firefighting vehicle is exempt from regulations concerning exhaust systems, mufflers and noise control.

**§ 175.77. Body.**

(a) *Condition of body.* All items on the body shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Fenders.* The wheels of a vehicle specified under this subchapter shall be equipped with fenders of a type used as original equipment. A tire may not come in contact with the body, fenders or chassis of the vehicle.

(c) *Hood and hood latches.* The entire motor compartment of a vehicle specified under this subchapter shall be covered by a hood. The hood shall be equipped with a double latch system to hold it in the closed position if the hood was originally so equipped.

(d) *Protruding objects.* There may be no torn metal, glass or other loose or dislocated parts protruding from the body of the vehicle.

(e) *Fender flares.* A vehicle may be equipped with fender flares not to exceed 3 inches.

(f) *Doors.* A vehicle specified under this subchapter shall be equipped with doors of a type used as original equipment. The doors shall open and close securely unless the vehicle has been manufactured or modified to the extent that there is no roof or side. Tailgates, except on vehicles where the tailgate gives access to the passenger compartment, may be replaced with wood planking, nets or other material that will prevent loss of load. Tailgates may be removed when optional equipment, for example a truck camper, is added.

**§ 175.78. Chassis.**

(a) *Condition of chassis.* All items on the chassis shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Vehicle frame.* A vehicle frame shall be in solid condition.

(c) *Motor mounts.* Motor mounts may not be broken, cracked or missing.

(d) *Flooring and floor beds.* Flooring and floor beds shall be of a construction to support occupants and cargo which the vehicle is capable of carrying and may not have openings through which exhaust gases could enter passenger compartment.

(e) *Bumpers.* A vehicle specified under this subchapter shall be equipped with bumpers of a type used as original equipment, or a suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer, securely attached to the chassis or frame. See 75 Pa.C.S. § 4536 (relating to bumpers).

(1) A bumper shall be of at least equivalent strength and mounting as the original equipment.

(2) No portion of a bumper may be broken, torn or protruding to create a hazard.

(3) A bumper may not extend beyond the body line or be longer than original equipment, whichever is greater.

(4) A wood plank bumper is permitted on a road service truck or wrecker if it is firmly attached to a regular bumper or equivalent steel backing.

(5) *Bumper height.* Bumper height shall be as follows:

(i) Some part of the main horizontal bumper bar, exclusive of any bumper guards, on passenger vehicles and light trucks shall fall within 16 inches aboveground level and may not exceed the following limits:

Vehicle Class	Maximum Height	
	Front Bumper (or Frame if any of the conditions in subparagraph (ii) apply)	Rear Bumper (or Frame if any of the conditions in subparagraph (ii) apply)
Passenger cars	22 inches	22 inches
Trucks and multipurpose passenger Vehicles		
5,000 lbs. or less GVWR	24 inches	26 inches
5,001 lbs.—7,000 lbs. GVWR	27 inches	29 inches
7,001 lbs.—9,000 lbs. GVWR	28 inches	30 inches
9,001 lbs.—11,000 lbs. GVWR	30 inches	30 inches

(ii) The front and rear height measurements shall be made to the bottom edge of the foremost portion of the frame rail, or to the original mounting brackets, whichever is lower, if one of the following apply:

(A) The bumper height, relative to the frame rail, has been altered.

(B) The vehicle was not originally equipped with a front or rear bumper.

(C) A supplemental bumper has been added.

(D) The manufacturer's specified bumper has been replaced with a bumper not identical to the manufacturer's specified bumper.

(f) *Seats.* A vehicle specified under this subchapter shall be equipped with a seat for an operator which is firmly anchored to the frame or a support.

(1) Metal springs may not protrude from the driver's seat.

(2) A seat adjusting mechanism may not move from a set position when so adjusted.

(g) *Safety belts.* A vehicle specified under this subchapter shall be equipped with safety belts of a type used as original equipment securely attached to the frame or structure. If attached to sheet metal, they shall have backing plates.

(1) Safety belt webbing may not be frayed.

(2) Belt buckles shall operate properly.

(h) *Body mounts.* Body mounts may not be broken, cracked, deteriorated or missing.

(i) *Rear wheel shields.* Trucks shall be constructed or equipped to bar water or other road surface substances thrown from rear wheels of the vehicle at tangents exceeding 22.5°, measured from the road surface, from passing in a straight line to rear of the vehicle. See 75 Pa.C.S. § 4533 (relating to rear wheel shields).

**§ 175.80. Inspection procedure.**

(a) *External inspection.* An external inspection shall be performed as follows:

(1) Verify ownership, legality and proof of financial responsibility. For the purpose of this subchapter, ownership and legality shall be proven by a vehicle registration card, certificate of title or manufacturer's statement of origin. Reject if one or more of the following apply:

\* \* \* \* \*

(ii) When vehicle ownership and legality are demonstrated by presentation of vehicle registration card:

\* \* \* \* \*

(D) The license plate lamp, if originally so equipped, does not illuminate the license plate.

\* \* \* \* \*

(3) Check the windshield wiper system and reject if one or more of the following apply:

\* \* \* \* \*

(v) The windshield washers, if originally so equipped, do not operate.

(4) Check the door operation, including the tailgate, and reject if one or more of the following apply:

(i) The doors, except a tailgate on a pick-up truck, are not on the vehicle if originally fitted by the manufacturer.

(ii) The doors, including the tailgate, do not open and close securely, unless the vehicle has been manufactured or modified to the extent that there is no roof or side.

(5) Check outside mirrors and reject if one or more of the following apply:

\* \* \* \* \*

(v) The mirrors, if originally so equipped, are missing.

(6) Check fenders, hood and trunk lid and reject if one or more of the following apply:

(i) A fender—front or rear—has been removed.

\* \* \* \* \*

(iv) The trunk lid is not present or does not close securely.

\* \* \* \* \*

(7) Check the flooring and floor beds and reject if one or more of the following apply:

\* \* \* \* \*

(iii) A truck is not equipped with rear wheel shields—mud flaps—as required under 75 Pa.C.S. § 4533 (relating to rear wheel shields).

\* \* \* \* \*

(8) Check the bumpers and reject if one or more of the following apply:

\* \* \* \* \*

(iii) Some part of the main horizontal bumper bar, exclusive of bumper guards, on passenger cars, multipurpose passenger vehicles and light trucks does not fall within 16 inches aboveground level or exceeds the following limits:



<i>Vehicle Class</i>	<i>Front Bumper (or Frame if any of the conditions in subparagraph (iv) apply)</i>	<i>Maximum Height</i>	<i>Rear Bumper (or Frame if any of the conditions in subparagraph (iv) apply)</i>
Passenger cars	22 inches		22 inches
Trucks and multipurpose passenger Vehicles			
5,000 lbs. or less GVWR	24 inches		26 inches
5,001 lbs.—7,000 lbs. GVWR	27 inches		29 inches
7,001 lbs.—9,000 lbs. GVWR	28 inches		30 inches
9,001 lbs.—11,000 lbs. GVWR	30 inches		30 inches

(iv) The front and rear height measurements shall be made to the bottom edge of the foremost portion of the frame rail, or to the original mounting brackets, whichever is lower, if one of the following apply:

(A) The bumper height, relative to the frame rail, has been altered.

(B) The vehicle was not originally equipped with a front or rear bumper.

(C) A supplemental bumper has been added.

(D) The manufacturer's specified bumper has been replaced with a bumper not identical to the manufacturer's specified bumper.

\* \* \* \* \*

(9) Check the lamps and lenses and reject if one or more of the following apply:

\* \* \* \* \*

(iii) The turn signal lamps do not properly indicate right or left or hold in position when so switched or do not self-cancel if originally designed to do so.

\* \* \* \* \*

(vi) The lamp or filament indicated at the switch position does not light when the correct switch indicates the lamp should be on.

\* \* \* \* \*

(x) The fog lamps operate with the high beams of the headlamps or are substituted for the low beams.

\* \* \* \* \*

(b) *Internal inspection.* An internal inspection shall be performed as follows:

(1) Check steering column and reject if one or more of the following apply:

\* \* \* \* \*

(vii) The number of turns of the steering wheel from a straight ahead tire position to the right stop is not equal to the number of turns to the left stop within a tolerance of 1/4 turn.

\* \* \* \* \*

(4) Check the brake pedal and reject if one or more of the following apply:

(i) The brake pedal travel exceeds 80% of the total available travel unless originally designed to do so.

(ii) The brake pedal fades while the vehicle is stopped unless originally designed to do so.

\* \* \* \* \*

(iv) A brake warning lamp or other device indicates a malfunction of the braking systems unless the vehicle is equipped with an antilock braking system (ABS) which is designed to revert to standard braking operation and no driveability deficiency or loss of braking performance is present.

\* \* \* \* \*

(6) Check the seat and safety belts, if originally equipped, and reject if one or more of the following apply:

\* \* \* \* \*

(iv) There is no safety belt for each seating location, if the vehicle was originally so equipped, or if seats have been added.

\* \* \* \* \*

(viii) A passive seat belt restraint system is inoperative.

\* \* \* \* \*

(7) Check the inside mirror and reject if one or more of the following apply:

\* \* \* \* \*

(iv) The mirror, if originally so equipped, is missing.

(8) Check front windshield defroster system, if so equipped, and reject if defroster fan does not function.

(c) *Under the hood inspection.* An under the hood inspection shall be performed as follows:

\* \* \* \* \*

(2) Check the motor mounts, either here or during the beneath vehicle inspection, and reject if the motor mounts are broken, cracked or missing.

\* \* \* \* \*

(6) Check the battery and reject if the battery is not securely fastened with a device specifically designed for that function.

\* \* \* \* \*

(d) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

\* \* \* \* \*

(ix) A tire's tread extends beyond the outer edge of the wheel housing inclusive of fender flares.

\* \* \* \* \*

(xvi) Studded tires are in use after April 15 and before November 1.

\* \* \* \* \*

(xx) A tire makes contact with the body or chassis.

(xxi) Spacers over 1/4 inch in thickness are used to increase wheel track.

(2) Inspect the steering system and reject if one or more of the following apply:

(i) Steering gear box is loose on frame.

(ii) Measured movement at the front or rear of a tire is greater than 1/4-inch. Eliminate all wheel bearing movement by applying the service brake; then, with the vehicle raised and wheels in the straight ahead position, grasp the front and rear of the tire and attempt to move the assembly right and left without moving the steering gear. Measure the movement.

(iii) The linkage components are not secured with cotter pins or other suitable devices.

(iv) The steering stops allow the tire to rub on the frame or chassis parts.

(v) The front wheels are incapable of being turned to the right and left steering stops without binding or interference.

(3) Inspect the suspension system and reject if one or more of the following apply:

\* \* \* \* \*

(viii) Spring shackle kits or blocks are used to lower the suspension of the front of the vehicle.

(ix) Spring shackle kits are more than 2 inches over original equipment.

(x) Blocks are used on front axle to raise the vehicle.

(xi) Blocks used on rear axle exceed 5 inches over original equipment.

\* \* \* \* \*

(5) Inspect the vehicle frame and reject if one or more of the following apply:

\* \* \* \* \*

(iv) Body mounts do not hold as required.

(v) A body mount is broken, cracked, deteriorated or missing.

(vi) The difference in the body floor and the top of the frame rail exceeds 4 inches.

(6) Inspect exhaust system and reject if one or more of the following apply:

\* \* \* \* \*

(viii) The exhaust does not discharge to the outside edge of the vehicle body, including a truck bed, or as originally designed.

(7) Inspect the braking system. Remove at least one front and one opposite rear wheel and reject if one or more of the following apply:

\* \* \* \* \*

(e) Road test. Perform road test and reject if one or more of the following apply:

\* \* \* \* \*

**Subchapter F. MEDIUM AND HEAVY TRUCKS, BUSES AND SCHOOL BUSES**

**§ 175.91. Application of subchapter.**

Equipment standards in this subchapter apply to medium and heavy trucks, buses and school buses driven on highways.

**§ 175.94. Braking systems.**

\* \* \* \* \*

(b) *Service brakes.* Every medium and heavy truck, bus and school bus shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

\* \* \* \* \*

(10) Brake lines shall be approved for use as brake lines.

\* \* \* \* \*

**§ 175.95. Tires and wheels.**

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.110 (relating to inspection procedure).

(b) *Tire standards.* A vehicle specified under this subchapter shall have tires manufactured in conformance with standards contained in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Radial ply tires.* A radial ply tire may not be used on the same axle with a bias or belted tire.

(d) *Different types of tires.* Tires of different types and sizes, such as one snow tire and one regular tire or bias, belted or radial tires, may not be used on the same axle except in an emergency.

(e) *Nonpneumatic tires.* A vehicle specified under this chapter operated on highways may not be equipped with nonpneumatic tires, except an antique vehicle with nonpneumatic tires if originally equipped by the manufacturer.

(f) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs of wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(g) *Tires and rims.* The axles of a vehicle specified under this subchapter shall be equipped with the number and type of tires and rims with a load rating equal to or higher than those offered by the manufacturer.

(h) *Exceptions.* Subsection (b), insofar as it requires tires to conform to the vehicle manufacturer's specifications as to tire size, and subsection (g) are not applicable if the Department has issued a permit under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires) authorizing the vehicle to be operated with oversize wheels and tires.

**§ 175.96. Lighting and electrical systems.**

\* \* \* \* \*

(f) *Illumination except headlamps, fog lamps and auxiliary driving lamps.* A vehicle specified under this subchapter shall be equipped with parking lamps, stop lamps, tail lamps, turn signal lamps and hazard warning lamps designed for that specific function which, under normal atmospheric conditions, shall be capable of being seen and distinguished during nighttime operation at a distance of 500 feet. See 75 Pa.C.S. § 4303(b)—(d).

\* \* \* \* \*

(h) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of this chapter, is prohibited unless it is available as original equipment. An illuminated sign is prohibited except on taxicabs, ambulances and trucks. Flashing or revolving

lights are not ornamental lamps. Provisions relating to flashing or revolving lights are in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

\* \* \* \* \*

(j) *Back-up lamps.* Back-up lamps are not permitted to be lighted when the vehicle is in forward motion. Back-up lamps shall turn off automatically when the vehicle goes forward. If the lamps do not turn off automatically, a dash indicator that lights or creates audible warning is required.

\* \* \* \* \*

(l) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a medium or heavy truck and bus if the lamps comply with the following:

\* \* \* \* \*

(2) Fog lamps are not permitted to be substituted for headlamps.

(3) Auxiliary driving lamps and fog lamps shall be mounted on the front, spaced at least 20 inches apart from center to center and at a height not more than 42 inches above the level surface upon which the vehicle stands, nor lower than the lowest chassis part. Rear fog lamps, if originally installed or offered as optional equipment are acceptable.

\* \* \* \* \*

(9) In accordance with 75 Pa.C.S. § 4303(f), roof or roll bar mounted off-road lights may be installed if they are not used on a highway or trafficway and are covered with an opaque covering at all times while operating on the highway or trafficway. Vehicles equipped with roof or roll bar mounted off-road lights shall have a switch that indicates to the driver, through the use of a pilot light, that the lights are on when so switched.

(10) White or clear cargo lamps are permitted if available as original equipment or installed in a manner which expressly illuminates the cargo area of a truck or bus.

\* \* \* \* \*

(n) *Battery fastening.* A vehicle specified under this subchapter shall be equipped with a system specifically designed for the secure fastening of the battery.

**§ 175.98. Mirrors.**

(a) *Condition of mirrors.* Mirrors shall be in safe condition as described in § 175.110 (relating to inspection procedure).

(b) *Rearview mirrors.* A vehicle specified under this subchapter shall be equipped with at least one rearview mirror or similar device which provides the driver an unobstructed view of the highway to the rear of the vehicle for a distance of not less than 200 feet. A mirror may not be cracked, broken or discolored.

(c) *Obstruction.* On a vehicle specified under this subchapter, the rearview mirror shall be free from obstructions as described in § 175.110.

(1) A vehicle specified under this subchapter having a sign or load or another material which obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway shall have two outside rearview mirrors, one on the driver's side and one on the passenger side, each with a minimum reflective surface as follows:

<i>Required Reflective Surface</i>	<i>Gross Vehicle Weight</i>
19.5 square inches	Less than 10,001 pounds
50 square inches	Over 10,000 pounds

(2) Rear window louvers are permitted only if the vehicle has at least two outside rearview mirrors, one on the driver's side and one on the passenger's side, each with a minimum reflective surface of 19.5 square inches. This paragraph does not apply to school buses.

(3) Rearview mirrors, each with a minimum reflective surface of 19.5 square inches, shall be installed on both sides of a vehicle for which a certificate of exemption for a sun screening device or other material has been issued. A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

(4) An object or material may not be hung from the rearview mirror and an object or material may not be hung, placed or attached in a position that materially obstructs, obscures or impairs the driver's vision through the windshield or in a manner that constitutes a safety hazard.

(5) This subsection also applies to glass etchings, except those used for vehicle identification.

(d) *Motor homes.* A motor home shall be free from obstructions as described in this subchapter.

(1) A vehicle manufactured as or permanently converted into a motor home with a GVW of 11,001 pounds or more may have windows, approved glass only, transparent screens and roll-up shades or curtains installed if the shades and curtains are securely fastened in completely opened position, to avoid covering a portion of a window, while the vehicle is being operated on the highway. Venetian blinds may not cover a window while the vehicle is operated on a highway.

(2) If a window is covered for installation of wardrobe, cupboard or other convenience, it shall be factory installed or otherwise permanently installed optional equipment or facsimile only. Two outside mirrors shall be installed to afford the operator clear view 200 feet to the rear of the vehicle.

**§ 175.105. Exhaust systems.**

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.110 (relating to inspection procedure).

(b) *Exhaust system requirements.* A vehicle specified under this subchapter shall be constructed, equipped, maintained and operated to prevent engine exhaust gases from penetrating and collecting in any part of the vehicle occupied by the driver or a passenger, in addition to the requirements of this title for emission control systems and smoke control for a diesel-powered vehicle.

(1) A vehicle specified under this subchapter shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device, and a muffler may not show evidence of external repair.

(2) The exhaust system of a vehicle may not be modified in a manner which will amplify or increase noise emitted by the motor of a vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(3) Headers and side exhaust are permitted if the vehicle meets the requirements of this section.

(4) An exposed exhaust system shall be equipped with an adequate heat shield or protective system.

(5) An exhaust system shall extend and discharge completely to the outside edge of the vehicle body, including a truck bed, or as originally designed, except for the following:

(i) Heavy trucks or truck tractors. The exhaust system of every heavy truck and truck tractor shall discharge to the atmosphere at a location to the rear of the cab or, if the exhaust projects above the cab, at a location near the rear of the cab.

(ii) Gasoline powered buses, including school buses. The exhaust system of a bus powered by a gasoline engine shall discharge to the atmosphere at or within 6 inches forward of the rearmost part of the bus. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(iii) Buses, including school buses, powered by fuels other than gasoline. The exhaust system of a bus using fuels other than gasoline shall discharge to the atmosphere either at or within 15 inches forward of the rearmost part of the vehicle; or to the rear of all doors or windows designed to be opened, except windows designed to be opened solely as emergency exits. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(c) *Exemption.* A firefighting vehicle is exempt from this section.

**§ 175.107. Body.**

(a) *Condition of body.* All items on the body shall be in safe operating condition as described in § 175.110 (relating to inspection procedure).

(b) *Fenders.* The wheels of a vehicle specified under this subchapter shall be equipped with fenders of a type used as original equipment. A tire may not come in contact with the body, fenders or chassis of the vehicle, at any time.

(c) *Hood and hood latches.* The entire motor compartment of a vehicle specified under this subchapter shall be covered by a hood. The hood shall be equipped with a double latch system to hold it in the closed position if the hood was originally so equipped.

(d) *Protruding objects.* Torn metal, glass or other loose or dislocated parts may not protrude from the body of vehicle.

(e) *Fender flares.* A vehicle may be equipped with fender flares not to exceed 3 inches.

(f) *Doors.* A vehicle specified under this subchapter shall be equipped with doors of a type used as original equipment. The doors shall open and close securely unless the vehicle has been manufactured or modified to the extent that there is no roof or side. Tailgates, except on vehicles where the tailgate gives access to the passenger compartment, may be replaced with wood planking, nets or other material that will prevent loss of load. Tailgates may be removed when optional equipment, for example a truck camper, is added.

**§ 175.108. Chassis.**

\* \* \* \* \*

(c) *Motor mounts.* The motor mounts may not be broken, cracked or missing.

\* \* \* \* \*

(e) *Front bumper.* Every vehicle specified under this subchapter shall be equipped with front bumper or a suitable replacement which is equal to or greater in strength than that provided by the vehicle manufacturer, securely attached to chassis or frame. See 75 Pa.C.S. § 4536 (relating to bumpers).

\* \* \* \* \*

(f) *Rear protection device.* A vehicle specified under this subchapter, except truck tractors, whose body or chassis has a rear end clearance of more than 30 inches from the ground when empty, shall be equipped with a rear bumper or rear end protection device as follows:

(1) The rear bumper or rear end protection device shall be:

(i) Within 30 inches of ground when the vehicle is empty.

(ii) Within 24 inches of another rear bumper or rear end protection device, if more than one rear bumper or rear end protection device is used.

(iii) Within 18 inches—transverse distance—of the widest part of the rear of the vehicle.

(iv) Within 24 inches of the extreme rear of the vehicle.

(v) Substantially constructed and firmly attached.

(2) Vehicles constructed and maintained so that the body, chassis or other parts of the vehicle afford the rear end protection described in paragraph (1) will be deemed to be in compliance with this subsection.

\* \* \* \* \*

(h) *Rear wheel shields.* A vehicle specified under this subchapter, except a truck-tractor while towing a trailer, shall be constructed or equipped to bar water or other road surface substances thrown from the rear wheels of the vehicle or combination at tangents exceeding 22.5°, measured from the road surface, from passing in a straight line to the rear of the vehicle or combination. See 75 Pa.C.S. § 4533 (relating to rear wheel shields).

\* \* \* \* \*

(l) *Body mounts.* Body mounts may not be broken, cracked, deteriorated or missing.

**§ 175.110. Inspection procedure.**

(a) *External inspection.* An external inspection shall be performed as follows:

\* \* \* \* \*

(3) Check the windshield wiper system and reject if one or more of the following apply:

\* \* \* \* \*

(v) The windshield washers, if originally so equipped, do not operate.

(4) Check the door operation, including tailgate, and reject if one or more of the following apply:

\* \* \* \* \*

(ii) The doors, including the tailgate, if so equipped, do not open and close securely.

(iii) Tailgate or equivalent is not on the vehicle, unless removed for the addition of optional equipment that is present at the time of the inspection.

(5) Check the outside mirrors and reject if one or more of the following apply:

(i) A required mirror is cracked, broken, missing or discolored.

\* \* \* \* \*

(9) Check the lamps and lenses and reject if one or more of the following apply:

\* \* \* \* \*

(iii) The turn signal lamps do not properly indicate the right or left or hold in position when so switched or do not self-cancel if originally designed to do so.

\* \* \* \* \*

(vi) The lamp or filament indicated at the switch position does not light when the correct switch indicates the lamp should be on.

\* \* \* \* \*

(b) *Internal inspection.* An internal inspection shall be performed as follows:

\* \* \* \* \*

(6) Check the seat and safety belts if the vehicle is so equipped and reject if one or more of the following apply:

\* \* \* \* \*

(iv) There is no safety belt for each seating location, if the vehicle was originally so equipped, or if seats have been added.

\* \* \* \* \*

(7) Check the inside mirror and reject if one or more of the following apply:

\* \* \* \* \*

(iv) Mirror is missing, unless the vehicle is equipped with outside mirror, except on school buses.

(8) Check front windshield defroster system, if so equipped, and reject if the defroster fan does not function.

(c) *Under the hood inspection.* An under the hood inspection shall be performed as follows:

\* \* \* \* \*

(2) Check the motor mounts, either here or during beneath vehicle inspection, and reject if the motor mounts are broken, cracked or missing.

\* \* \* \* \*

(7) Check the battery and reject if the battery is not securely fastened with a device specifically designed for that function.

(8) Check steering gear box and reject if loose on frame.

(d) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

\* \* \* \* \*

(xii) A tire's tread extends beyond the outer edge of the wheel housing, inclusive of fender flares, or exceeds the manufacturer's specifications as to size.

\* \* \* \* \*

(xix) Studded tires are in use after April 15 and before November 1.

\* \* \* \* \*

(xxi) A tire makes contact with the body or chassis.

\* \* \* \* \*

(6) Inspect the exhaust system and reject if one or more of the following apply:

(i) The vehicle has no muffler or noise suppressing system or the muffler has external repair.

\* \* \* \* \*

(viii) The exhaust does not discharge to the outside edge of the vehicle body, including a truck bed, or as originally designed, except for the following:

(A) *Heavy trucks or truck tractors.* The exhaust system of every heavy truck and truck tractor shall discharge to the atmosphere at a location to the rear of the cab or, if the exhaust projects above the cab, at a location near the rear of the cab.

(B) *Gasoline powered buses, including school buses.* The exhaust system of a bus powered by a gasoline engine shall discharge to the atmosphere at or within 6 inches forward of the rearmost part of the bus. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(C) *Buses, including school buses, powered by fuels other than gasoline.* The exhaust system of a bus using fuels other than gasoline shall discharge to the atmosphere either at or within 15 inches forward of the rearmost part of the vehicle; or to the rear of all doors or windows designed to be opened, except windows designed to be opened solely as emergency exits. Until June 15, 1998, the tailpipe of school buses may extend to, but not beyond the body limits on the left side of the school bus within 60 inches of the left rear wheel as measured from the center of the wheel axis.

(7) *Inspect the braking system.* At least one front and one opposite rear wheel shall be removed. Reject if one or more of the following apply:

\* \* \* \* \*

(vii) The inside diameter of the drum is greater than the maximum diameter stamped on the drum or greater than .090 inch over the original drum diameter for unmarked drums less than 14 inches, or greater than .120 inch over original drum diameter for unmarked drums 14 inches or larger.

\* \* \* \* \*

(8) Inspect critical body mounts and reject if one or more of the following apply:

(i) Body mounts do not hold as required.

(ii) A body mount is broken, cracked, deteriorated or missing.

(9) Inspect the fuel system and reject if one or more of the following apply:

(i) There is fuel leakage.

(ii) Part of the system is not securely fastened.

(iii) The system is not properly routed.

(e) *Road test.* Perform a road test and reject if one or more of the following apply:

\* \* \* \* \*

**Subchapter G. RECREATIONAL, SEMI AND  
UTILITY TRAILERS**

**§ 175.123. Braking systems.**

(a) *Condition of braking systems.* Braking systems and components shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Service brakes.* A trailer shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

(1) The service brakes shall act on all wheels upon application except for the following:

(i) On interconnected dual wheels, the brakes may act upon only one wheel.

(ii) A vehicle being towed in driveaway-towaway operation.

(iii) A trailer of a gross weight not exceeding 3,000 pounds, if the gross weight of the trailer does not exceed 40% of the gross weight of the towing vehicle.

(2) The service brakes, when required, shall be capable of stopping the vehicle in not more than the maximum stopping distance prescribed in Table I.

(3) Surge or inertia type brake systems are authorized.

(4) The brake lining and brake fluids shall be of a type approved by the vehicle manufacturer or shall meet the Society of Automotive Engineers (SAE) standards (J998, January 1980)—see Appendix A (relating to minimum requirements for motor vehicle brake linings—SAE J998).

(5) Metal from the shoe may not contact the brake drums or rotors.

(6) A vehicle to which additional axles and wheels have been added shall be equipped with brakes on the additional wheels.

(7) Brake lines shall be approved for use as brake lines.

(c) *Breakaway system.* A trailer operated on a highway which is equipped with brakes or which has gross weight in excess of 3,000 pounds shall be equipped with a breakaway system which shall stop and hold the vehicle automatically upon breakaway from the towing vehicle.

(d) *Air chamber push rod.* The air chamber push rod travel may not exceed the manufacturer's specifications maximum stroke allowance. See Chart 4 (relating to brake chamber push rod travel (typical)) for a drawing of the air chamber push rod.

**§ 175.124. Tires and wheels.**

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Tire standards.* A trailer shall have tires that were manufactured in conformance with standards contained in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Radial ply tires.* A radial ply tire may not be used on the same axle with a bias or belted tire.

(d) *Different types of tires.* Tires of different types and sizes, such as one snow tire and one regular tire or bias, belted or radial tire, may not be used on the same axle, except in an emergency.

(e) *Nonpneumatic tires.* No trailer operated on a highway shall be equipped with nonpneumatic tires.

(f) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs of wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(g) *Tires and rims.* The axles of a vehicle specified under this subchapter shall be equipped with the number and type of tires and rims which have a load rating equal to or higher than those offered by the manufacturer.

**§ 175.125. Lighting and electrical systems.**

(a) *Condition of lamps and switches.* Every required lamp or switch shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Lighting standards.* Lamps shall comply with Tables II—IV; Chapter 153; and 75 Pa.C.S. Chapter 43 (relating to lighting equipment).

(c) *Other required lamps.* A trailer shall have at least one red stop lamp on each side of the rear of the vehicle, which shall be illuminated immediately upon application of the service brake.

(d) *Illumination.* A trailer shall be equipped with parking lamps, stop lamps, tail lamps, turn signal lamps and hazard warning lamps designed for that specific function, which under normal atmospheric conditions, shall be capable of being seen and distinguished during nighttime operation, at a distance of 500 feet. See 75 Pa.C.S. § 4303(b)—(d) (relating to general lighting requirements).

(1) Stop lamps, turn signals and hazard warning lamps shall be visible at a distance of 100 feet during normal sunlight.

(2) Rear lamps shall be lighted whenever headlamps, fog lamps or auxiliary driving lamps are in operation.

(3) A trailer shall be equipped with hazard warning lamps, unless these lamps were not included as original equipment.

(4) The turn signals shall have a frequency of flash between 60—120 flashes per minute.

(e) *Condition and position of lamps.* Lamps shall be properly fastened; direct light properly; be of a color not contrary to regulations—see Tables II—IV (relating to required motor vehicle lighting equipment; location of required equipment; and required motor vehicle lighting equipment); and may not be so obstructed by a screen, bar, auxiliary equipment or device of any kind as to obscure, change color of or obstruct the beam.

(f) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of this chapter is prohibited unless it is available as original equipment. An illuminated sign is prohibited. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are located in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

(g) *Back-up lamps.* Back-up lamps, if the vehicle is so equipped, shall turn off automatically when the vehicle goes forward.

(h) *Registration plate lamp.* A registration plate lamp, if originally equipped, shall emit white light and make the registration plate visible from a distance of 50 feet to rear of the vehicle.

(i) *Exception.* A trailer that is less than 30 inches in overall width may be equipped with only one of each of the following lamps and reflective devices, located at or near its vertical centerline: tail lamps, stop lamp and rear reflex reflector.

**§ 175.127. Body.**

(a) *Condition of body.* All items on the body shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Protruding objects.* A trailer may have no torn metal, glass or other loose or dislocated parts protruding from the body.

(c) *Doors.* A vehicle specified under this subchapter shall be equipped with doors of a type used as original equipment. The doors shall open and close securely. Tailgates may be replaced with wood planking, nets or other material that will prevent loss of load. Tailgates may be removed when optional equipment is added.

**§ 175.128. Chassis.**

(a) *Condition of chassis.* All items on the chassis shall be in safe operating condition as described in § 175.130 (relating to inspection procedure).

(b) *Vehicle frame.* The vehicle frame shall be in solid condition.

(c) *Flooring and floor beds.* Flooring and floor beds shall be of a construction that supports occupants and cargo which the vehicle is capable of carrying, and may not have any openings through which exhaust gases could enter the passenger compartment.

(d) *Rear protection device.* A trailer, except for pole trailers, whose body has a rear end clearance of more than 30 inches from the ground when empty, shall be equipped with a rear bumper or rear end protection device as follows:

(1) The rear bumper or rear end protection device shall be:

(i) Within 30 inches of ground when the vehicle is empty.

(ii) Within 24 inches of another rear bumper or rear end protection device, if more than one rear bumper or rear end protection device is used.

(iii) Within 18 inches—transverse distance—of the widest part of the rear of the vehicle.

(iv) Within 24 inches of the extreme rear of the vehicle.

(v) Substantially constructed and firmly attached.

(2) Trailers constructed and maintained so that the body, chassis or other parts of the vehicle afford the rear end protection described in paragraph (1) shall be deemed to be in compliance with this subsection.

(e) *Fender and flaps.* The wheels of a trailer originally manufactured with fenders or flaps shall be equipped with fenders or flaps of a type used as original equipment.

(f) *Rear wheel shields.* A trailer shall be constructed or equipped so as to bar water or other road surface substances thrown from the rear wheels of the vehicle or combination at tangents exceeding 22 1/2°, measured from road surface, from passing in a straight line to the rear of the vehicle or combination. See 75 Pa.C.S. § 4533 (relating to rear wheel shields).

(g) *Tire contact.* A tire may not come in contact with the body, fenders or chassis of the vehicle.

**§ 175.130. Inspection procedure.**

(a) *External inspection.* An external inspection of a trailer over 3,000 pounds registered gross weight shall be performed as follows:

\* \* \* \* \*

(3) Check door operation, including the tailgate and reject if one or more of the following apply:

\* \* \* \* \*

(iii) Tailgate or equivalent is not on the vehicle, unless removed for the addition of optional equipment that is present at the time of inspection.

(4) Check the lamps and lenses and reject if one or more of the following apply:

\* \* \* \* \*

(vi) A lamp or filament indicated at the switch position does not light when the correct switch indicates the lamp should be on.

\* \* \* \* \*

(c) *Beneath the vehicle inspection.* A beneath the vehicle inspection of a trailer over 3,000 pounds registered gross weight shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

\* \* \* \* \*

(xiv) Studded tires are in use after April 15 and before November 1.

\* \* \* \* \*

(3) Inspect the braking system.

\* \* \* \* \*

(ii) The brake lining from one side of each axle shall be examined.

\* \* \* \* \*

**Subchapter H. MOTORCYCLES**

**§ 175.143. Steering.**

(a) *Condition of steering components.* The steering assembly and steering mechanism shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Condition of steering.* A motorcycle shall meet the following specifications in relation to front wheel geometry:

(1) Maximum rake: 45°. Maximum trail: 14 inches positive.

(2) Minimum rake: 20°. Minimum trail: 2 inches positive.

(3) Minimum rake and minimum trail are not applicable to three-wheel motorcycles unless the third wheel is derived from a sidecar.

(c) *Steering head.* A head shall be provided with a bearing or similar device allowing the steering shaft to turn freely in rotating fashion.

(d) *Handlebars.* The handlebars or grips may not be higher than the operator's shoulder level when the operator is properly seated upon the motorcycle.

(1) The handlebars shall be of a sturdy construction adequate in size and length to provide proper leverage for steering and capable of withstanding a minimum force of 100 pounds applied to each handle grip in any direction.

(2) The handlebars shall be designed so as not to restrict front fork movement and shall be capable of vertical adjustments.

(3) The handlebar design shall provide a minimum of 18 inches between ends, after final assembly.

(4) The handlebars shall be equipped with grips of nonslip design and materials.

**§ 175.144. Braking systems.**

(a) *Condition of braking systems.* Braking systems and components shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Service brakes.* A motorcycle shall be equipped with a service brake system. See 75 Pa.C.S. § 4502 (relating to general requirements for braking systems).

(1) The service brakes shall act on all wheels upon application and shall be capable of stopping the vehicle in not more than the maximum stopping distance prescribed in Table I (relating to brake performance).

(2) The service brake system shall act upon all wheels according to the vehicle manufacturer's specifications, except on a vehicle being towed in driveaway-towaway operation or side cars not originally equipped.

(3) The brake lining and brake fluids shall be of type approved by vehicle manufacturer or shall meet the Society of Automotive Engineers (SAE) standards (J998, January 1980)—Appendix A (relating to minimum requirements for motor vehicle brake linings—SAE J998).

(4) The service brake system shall be of a design that rupture or failure of either the front or rear brake system will not result in the complete loss of braking function. Braking function may be obtained by hydraulic or other means through a normal brake mechanism. In the event of a rupture or failure of actuating force component, the unaffected brakes shall be capable of applying adequate braking force to vehicle.

(5) Metal from the shoe or caliper may not contact brake drums or rotors.

(6) Brake lines shall be approved for use as brake lines.

**§ 175.145. Tires and wheels.**

(a) *Condition of tires and wheels.* Tires and wheels shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Tire standards.* A motorcycle shall have tires that were manufactured in conformance with standards contained in Chapter 159 (relating to new pneumatic tires). See 75 Pa.C.S. § 4525 (relating to tire equipment and traction surfaces). Tires with equivalent metric size designations may be used.

(c) *Nonpneumatic tires.* A motorcycle operated on a highway may not be equipped with nonpneumatic tires.

(d) *Ice grips or studs.* A tire may not be equipped with ice grips or tire studs or wear-resisting material which have projections exceeding 2/32 inch beyond the tread of the traction surface of the tire.

(e) *Antique vehicle pneumatic tire exemption.* An antique vehicle may be equipped with nonpneumatic tires if originally equipped by the manufacturer.

**§ 175.146. Lighting and electrical systems.**

\* \* \* \* \*

(h) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of

this chapter, is prohibited unless it is available as original equipment. An illuminated sign is prohibited. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are located in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

\* \* \* \* \*

(k) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a motorcycle if they comply with the following requirements:

\* \* \* \* \*

(2) Auxiliary driving lamps and fog lamps shall be mounted on front at a height not less than 12 inches nor more than 42 inches above level surface upon which the vehicle stands. Rear fog lamps, if originally installed or offered as optional equipment, are acceptable.

\* \* \* \* \*

(6) A vehicle equipped with headlamps, auxiliary driving lamps or fog lamps may not have more than four forward projecting lamps illuminated at the same time.

\* \* \* \* \*

(m) *Battery fastening.* A vehicle specified under this subchapter shall be equipped with a system which is specifically designed for the secure fastening of the battery.

**§ 175.152. Exhaust systems.**

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Exhaust system requirements.* A motorcycle shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device and a muffler may not show evidence of external repair.

(1) The exhaust system of a motorcycle may not be modified in a manner which will amplify or increase noise emitted by the motor of the vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(2) An exposed exhaust system shall be equipped with adequate heat shield or protective system or be located to prevent contact by operator or passenger.

**§ 175.160. Inspection procedure.**

(a) *External inspection.* An external inspection shall be performed as follows:

\* \* \* \* \*

(6) Check the lamps and lenses and reject if one or more of the following apply:

\* \* \* \* \*

(v) The lamp or filament indicated at switch position does not light when the correct switch indicates the lamp should be on.

\* \* \* \* \*

(b) *Internal inspection.* An internal inspection shall be performed as follows:

\* \* \* \* \*



(3) Check the brake system by doing visual inspection. If the vehicle is equipped with view ports or mechanical brake wear indicators, wheels do not have to be pulled but the mechanic shall determine if lining should be replaced. Reject if one or more of the following apply:

\* \* \* \* \*

(xiv) Mechanical indicator shows that pads should be replaced.

(4) Check the motor mounts and reject if motor mounts are broken, cracked or missing.

\* \* \* \* \*

(c) *Beneath the vehicle inspection.* A beneath the vehicle inspection shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

\* \* \* \* \*

(xiii) Studded tires are in use after April 15 and before November 1.

\* \* \* \* \*

(5) Inspect the exhaust system and reject if one or more of the following apply:

\* \* \* \* \*

(vii) The exposed exhaust system does not have an adequate heat shield or protective system or is not located to prevent contact with riders.

\* \* \* \* \*

(d) *Road test.* Perform a road test and reject if one or more of the following apply:

\* \* \* \* \*

**Subchapter J. MOTOR-DRIVEN CYCLES AND  
MOTORIZED PEDALCYCLES**

**§ 175.172. Steering.**

(a) *Condition of steering components.* The steering assembly and steering mechanism shall be in safe operating condition as described in § 175.190 (relating to inspection procedure).

(b) *Steering head.* The steering head shall be provided with a bearing or similar device allowing the steering shaft to turn freely in a rotating fashion.

(c) *Handlebars.* The handlebars or grips may not be higher than the operator's shoulder level when the operator is properly seated upon the vehicle.

(1) The handlebars shall be of sturdy construction and adequate in size and length to provide leverage for steering and shall be capable of withstanding a minimum force of 100 pounds applied to each handle grip in any direction.

(2) The handlebars shall be designed so as not to restrict front fork movement and shall be capable of vertical adjustment.

(3) The handlebar design shall provide a minimum of 18 inches between ends, after final assembly.

(4) The handlebars shall be equipped with grips of nonslip design and materials.

**§ 175.175. Lighting and electrical systems.**

\* \* \* \* \*

(h) *Ornamental lamps.* A lamp not enumerated in this section, and not located as described in Tables III—V of this chapter, is prohibited unless it is available as original

equipment. An illuminated sign is prohibited. Flashing or revolving lights are not ornamental lamps. Provisions relating to flashing or revolving lights are located in Chapters 15 and 173 (relating to authorized vehicles and special operating privileges; and flashing or revolving lights on emergency and authorized vehicles).

\* \* \* \* \*

(k) *Auxiliary driving lamps and fog lamps.* Auxiliary driving lamps and fog lamps may be installed on a motor-driven cycle or motorized pedalcycle if they comply with the following requirements:

\* \* \* \* \*

(2) Auxiliary driving lamps and fog lamps shall be mounted on front at a height not less than 12 inches nor more than 42 inches above level surface upon which the vehicle stands. Rear fog lamps, if originally installed or offered as optional equipment, are acceptable.

\* \* \* \* \*

(6) A vehicle equipped with headlamps, auxiliary driving lamps, or fog lamps may not have more than four forward projecting lamps illuminated at the same time.

\* \* \* \* \*

**§ 175.181. Exhaust systems.**

(a) *Condition of exhaust system.* All components of the exhaust system shall be in safe operating condition as described in § 175.190 (relating to inspection procedure).

(b) *Exhaust system requirements.* A vehicle specified under this subchapter shall be equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation. A muffler or exhaust system may not be equipped with a cutout, bypass or similar device and a muffler may not show evidence of external repair.

(1) The exhaust system of a motor-driven cycle or motorized pedalcycle may not be modified in a manner which will amplify or increase noise emitted by the motor of vehicle above the maximum level permitted by Chapter 157 (relating to established sound levels).

(2) An exposed exhaust system shall be equipped with an adequate heat shield or protective system or be located to prevent contact by the operator or passenger.

**§ 175.190. Inspection procedure.**

(a) *External inspection.* An external inspection of motor-driven cycles only shall be performed as follows:

\* \* \* \* \*

(5) Check the lamps and lenses and reject if one or more of the following apply:

\* \* \* \* \*

(v) The lamp or filament indicated at switch position does not light when the correct switch indicates the lamp should be on.

\* \* \* \* \*

(c) *Beneath the vehicle inspection.* A beneath the vehicle inspection of motor-driven cycles only shall be performed as follows:

(1) Inspect the tires and wheels and reject if one or more of the following apply:

\* \* \* \* \*

(xii) Studded tires are in use after April 15 and before November 1.

\* \* \* \* \*

(4) Inspect the exhaust system and reject if one or more of the following apply:

\* \* \* \* \*

(vi) The exposed exhaust system does not have an adequate heat shield or protective system or is not located to prevent contact with riders.

(d) *Road test.* Perform a road test and reject if one or more of the following apply:

\* \* \* \* \*

**Subchapter K. STREET RODS, SPECIALLY CONSTRUCTED AND RECONSTRUCTED VEHICLES**

**§ 175.206. Glazing.**

(a) *Condition of windshield.* A windshield shall be in safe operating condition as described in §§ 175.80, 175.110, 175.130, 175.160, 175.190 and 175.220 and this subchapter.

(b) *Requirements.* Glazing shall meet following requirements:

(1) A windshield may not be less than 7 inches in vertical height on a street rod and 12 inches vertical height on reconstructed vehicles and specially constructed vehicles. If the original body configuration provided by a recognized manufacturer had a windshield of less than 12 inches, reconstructed vehicles and specially constructed vehicles may use the original windshield size, except that this size may not be less than 7 inches.

(2) A windshield and side windows or openings shall allow the driver minimum outward horizontal vision capability of 90° from each side of the vertical plane passing through the fore and aft centerline of the vehicle. This range of vision may be interrupted by window framing not exceeding 2 inches in width and windshield door post support areas not exceeding 4 inches in width.

(c) *Obstructions forward of the windshield.* A vehicle specified under this subchapter may not have obstruction forward of the windshield which extends more than 2 inches upward into the horizontally projected vision area of the windshield with the exception of the windshield wiper components.

**§ 175.209. Chassis.**

(a) *Condition of chassis.* All items of a chassis shall be in safe operating condition as described in this subchapter and Subchapters E—H and J.

(b) *Bumpers.* A vehicle specified under this subchapter shall be equipped with front and rear bumpers securely attached to the chassis, except when the original body configuration provided by a recognized manufacturer did not include bumpers in the design of the vehicle.

(1) Some part of the horizontal bumper of a passenger vehicle and all street rods shall fall within 12—20 inches above ground level.

(2) Some part of the horizontal bumper of a truck shall fall within 16—30 inches above ground level.

(c) *Scrub line.* A vehicle specified under this subchapter shall meet the minimum scrub line requirements. See Chart 5 (relating to scrub line).

(1) A scrub line is an imaginary surface created if lines were drawn from the bottom of the wheel rim on one side to the bottom of the tire on the other side. When lines are drawn from both sides, an "X" under the vehicle suspension is created. A suspension or chassis component may not be below the top portion of this imaginary "X."

(2) Only exhaust systems and sheet metal may extend below the scrub line.

**§ 175.220. Inspection procedure.**

(a) *External inspection.* An external inspection shall be performed as follows:

\* \* \* \* \*

(2) Check the windshield and reject if one or more of the following apply:

\* \* \* \* \*

(ii) A windshield is less than 12 inches in vertical height, or the vertical height is less than what was originally designed, on a reconstructed or specially constructed vehicle.

\* \* \* \* \*

(3) Check the fenders and reject if one or more of the following apply:

\* \* \* \* \*

(ii) The tire tread circumference coverage is less than 15° to the front and 75° to the rear of each tire.

\* \* \* \* \*

[Pa.B. Doc. No. 98-1876. Filed for public inspection November 13, 1998, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 3, 1998.

#### BANKING INSTITUTIONS

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-28-98	Brown Brothers Harriman Trust Company of Pennsylvania Philadelphia Philadelphia County <i>Correspondent:</i> James A. Hunter, Jr., Esq. 2000 One Logan Square Philadelphia, PA 19103	Philadelphia	Filed

##### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
10-28-98	Iron Workers' Savings and Loan Association Aston Delaware County <i>To:</i> Iron Workers' Savings Bank Aston Delaware County Application represents conversion from a State-chartered mutual savings and loan association to a State-chartered mutual savings bank.	Aston	Filed
11-1-98	Huntingdon Savings and Loan Association Huntingdon Huntingdon County <i>To:</i> Huntingdon Savings Bank Huntingdon Huntingdon County Represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.	Huntingdon	Effective

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-26-98	Somerset Trust Company Somerset Somerset County	4185 Glades Pike Somerset Township Somerset County	Opened
10-28-98	Irwin Bank and Trust Company Irwin Westmoreland County	Shop N Save Norwin Hills Shopping Center 8775 Norwin Avenue North Huntingdon Westmoreland County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-14-98	Laurel Bank Johnstown Cambria County	Route 31 Somerset Somerset County	Effective
10-23-98	First Commonwealth Bank Indiana Indiana County	116 East College Ave. State College Centre County	Effective
10-23-98	First Commonwealth Bank Indiana Indiana County	1276 N. Atherton St. State College Centre County	Effective

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-1877. Filed for public inspection November 13, 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 standards and regulations the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the Field Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Field 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 Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. 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 Field 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 proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

---

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

---

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

**PA 000469-A2.** Industrial waste, SIC: 7391, **Aluminum Company of America**, 100 Alcoa Technical Drive, Alcoa Center, PA 15069-0001.

This application is for an amendment of an NPDES permit to discharge treated process water, sewage cooling water, and untreated cooling water stormwater from Alcoa Technical Center in Upper Burrell Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters of an unnamed tributary to Pine Run, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is West Leechburg Water Authority, located at Kiskiminetas River, 12.48 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.0273 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)					
January 1—31				48	
February 1—29				46	
March 1—31				52	
April 1—15				59	
April 16—30				65	
May 1—15				69	
May 16—31				80	
June 1—15				86	
June 16—30				90	
July 1—31				90	
August 1—31				90	
September 1—15				86	
September 16—30				80	
October 1—15				74	
October 16—31				68	
November 1—15				60	
November 16—30				52	
December 1—31				49	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 002:* existing discharge to an unnamed tributary to Pine Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Daily Average</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)					
January 1—31				46	
February 1—29				43	
March 1—31				54	
April 1—15				61	
April 16—30				67	
May 1—15				70	
May 16—31				82	
June 1—15				87	
June 16—30				91	
July 1—31				91	
August 1—31				90	
September 1—15				87	
September 16—30				81	
October 1—15				75	
October 16—31				69	
November 1—15				61	
November 16—30				54	
December 1—31				50	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 003:* existing discharge to an unnamed tributary to Pine Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Daily Average</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)					
January 1—31				52	
February 1—29				46	
March 1—31				49	
April 1—15				56	
April 16—30				62	
May 1—15				66	
May 16—31				76	
June 1—15				83	
June 16—30				87	
July 1—31				89	
August 1—31				88	
September 1—15				85	
September 16—30				79	
October 1—15				73	
October 16—31				67	
November 1—15				59	
November 16—30				55	
December 1—31				54	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 006:* existing discharge to an unnamed tributary to Pine Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Daily Average</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)					
January 1—31				59	
February 1—29				45	
March 1—31				53	
April 1—15				59	
April 16—30				65	
May 1—15				69	
May 16—31				80	
June 1—15				86	
June 16—30				90	
July 1—31				90	
August 1—31				90	
September 1—15				86	
September 16—30				80	
October 1—15				74	
October 16—31				68	
November 1—15				61	
November 16—30				52	
December 1—31				51	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 008:* existing discharge to an unnamed tributary to Pine Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Daily Average</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)					
January 1—31				50	
February 1—29				46	
March 1—31				53	
April 1—15				60	
April 16—30				66	
May 1—15				69	
May 16—31				81	
June 1—15				87	
June 16—30				91	
July 1—31				91	

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Daily Average	Instantaneous Maximum
August 1—31				90	
September 1—15				87	
September 16—30				81	
October 1—15				75	
October 16—31				69	
November 1—15				61	
November 16—30				54	
December 1—31				53	

pH not less than 6.0 nor greater than 9.0

Outfall 009: existing discharge to an unnamed tributary to Pine Run.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Daily Average	Instantaneous Maximum
Flow (mgd)	monitor and report				
Temperature (°F)					
January 1—31				59	
February 1—29				57	
March 1—31				59	
April 1—15				56	
April 16—30				66	
May 1—15				67	
May 16—31				77	
June 1—15				84	
June 16—30				88	
July 1—31				89	
August 1—31				89	
September 1—15				85	
September 16—30				79	
October 1—15				74	
October 16—31				67	
November 1—15				60	
November 16—30				61	
December 1—31				63	

pH not less than 6.0 nor greater than 9.0

Other Conditions:

The EPA waiver is in effect.

**PA 0030929.** Sewage, **Pennsylvania Department of Public Welfare**, Torrance State Hospital, Torrance, PA 15779.

This application is for renewal of an NPDES permit to discharge treated sewage from Torrance State Hospital Sewage Treatment Plant in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tannery Hollow, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal W. W. located on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.8 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.5			7.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.03			0.09
Dissolved Oxygen	not less than 6.0 mg/l			

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

The EPA waiver is in effect.

**PA 0037958.** Sewage, **Center Township Sewer Authority**, 225 Center Grange Road, Aliquippa, PA 15001.

This application is for renewal of an NPDES permit to discharge treated sewage from the Moon Tun Sewage Treatment Plant in Center Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Ohio River, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Water Authority.

*Outfall 001:* existing discharge, design flow of 0.5 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.6
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0092355.** Sewage, **The Municipal Authority of the Borough of Belle Vernon**, P. O. Box 181, 10 Main Street, Belle Vernon, PA 15012.

This application is for renewal of an NPDES permit to discharge treated sewage from the Belle Vernon Water Pollution Control Plant in Belle Vernon, **Fayette County**.

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

*Outfall 001:* existing discharge, design flow of 0.5 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	10,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.0
pH	not less than 6.0 nor greater than 9.0			

*Other Conditions:* Outfalls 002 through 017 will serve as combined sewer overflows and will be subject to the nine minimum controls.

The EPA waiver is in effect.

**PA 0215996.** Sewage, **3R Development**, Route 201 and I-70, Belle Vernon, PA 15012.

This application is for renewal of an NPDES permit to discharge treated sewage from the 3R Development Sewage Treatment Plant in Rostraver Township, **Westmoreland County**.

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



Outfall 001: existing discharge, design flow of 0.0182 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.5			11
(11-1 to 4-30)	16.5			33
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	6,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.2			2.9
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

*Northcentral Region: Environmental Program Manager, Water Management, 208 W. Third Street, Suite 101, Williamsport, PA 17701-6510, (717) 327-3666.*

**PA 0228052.** SIC: 4952, **Allen's True Value, Inc.**, R. D. 2, Box 223A, Watsontown, PA 17777.

This proposed action is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary of Muddy Run in Delaware Township, **Northumberland 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the proposed downstream potable water supply (PWS) considered during the evaluation is Shamokin Dam Municipal Authority, 12 miles below the discharge, on the Susquehanna River.

The proposed effluent limits for Outfall 001, based on a design flow of 0.003 mgd, are:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
	CBOD <sub>5</sub>	10
TSS	20	40
Total Chlorine Residual	2	4.6
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 at all times	

*Other Conditions:*

The EPA waiver is in effect.

**PA 0114367.** Sewerage, SIC: 4952, **Danny R. Deivert**, R. R. 2, Box 491, Mifflinburg, PA 17844.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to an unnamed tributary to Rapid Run in Buffalo Township, **Union County**.

The receiving stream is classified for the following uses: high quality cold water fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Sunbury Municipal Authority located approximately 20 river miles downstream.

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

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

The EPA waiver is in effect.

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

**PA 0222704.** Sewage, **Mowery Development No. 1 Treatment Facility Association**, 4493 Steger Road, Erie, PA 16504.

This application is for a new NPDES permit to discharge treated sewage to an unnamed tributary to Four Mile Creek in Greene Township, **Erie County**. This is a new discharge.

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

The proposed effluent limits for Outfall 001, based on average design flow of 0.0008 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	20	40
NH <sub>3</sub> -N		
(5-1 to 10-31)	6	12
(11-1 to 4-30)	18	36
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	200/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0034002.** Sewage. **Countryside Estates**, 17130 St. Hwy. 98, Meadville, PA 16335.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary of Conneaut Creek in Summerhill Township, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Ohio border on Conneaut Creek located at River Mile 23.91 in Ohio, approximately 32.3 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after the chlorine contact tank), based on a design flow of 0.012500 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
	CBOD <sub>5</sub>	25
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	8.5	17
Total Phosphorus	1.0	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0222666.** Sewage, **John Afton**, 7616 Knoyle Road, Waterford, PA 16441.

This application is for a new NPDES permit to discharge treated sewage from a small flow treatment facility to an unnamed tributary of Six Mile Creek in Venango 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 for Outfall 001, based on average design flow of 0.002000 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	20	40

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
NH <sub>3</sub> -N (5-1 to 10-31)	6	12
(11-1 to 4-30)	18	36
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)	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 0034215. Whitehaven Campground**, 493 Westford Road, Westford, PA 16134.

This application is for renewal of an NPDES permit, to discharge treated sewage to Unnamed Tributary to Pymatuning Reservoir in South Shenango Township, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Reynolds Water Company intake on the Shenango River located in Pymatuning Township, Mercer County, approximately 14 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 (after the chlorine contact tank), based on a design flow of 0.02 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Phosphorus	1	2
Total Residual Chlorine	1.0	2.3
Dissolved Oxygen	minimum of 3 mg/l at all times.	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0024805. Sewage. Linesville Municipal Authority**, 103 Erie Street, Box 145, Linesville, PA 16424.

This application is for renewal of an NPDES permit to discharge treated sewage to the Linesville Creek in Linesville, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Pymatuning Reservoir on Pymatuning Lake located at Tuttle Point, Pymatuning State Park.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.205 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	2.5		5
(11-1 to 4-30)	7.5		15
Total Phosphorus	1		2
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	5,200/100 ml as a geometric average		
Total Residual Chlorine (Interim Limits)		monitor and report	
(Final Limits)	0.4		1.2
Dissolved Oxygen	minimum of 3 mg/l at all times		
pH	6.0—9.0 at all times		

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 0040860.** Industrial waste, SIC: 4953, **Delaware County Solid Waste Authority (Rolling Hills Landfill)**, 583 Longview Road, Boyertown, PA 19512.

This application is for amendment of an NPDES permit for a new discharge of stormwater to an unnamed tributary of Oysterville Creek and Furnace Run, in Earl Township, **Berks County**.

The receiving stream is classified for cold water fishes, recreation, water supply and aquatic life.

The proposed effluent limits for Outfalls 009 and 010 for stormwater are:

<i>Parameter</i>	<i>Monitoring Requirement</i>
Ammonia	monitor and report
Chemical Oxygen Demand	monitor and report
Oil and Grease	monitor and report
pH	monitor and report
Total Dissolved Solids	monitor and report
Total Organic Carbon	monitor and report
Total Barium	monitor and report
Total Cadmium	monitor and report
Total Chromium	monitor and report
Total Lead	monitor and report
Nitrate + Nitrite	monitor and report
Dissolved Iron	monitor and report
Total Mercury	monitor and report
Total Magnesium	monitor and report
Dissolved Magnesium	monitor and report
Total Selenium	monitor and report
Total Silver	monitor and report
Total Arsenic	monitor and report
Total Cyanide	monitor and report

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

The EPA waiver is in effect.

**PA 0028649.** Sewage, SIC: 4952, **Municipal Authority of the Borough of Sinking Spring**, 502 Penn Avenue, Sinking Spring, PA 19608-9661.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Cacoosing Creek, in Lower Heidelberg Township, **Berks County**.

The receiving stream is classified for trout stocking fisheries, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Municipal Authority located in Pottstown. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.0	XXX	6.0
(11-1 to 4-30)	9.0	XXX	18.0
Total Residual Chlorine			
(Interim)	0.5	XXX	1.0
(Final)	0.32	XXX	1.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		3,000/100 ml as a geometric average	

Part C requirement:

Whole Effluent Toxicity Testing to begin 6 months after permit issuance.

The EPA waiver is not in effect.

**PA 0087939.** Industrial waste, SIC: 5171, **Berks Fuel Storage, Inc.**, 1248 Wayne Avenue, Reading, PA 19601.

This application is for issuance of an NPDES permit for an existing discharge of treated industrial waste to the tank dike area, in Muhlenberg Township, **Berks County**.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroelum Hydrocarbons	XXX	monitor and report	XXX

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

The EPA waiver is in effect.

**Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges**

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewaters into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). 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 the waiver provision 40 CFR 123.6E.

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County And Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA-0061255	Wallace R. McDonald 1647 Forest Acre Drive Clarks Summit, PA 18411	Lackawanna Newton Township	Unnamed Tributary to Gardner Creek	None

**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 name, address and telephone number of the protester, identification of the plan or application to which the protest is addressed and a concise statement or protest 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 protester will be notified in writing of the time and place of any scheduled hearing or conference concerning the plan, action or application to which the protest relates. To insure consideration by the Department prior to final action or permit application 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.

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

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

**A. 4098404.** Sewerage. **Dallas Area Municipal Authority**, 530 South Memorial Highway, Shavertown, PA 18708. Application for extension of existing sewage collection system, to serve Brown Manor, located in Dallas Township, **Luzerne County**. Application received in the Regional Office—October 19, 1998.

**A. 4598201.** Industrial waste. **Herfurth Brothers, Inc.**, P. O. Box 128, Gilbert, PA 18331. Application for replacement of existing deteriorated settling tanks and septic tanks with new enlarged tanks, located in Polk Township, **Monroe County**. Application received in the Regional Office—October 21, 1998.

**A. 4598406.** Sewerage. **LTS Development, Inc.**, P. O. Box 160, Shawnee-on-Delaware, PA 18356. Application to construct low pressure sewer collection system, to serve Godfrey's Ridge, located in Stroudsburg Borough and Stroud Township, **Monroe County**. Application received in the Regional Office—October 14, 1998.

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

**A. 0698406.** Sewage, submitted by **City of Reading**, 815 Washington Street, Reading, PA 19601-3690 in Reading City, **Berks County** to install sewer replacement lines and replace a sewage pumping station was received in the Southcentral Region on October 29, 1998.

#### INDIVIDUAL PERMITS

(PAS)

---

#### NPDES Individual

---

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

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

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

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

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

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

**NPDES Permit PAS10A060-6.** Stormwater. **Port Authority of Allegheny County**, 2235 Beaver Avenue, Pittsburgh, PA 15233-1080 has applied to discharge from a construction activity located in the City of Pittsburgh, **Allegheny County** to Saw Mill Run.

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

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

**NPDES Permit PAS10F072.** Stormwater. **Price View Estates, Keystone Land Development, Inc.**, R. R. 1, Box 378, Port Matilda, PA 16870 has applied to discharge stormwater from a construction activity located in Patton Township, **Centre County** to Buffalo Run.

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

**NPDES Permit PAS10-G345.** Stormwater. **Megill Development Company**, 2 Huntrise Lane, West Chester, PA 19382, has applied to discharge stormwater from a construction activity located in Lower Oxford Township, **Chester County**, to McDonald Run.

**NPDES Permit PAS10-G346.** Stormwater. **N. Vaughan & Sons, Inc.**, 347 E. Conestoga Rd., Wayne, PA 19087, has applied to discharge stormwater from a construction activity located in Willistown Township, **Chester County**, to Crum Creek.

**NPDES Permit PAS10-G347.** Stormwater. **The Hankin Group**, 717 Constitution Drive, Exton, PA 19341, has applied to discharge stormwater from a construction activity located in Uwchlan Township, **Chester County**, to Shamona Creek.

**NPDES Permit PAS10-G348.** Stormwater. **G. W. & J. R. Freese**, 503 Elkridge Road, Oxford, PA 19363, has applied to discharge stormwater from a construction activity located in East Nottingham Township, **Chester County**, to Big Elk Creek.

*Northeast Regional Office: 2 Public Square, Wilkes-Barre, PA 18711-0790.*

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

**NPDES Permit PAS10Q165.** Stormwater. **Fieldstone Associates, L.P.**, Arthur Corsini, Jr., 906 A Cross Keys Drive, Doylestown, PA 18901, has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

## SAFE DRINKING WATER

### 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. 2498502.** Public water supply. **St. Mary's Area Water Authority**, 429 Ridgway Road, P. O. Box 33, St. Mary's, PA 15857. This proposal involves the construction/additions to the Fox Township Tank and North High Tank and the Liberty Street Pump Station in Elk and Benzinger Townships, **Elk County**.

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

**A. 0698509.** Public water supply. **Philadelphia Suburban Water Company**, Cumru Township, **Berks County**. *Responsible Official:* Thomas L. Yohe, Vice-President—Water Quality, Philadelphia Suburban Water Company, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010. *Type of Facility:* Deerfield booster pumping station and rechlorination. *Consulting Engineer:* William A. LaDieu, P.E., CET Engineering Services, 1240 N. Mountain Road, Harrisburg, PA 17112.

## 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 (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 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, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6525.*

**Weldon Ziegenfus Property**, West Branch Township, **Potter County**. Jon S. Fox, P.G. on behalf of his client Weldon Ziegenfus, R. D. 7, P. O. Box 7431, Saylorsburg, PA 18353 has submitted a Notice of Intent to Remediate soil contaminated with PHCs. 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 *Potter-Leader Enterprise* on October 21, 1998.

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

**Johnstown Corporation**, City of Johnstown, **Cambria County**. Johnstown Corporation, Johnstown, PA and Brian I. Fitzpatrick, QST Environmental, 5205 Militia Hill Road, Plymouth Meeting, PA 19642 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with PHCs. 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 *Tribune Democrat* on October 9, 1998.

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

**The Former Gilbert's Flower Shop Property**, Ridley Township, **Delaware County**. Paul Boni, Esq., 226 W. Rittenhouse Square, Penthouse Suite, Philadelphia, PA 19103, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A Final Report was simultaneously submitted.

## SOLID AND HAZARDOUS WASTE

### BENEFICIAL USE DETERMINATIONS

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

*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3653.*

**General Permit No. WMGR038. Northern Tier Solid Waste Authority** (P. O. Box 10, Burlington, PA 18814). Application for Determination of Applicability for General Permit to operate a waste tire processing facility located in West Burlington Township, **Bradford County**. Application received in the regional office on October 23, 1998.

Interested parties or municipalities may submit comments to the Department within 60 days. Comments should be addressed to Richard L. Bittle, Waste Management, 208 W. Third St., Suite 101, Williamsport, PA 17701.

## 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.

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department's Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act and regulations adopted under the act.

### OPERATING PERMITS

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

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

**06-310-018A: Martin Stone Quarries, Inc.** (P. O. Box 297, Bechtelsville, PA 19505) for a nonmetallic mineral crushing and processing facility controlled by wet suppression in Colebrookdale Township, **Berks County**. Parts of the facility are subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**67-317-016A: UTZ Quality Foods, Inc.** (900 High Street, Hanover, PA 17331) for operation of a potato chip fryer and a masa fryer controlled by individual mist eliminator systems in Hanover, **York County**.

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

**08-399-029B: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848) for operation of a chemical reactor (pilot plant reactor C-1) controlled by a packed bed scrubber in Building 15, Department 212, in North Towanda Township, **Bradford County**.

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

**63-00649: Spartech Polycom** (90 West Chestnut Street, Washington, PA 15301) for operation of compounding of raw resin at Donora Plant No. 1 in Donegal Township, **Washington County**.

**32-000-055: GPU Generation Corp.** (1001 Broad Street, Johnstown, PA 15907) for operation of boilers at Homer City Station in Center Township, **Indiana County**.

### 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.*

**01-03002A: Tarmac America, Inc.** (P. O. Box 2016, Norfolk, VA 23501) for modification of an existing limestone crushing plant in Oxford Township, **Adams County**. An impact crusher and associated conveyors are subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

**01-03011: Dal-Tile Corp.** (411 North 4th Street, Gettysburg, PA 17325) for installation of a fabric collector on five existing tile presses in Bendersville Borough, **Adams County**.

**06-1035D: The Glidden Co. d/b/a ICI Paints** (301 Bern Street, Reading, PA 19601) for installation of No. 10 fill line in Reading, **Berks County**.

**06-5018A: Hershey Chocolate North America** (25 West Chocolate Avenue, Hershey, PA 17033) for installation of candy manufacturing equipment controlled by four fabric collectors in Reading, **Berks County**.

**36-309-083B: Buck Company, Inc.** (897 Lancaster Pike, Quarryville, PA 17566) for installation of a bond storage tank located in Providence Township, **Lancaster County**.

**67-05067: Persing Enterprises, Inc.** (214 North Franklin Street, Red Lion, PA 17356) for installation of two spray booths with conveyor line and one adhesive spray booth located in Red Lion Borough, **York County**.

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

**65-909A: International Mill Service, Inc.** (1155 Business Center Drive) for installation of stockpiling activities at Allvac-Latrobe Facility in Derry Township, **Westmoreland County**.

**63-324A: Ginger Hill Synfuel, L.L.C.** (13 Elm Street, Cohasset, MA 02025) for installation of coal pellet coolers (dryers) at Mine Refuse Disposal Area No. 2 in Carroll Township, **Washington County**.



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

**PA 42-187A: Resting Acres Pet Cemetery** (P. O. Box 736, Bradford, PA 16701) for construction of an animal crematory unit (100 lbs/hr) in Bradford, **McKean County**.

**PA 33-145A: Huntington Foam Corp.** (P. O. Box 248, Brockway, PA 15824) for modification to the expandable resin molding plant in Brockway, **Jefferson County**. A lower pentane content resin will be used.

**REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)**

**Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an Operating Permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

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

**39-0006: Stroh's Brewery Co.** (P. O. Box 25013, Allentown, PA 18001) in Upper Macungie Township, **Lehigh County**. This modification to the RACT Operating Permit will establish unit-specific short-term emission limit standards. This RACT Operating Permit will be submitted to the United States Environmental Protection Agency as a revision to Pennsylvania's State Implementation Plan (SIP).

Source	Control	NOx Emission Limit
Fluidized Bed Combustor (B & W)	controls not economically feasible	0.192 #/MMBTU (based on a 30 day rolling average) 75.3 #/hr (based on a 30 day rolling average) 330 TPY (based on a 12-month rolling basis)

A public hearing will be held for the purpose of receiving comments on the above proposed Operating Permit and the proposed SIP revisions. The public hearing is scheduled at the Meadville Regional Office, Air Quality conference room, 230 Chestnut Street, Meadville, PA 16335, on December 2, 1998, 1 p.m. to 3 p.m.

Persons wishing to present testimony at the hearing should contact Matthew Williams, Air Pollution Control Engineer, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6940 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 and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Matthew Williams at (814) 332-6940, 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 wish to comment should provide written comments to Matthew Will-

**Piney Creek Ltd. Partnership  
Public Hearing**

The Department of Environmental Protection (Department) will conduct a public hearing on December 2, 1998, beginning at 1 p.m. in the Air Quality conference room at the Meadville Regional Office located at 230 Chestnut Street.

The hearing is for the Department to accept testimony concerning its decision to approve, with conditions, the revised Reasonably Available Control Technology (RACT) plans by Piney Creek Ltd. Partnership, R. R. 2, Box 56 Highway 3016, Clarion, PA 16214 located in Clarion, Clarion County to meet the requirements under 25 Pa. Code §§ 129.91—129.95 (RACT), concerning the emissions of oxides of nitrogen (NOx) and volatile organic compounds (VOC) from various air contamination sources. The final RACT proposals will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The proposed SIP revisions do not adopt new regulations. They incorporate the provisions and requirements contained in RACT approvals for these facilities to comply with current regulations.

The preliminary RACT determinations, if finally approved, will be incorporated into Plan Approvals and/or Operating Permits for the facilities and will be submitted to the EPA as a revision to Pennsylvania's State Implementation Plan.

The following is a revised summary of the preliminary NOx/VOC RACT determination for Piney Creek Ltd. Partnership:

iams, Air Pollution Control Engineer, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494. Comments should be submitted within 30 days of the date of this publication notice.

All the pertinent documents (applications, review memos and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP contact person noted previously.

**MINING**

**APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the applications will also address the appli-

cable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

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

#### *Coal Applications Received*

**32981131.** Stream Variance, **Simpson Coal Company** (R. D. 1, Box 244, New Alexandria, PA 15670), for an Intent to Explore Permit to drill within the 100' stream barrier of two unnamed tributaries to Big Run in Conemaugh Township, **Indiana County**. Application received October 22, 1998.

**32930105.** Revision, **P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767), for an additional 9.7

acres of Upper Kittanning coal seam removal is proposed for mining inside the existing 86.7 acre surface mine permit. Also, coal refuse disposal activities are proposed to be added as a type of operation in Banks Township, **Indiana County**, receiving stream unnamed tributaries to Cush Creek and unnamed tributary to South Branch Bear Run. Application received October 26, 1998.

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

**65930105.** **Urey Coal Company** (222 Forest Ridge Road, Indiana, PA 15701). Renewal application received for continued reclamation of a bituminous surface auger mine located in Mt. Pleasant Township, **Westmoreland County**. Receiving streams: unnamed tributary to Brush Run to Brush Run. Renewal application received October 28, 1998.

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

**17910131.** **Ecklund Coal Co., Inc.** (R. D. 1, Box 109, Irvona, PA 16656), major revision to an existing bituminous surface mine permit for a Change in Permit Acreage from 165.9 to 187.7 acres, Bigler Township, **Clearfield County**, receiving streams: Porter Run, Buck Run and unnamed tributary to Clearfield Creek. Application received October 19, 1998.

**17980125.** **Johnson Brothers Coal Co.** (R. D. 1, Box 580, Mahaffey, PA 15757), commencement, operation and restoration of a bituminous surface mine permit in Brady Township, **Clearfield County** affecting 68.9 acres, receiving streams: Little Anderson Creek, unnamed tributary to Little Anderson Creek. Application received October 29, 1998.

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

**33980110.** **Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Commencement, operation and restoration of a bituminous surface strip operation in Perry Township, **Jefferson County** affecting 122.3 acres. Receiving streams: unnamed tributaries to Mahoning Creek. Application to include a stream encroachment to construct a stream crossing across unnamed tributary "B" to Mahoning Creek for the purpose of construction of a haul road to the site. Application received October 26, 1998.

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

**54713018R3.** **Harriman Coal Corporation** (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 600.0 acres, receiving stream—none. Application received October 15, 1998.

**54840102R3.** **Harriman Coal Corporation** (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 115.0 acres, receiving stream—Rausch Creek. Application received October 15, 1998.

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

#### *Noncoal Applications Received*

**7875SM2C.** **Lafarge Corporation** (5160 Main Street, Whitehall, PA 18052-1827), correction to an existing quarry operation to include incidental boundary correction to add 7.1 acres in Whitehall Township, **Lehigh County**, receiving stream—Coplay Creek. Application received October 9, 1998.

**6275SM2C3. Milestone Materials, Inc.** (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18044-0231), renewal of NPDES Permit No. PA0594539 in Limestone and Liberty Townships, **Montour County**, receiving stream—Chillisquaque Creek and unnamed tributary to Chillisquaque Creek. Application received October 13, 1998.

**7373SM1. Haines & Kibblehouse, Inc.** (2025 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit No. PA0595683 in Penn Forest Township, **Carbon County**, receiving stream—Stony Creek. Application received October 13, 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 (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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.

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

**E67-649.** Encroachment. **Burd, Lebo and Reed Partnership**, 209 South Sporting Hill Road, Mechanicsburg, PA 17055. To realign approximately 210 linear feet of an unnamed tributary to North Branch Bermudian Creek (WWF) and place a 3 foot high by 10 foot wide concrete intake structure within the realigned section for the purpose of providing an agricultural supply to Pond Number 1 located northwest of Clear Spring Road adjacent to Union Church Road (Dillsburg, PA Quadrangle N: 12.7 inches; W: 12.7 inches) in Franklin Township, **York County**.

**E67-650.** Encroachment. **Fawn Township**, 240 Alum Rock Road, New Park, PA 17352. To remove an existing structure and to construct and maintain a 112-inch by 75-inch corrugated metal pipe arch 35 feet long in an

unnamed tributary to Bald Eagle Creek (TSF) on Bald Eagle Road north of Deer Road (Airville, PA Quadrangle N: 3.8 inches; W: 7.85 inches) in Fawn Township, **York County**.

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

**E15-596.** Encroachment. **Williams Communications Inc.**, 1 William Center RC3-T, Tulsa, OK 74172. To install and maintain a fiber optic utility line communication system across the following streams and bodies of water: 1) West Branch Brandywine Creek (TSF, MF) and adjacent wetland (Coatesville, PA USGS Quadrangle N: 22.5-inches; W: 10.25-inches) in Valley Township, Chester County; 2) East Branch Brandywine Creek (WWF, MF), (Downingtown, PA USGS Quadrangle N: 3.25-inches; W: 11.25-inches) in East Caln Township, Chester County; 3) Two wetland crossings along the West Branch of the Brandywine Creek (TSF, MF), (Coatesville, PA USGS Quadrangle N: 22.6-inches; W: 10.30 inches) in Valley Township, Chester County. This application also includes the installation and maintenance of 109 utility line stream crossings and/or wetland crossings which qualify for authorization by General Permit #5, Utility Line Stream Crossings. This project is a segment of the Williams Communications, Inc. Fiber Optic Cable Communication System project which extends from Washington, DC to New York, NY. Wetland disturbance will be temporary and minimized by either directional drilling or plowing. This is a linear utility project which effects Atglen Borough, Caln Township, East Brandywine Township, East Caln Township, East Whiteland Township, Sadsbury Township, Valley Township, West Sadsbury Township and West Whiteland Township, **Chester County**.

**E46-807.** Encroachment. **Joseph Chirra**, 1808 Calle Antonio, Vista, CA 92084-5333. To perform the following activities associated with the construction and maintenance of the proposed Chestnut Grove Residential Subdivision: 1) To fill 300 linear foot of an unnamed intermittent tributary to Manatawny Creek by constructing an inlet junction box to an existing 24 inch CMP stormwater outfall and rerouting flows through a stormwater conduit; 2) To excavate 130 linear foot of an unnamed intermittent tributary to Manatawny Creek, excavate in the assumed 100 year floodway of the aforementioned tributary, and impact 0.03 acre of wetland during the construction of stormwater management basin two; 3) To construct an extension of Heather Place and construct Skylark Drive road crossings by relocating the unnamed tributary to Manatawny Creek, placing approximately 290 linear feet of stream enclosure, 20 linear feet of rip-rap scour protection, fill in 100 linear feet of stream and 0.04 acre of adjacent wetlands. This application also requests an Environmental Assessment approval for the construction of two on-stream nonjurisdictional dams impacting 140 linear feet of unnamed intermittent tributaries to Manatawny Creek (CWF). The project is located 1,000 feet southwest of the intersection of SR 0100 and Pine Ford Road (Boyertown PA, Quadrangle N: 6.5 inches; W: 3.3 inches) in Upper Pottsgrove Township, **Montgomery County**.

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

**E11-268.** Encroachment. **Highland Sewer and Water Authority**, 120 Tank Drive, Johnstown, PA 15904. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 50 feet

and an average underclearance of 6.05 feet across South Fork Little Conemaugh River (HQ-CWF) for the purpose of providing access to the Lloydell Reservoir for onsite monitoring as required by the Dam Safety Emergency Action Plan. The applicant also proposes the placement and maintenance of fill in a de minimis area of wetlands (PEM) equal to 0.02 acre. The project is located on the Lloydell Reservoir Access Road, approximately 1 mile south of its conjunction with Szalat Avenue (Beaverdale, PA Quadrangle N: 9.0 inches; W: 8.2 inches) in Adams and Summerhill Townships, **Cambria County**.

**E26-249.** Encroachment. **Fayette County Commissioners**, Courthouse, 61 East Main Street, Uniontown, PA 15401-1030. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 17.0 meters and an underclearance of 2.56 meters across Meadow Run (HQ-CWF) for the purpose of improving transportation safety and roadway standards located on Grover Road, approximately 1.5 kilometers southeast of its intersection with S. R. 0381 (Fort Necessity, PA Quadrangle N: 15.5 inches; W: 1.18 inches) in Stewart Township, **Fayette County**.

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

**E20-464.** Encroachment. **Advanced Cast Products, Inc.**, P. O. Box 417, Meadville, PA 16335-3481. To construct and maintain a 385-foot-long by 80-foot-wide building addition between two existing buildings at the Advanced Cast Products Foundry within the FEMA 100-year floodway of French Creek southeast of the intersection of Pennsylvania Avenue and Mill Street (Meadville, PA Quadrangle N: 0.1 inch; W: 5.2 inches) located in Vernon Township, **Crawford County**.

## ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

#### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

##### (Part I Permits)

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are

also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**NPDES Permit No. PA-0063029.** Sewerage. **Jeff Snyder, t/a Fountain Court**, Route 611, Fountain Court—Suite 21, Bartonsville, PA 18321 is authorized to discharge from a facility located in Pocono Township, **Monroe County**, to Cranberry Creek.

**NPDES Permit No. PA-0061344.** Industrial waste. **Westwood Energy Properties Limited Partnership**, P. O. Box 312, Tremont, PA 17981 is authorized to discharge from a facility located in Frailey Township, **Schuylkill County**, to Lower Rausch Creek.

**NPDES Permit No. PA-0008885-A1.** Industrial waste. **Procter and Gamble**, P. O. Box 32, Route 87, Mehoopany, PA 18629-0032 is authorized to discharge from a facility located in Washington Township, **Wyoming County**, to the Susquehanna River.

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

**NPDES Permit No. PA0001473.** Sewage, **Mon River Sewage Corporation**, 1428 Delberts Drive, Monongahela, PA 15063 is authorized to discharge from a facility located at Mon River Sewage Corporation Sewage Treatment Plant, Forward Township, **Allegheny County** to receiving waters named Monongahela River.

**NPDES Permit No. PA0030449.** Sewage, **Long's Mobile Home Park**, 406 Lutz School Road, Indiana, PA 15701-9255 is authorized to discharge from a facility located at Long's Mobile Home Park Sewage Treatment Plant, White Township, **Indiana County** to receiving waters named Unnamed Tributary of McKee Run.

**NPDES Permit No. PA0090689.** Sewage, **Maple Creek Mining, Inc.**, 981 Route 917, Bentleyville, PA 15314 is authorized to discharge from a facility located at Maple Creek Mine—Spinner Shaft, Spinner Sewage Treatment Plant, Fallowfield Township, **Washington County** to receiving waters named Sawmill Creek.

**NPDES Permit No. PA0205575.** Sewage, **Pleasant Valley Country Club**, R. D. 2, Box 292, Connellsville, PA 15425 is authorized to discharge from a facility located at Pleasant Valley Country Club Sewage Treatment Plant, Bullsken Township, **Fayette County** to receiving waters named Mounts Creek.

**NPDES Permit No. PA0217921.** Sewage, **Keystone Coal Mining Corporation**, P. O. Box 729, Indiana, PA 15701 is authorized to discharge from a facility located at Urling Mine No. 3 Portal STP, Armstrong Township, **Indiana County** to receiving waters named Walker Run.

**Permit No. 0298407.** Sewerage, **Park Corporation**, P. O. Box 450, Homestead, PA 15120. Construction of sewer system, pump station and force mains located in Homestead Borough, **Allegheny County** to serve The Waterfront Development (Former USX Homestead Works).

**Permit No. 0298408.** Sewerage, **Park Corporation**, P. O. Box 450, Homestead, PA 15120. Construction of

sewer system, pump station and force mains located in Munhall Borough, **Allegheny County** to serve The Waterfront Development (Former USX Homestead Works).

**Permit No. 461S038, Amendment No. 1.** Sewerage, **Ligonier Borough**, Town Hall, 120 East Main Street, Ligonier, PA 15658. Construction of sewage treatment plant expansion located in Ligonier Borough, **Westmoreland County** to serve Ligonier Borough Sewage Treatment Plant.

**Permit No. 5698406.** Sewerage, **Matthew W. Hayman**, 319 West Main Street, Somerset, PA 15501. Construction of single residence sewage treatment plant located in Somerset Township, **Somerset County**, Matthew W. Hayman Residence.

**Permit No. 6598408.** Sewerage, **Charlotte L. Forsythe**, Box 18, Alverton, PA 15617. Construction of single residence sewage treatment facility located in East Huntingdon Township, **Westmoreland County** to serve Charlotte L. Forsythe Residence.

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

**Permit No. 1898401.** WQM Sewerage. **Beech Creek Borough Authority**, P. O. Box 216, Beech Creek, PA

16822. Applicant granted permission to construct and upgrade existing wastewater treatment facility. Facility is located at Beech Creek Borough, **Clinton County**.

**Permit No. 4792402-T2.** WQM Transfer Sewerage. **Matt Rhames**, 30 Blue School Road, Danville, PA 17821. Applicant granted permission to discharge treated sewerage from single residence treatment system. Facility located at Valley Township, **Montour County**.

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

**NPDES Permit No. PA0221023.** Sewage, **David K. Beal**, 942 Hatch Run Rd., Warren, PA 16365 is authorized to discharge from a facility located in Glade Township, **Warren County** to an Unnamed Tributary to Hatch Run.

**NPDES Permit No. PA0027120, Amendment No. 1.** Sewage. **City of Warren**, 318 West Third Street, Warren, PA 16365 is authorized to discharge from a facility located in the City of Warren, **Warren County** to the Allegheny River.

---

## INDIVIDUAL PERMITS

(PAR)

---

### Approvals to Use NPDES and/or Other General Permits

---

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

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

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the 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  
County and  
Municipality**Permit No.**Applicant Name  
and Address**Receiving Stream  
or Body of Water**Contact Office and  
Telephone No.*

Centre County Patton Township	PAR10F078	TeleBeam Inc. Ara Kervandjian 467 E. Beaver Ave. State College, PA 16801	Big Hollow, Unt. to Spring Creek	Centre County CD 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Jefferson County Pinecreek Township	PAR103328	Joseph Holben and James Ross R. D. 1, Box 439 Brookville, PA 15825	O'Donnell Run	Jefferson Conservation District 180 Main Street Brookville, PA 15825 (814) 849-7463
Mercer County Pine Township	PAR104334	Douglas E. Thomas 561 N. Liberty Rd. Grove City, PA 16127	Unnamed Tributary to Wolf Creek	Mercer Conservation District R. D. 2, Box 2055 747 Greenville Road Mercer, PA 16137 (724) 662-2242
Newtown Township Delaware County	PAR-10-J124	Delaware County Christian School 462 Malin Road Newtown Square, PA 19073	Darby Creek	Delaware County CD Rose Tree Park—Hunt Club 1521 N. Providence Road Media, PA 19063 (610) 892-9484
Horsham Township Montgomery County	PAR-10-T442	Liberty Property Limited Partnership 125 Witmer Road Horsham, PA 19041	Tributary A to Pennypack Creek Tributary 1	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Lower Merion Township Montgomery County	PAR-10-T444	Pohlig Builders Inc. 274 W. Lancaster Avenue Malvern, PA 19355	Unnamed Tributary to Mill Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Lower Gwynedd Township Montgomery County	PAR-10-T438	Lower Gwynedd Township 1130 N. Bethlehem Pk. Spring House, PA 19477	Willow Run	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
West Norriton Township Montgomery County	PAR-10-T394	Gambone Brothers 1030 W. Germantown Pike P. O. Box 287 Fairview Village, PA 19409	Schuylkill River	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Lower Pottsgrove Township Montgomery County	PAR-10-T435	The Home Depot 3096 Hamilton Boulevard South Plainfield, NJ 07080	Schuylkill River	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506

## NOTICES

5711

<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>
Montgomery Township Montgomery County	PAR-10-T427	General Hancock Partnership 2312 North Broad Street Colmar, PA 18915	Little Neshaminy Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Lower Salford Township Montgomery County	PAR-10-T441	W. B. Homes Inc. 538 East Main Street Lansdale, PA 19446	Unnamed Tributary to Indian Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Towamencin Township Montgomery County	PAR-10-T386-R	Dock Woods Community 275 Dock Drive Lansdale, PA 19446	Unnamed Tributary to Skippack Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Whitpain Township Montgomery County	PAR-10-T459	Toll Brothers 3103 Philmont Avenue Huntingdon Valley, PA 19006	Stoney Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Plymouth Township Montgomery County	PAR-10-T449	Plymouth Township 2910 Jolly Road Norristown, PA 19401	Diamond Run	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Limerick Township Montgomery County	PAR-10-T443	Harold Herr and Albert Herr 603 West Ridge Pike Limerick, PA 19468	Unnamed Tributary to Brook Evans Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Towamencin Township Montgomery County	PAR-10-T396	Towamencin Township 1675 Sumneytown Pike P. O. Box 303 Kulpsville, PA 19443	Towamencin Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Towamencin Township Montgomery County	PAR-10-T450	Towamencin Township 1675 Sumneytown Pike P. O. Box 303 Kulpsville, PA 19443	Tributary to Skippack Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506

<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>
Lansdale Borough Montgomery County	PAR-10-T379	Westrum Development Company 370 Commerce Drive Ft. Washington, PA 19034	West Branch Neshaminy Creek and Wissahickon Creek	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Upper Providence Township Montgomery County	PAR-10-T462	Upper Providence Industrial Park Partnership Catfish Dam Lane Norristown, PA 19403	Tributary to the Schuylkill River	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Whitemarsh Township Montgomery County	PAR-10-T243-R	Pulte Homes Corporation 1210 Northbrook Drive, Suite 150 Trevose, PA 19053	Unnamed tributary to the Schuylkill River	Montgomery County Conservation District 1015 Bridge Road Suite B Collegeville, PA 19426 (610) 489-4506
Lackawanna County Taylor Borough and City of Scranton	PAR10N054-1	Eugene Kane, Jr. P. O. Box 931 Scranton, PA 18501-0931	Keyser Creek	Lackawanna CD (717) 281-9495
Schuylkill County N. Manheim Township	PAR105770	Blue Mt. High School Blue Mt. Area School District P. O. Box 279 Red Dale Road Orwigsburg, PA 17961	Mahannon Creek	Schuylkill CD (717) 622-3742
Schuylkill County Delano Township	PAR105771	PA DEP Bureau of Abandoned Mines OSM 54 (3101) 103.1 Delano—backfilling strip pits 2 Public Square Wilkes-Barre, PA 18711-0790	Mahanoy Creek	Schuylkill CD (717) 622-3742
<i>General Permit Type—PAG-3</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Allegheny County Oakmont Borough	PAR116103	Triangle Circuits 931 3rd Street Oakmont, PA 15139	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Beaver County Rochester Borough	PAR156102	Valspar Coatings 372 Cleveland Street Rochester, PA 15074	UNT of Beaver River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000



## NOTICES

5713

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Allegheny County City of Duquesne	PAR206139	USX Realty Development 600 Grant Street Pittsburgh, PA 15219-2749	Thompson Run Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Leetsdale Borough	PAR216144	Alcoa Alumina & Chemicals, L.L.C. 99 West Park Road Leetsdale, PA 15056	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Clinton County Bald Eagle Township	PAR234814	Avery Dennison Chemical Division R. D. 2, Box 70 Mill Hall, PA 17751	Bald Eagle Creek	Northcentral 208 West Third St. Williamsport, PA 17701
<i>General Permit Type—PAG-4</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Somerset County Somerset Township	PAG046157	Matthew W. Hayman 319 West Main Street Somerset, PA 15501	UNT of Wells Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County East Huntingdon Township	PAG046158	Charlotte L. Forsythe Box 18 Alverton, PA 15617	UNT to Buffalo Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Montour County Valley Township	PAG045027	Matt Rhames 30 Blue School Road Danville, PA 17821	Unt to Mausers Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Clinton County Colebrook Township	PAG045026	William C. Smith R. D. 2, Box 187 Lock Haven, PA 17745	UNT to West Branch Susquehanna River	Northcentral 208 West Third Street Williamsport, PA 17701 (717) 327-3664
Northumberland County Upper Augusta Township	PAG045029	Carl D. Knouse R. D. 1, Box 263B Sunbury, PA 17801	Unnamed Tributary to Susquehanna River	Northcentral 208 West Third Street Williamsport, PA 17701 (717) 327-3664

<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>
Bradford County LeRoy Township	PAG045031	James E. and Shirley R. Brenchley R. D. 1, Box 206A Canton, PA 17724	Towanda Creek	Northcentral 208 West Third Street Williamsport, PA 17701 (717) 327-3664
Bradford County Smithfield Township	PAG045032	James Zweidinger 279 Pittsburg Avenue Massapequa Park, NY 11762	Browns Creek	Northcentral 208 West Third Street Williamsport, PA 17701 (717) 327-3664
Tioga County Delmar Township	PAG045035	Patricia A. Webster R. D. 7, Box 135 Wellsboro, PA 16901	Unnamed Tributary of Wilson Creek	Northcentral Region 208 West Third Street Williamsport, PA 17701 (717) 327-3664
<i>General Permit Type—PAG 8</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Upper Nazareth Township Northampton County	PAG-8-2205	Nazareth Borough Municipal Authority P. O. Box A Tatamy Road Nazareth, PA 18064		Northeast Region Water Management 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Tioga County Blossburg Borough	PAG084807	George Lloyd Blossburg Borough 208 Main Street Blossburg, PA 16912	N/A	Northcentral 208 West Third Street Williamsport, PA 17701 (717) 327-3664

### SEWAGE FACILITIES ACT PLAN APPROVAL

The Department of Environmental Protection (Department) has taken actions on municipal requests for Act 537 Plan Approval.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Market Street State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure 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 Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

*Southeast Regional Office: Sewage Planning Specialist Supervisor; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Plan Approval is granted for a revision to the Official Sewage Facilities Plan of **Richland Township, Bucks County** to provide for:

1. The reconstruction of Pump Station No. 3 to accommodate future development in the tributary area. This pump station will be upgraded from a capacity of 175 gpm to a capacity of 375 gpm.
2. The construction of the 6,600 lf of 12 inch diameter Morgan Creek trunk sewer extension, to be built in conjunction with the proposed Ewer East and Station Road Associates subdivisions.
3. The construction of a 2,200 lf 8 inch diameter bypass sewer from Phase II of the Morgan Creek Subdivision to Pump Station No. 4. Construction of this bypass sewer will allow Pump Station No. 4 to be decommissioned and demolished.

### 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. 1598504.** Public water supply. **Philadelphia Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. A permit has been issued to the Philadelphia Suburban Water Company for the construction of the Uwchlan booster pump station with chlorination facilities located in West Whiteland Township, **Chester County**.

*Type of Facility:* Public Water Supply System.

*Consulting Engineer:* CET Engineering Services, 1240 North Mountain Road, Harrisburg, PA 17112-1754.

*Permit to Construct Issued:* October 27, 1998.

## HAZARDOUS SITES CLEANUP

**Under the Act of October 18, 1988**

**Prompt Interim Response Action under the Hazardous Sites Cleanup Act**

**Twin Peaks HSCP Site**

**323—409 West County Line Road**

**Horsham Township, Montgomery County**

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.102—6020.1305) intends to implement a prompt interim response action at the Twin Peaks HSCP Site, in Horsham Township, Montgomery County. The site is the effected residences and businesses that have demonstrated tetrachloroethene and trichloroethene contamination of their drinking water well or have the potential for contamination of their well. The affected residences have been determined to be 409, 405, 331, 329, 327, 325 and 323 West County Line Road.

In deciding the appropriate response, the Department reviewed a number of alternatives for the remediation of the site. One option was to take no action at the site. This option was rejected because it did not satisfy the Department's policy of being protective of the health of the public and the environment. A second option was to provide whole-house filtration systems for treatment of the contaminated groundwater. This option was determined not to be cost efficient or protective of human health for addressing the long-term groundwater contamination.

To fully address the problems that are occurring at the site, the Department provided Horsham Township with a grant for the purposes of installing a waterline extension to the affected residences and businesses. This will include the installation of the waterline main, lateral extensions from the main to the affected properties and restoration of any areas affected by the waterline project.

The Administrative Record contains information related to the site and the Department's decision to perform this prompt interim response action. The Administrative Record is available for public inspection from 9 a.m. to 4 p.m., Monday through Friday, at the Department's Southeast Regional Office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6192. An additional copy of the Administrative Record will also be available for public inspection at the Horsham Township Municipal Building, 1025 Horsham Road, between 8:30 a.m. to 4:30 p.m., Monday through Friday.

Written comments concerning the prompt interim response action and information in the Administrative Record will be accepted in person or by mail, if post-

marked on or before November 27, 1998, to the attention of Matthew T. Miller, HSCP Project Officer at the Southeast Regional Office address.

Additionally, the public will have the opportunity to present oral comments at a public hearing scheduled for 7 p.m., Wednesday, November 18, 1998, at the Horsham Township Municipal Building, 1025 Horsham Road, Horsham. Persons wishing to present oral comments must register on or before November 18, 1998, by calling John Gerdemann at (610) 832-6228. 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 Paul Rettinger at (610) 832-6300 to discuss how the Department may best accommodate their needs.

The Department is providing this notice under section 506(b) of the Hazardous Sites Cleanup Act. The date of publication of this notice in the *Pennsylvania Bulletin* initiates the minimum 90-day public comment period on the Administrative Record, as provided under that act. Questions concerning the site may be directed to Matthew T. Miller, Project Officer, at (610) 832-6192, or Paul Rettinger, Assistant Counsel, at (610) 832-6300.

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

The Department has received the following final reports:

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

**The Former Gilbert's Flower Shop Property**, Ridley Township, **Delaware County**. Paul Boni, Esq., 226 W. Rittenhouse Square, Penthouse Suite, Philadelphia, PA 19103, has submitted a Final Report concerning

remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

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

**Johnstown Corporation**, City of Johnstown, **Cambria County**. Johnstown Corporation, Johnstown, PA and Brian I. Fitzpatrick of QST Environmental, 5205 Militia Hill Road, Plymouth Meeting, PA 19642 has submitted a Final Report addressing soil and groundwater contaminated with PHCs. The report is intended to document remediation of 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 *Tribune Democrat* on October 9, 1998.

## 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 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the 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, 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:

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

**Elf Atochem North America, Inc.**, Upper Merion Township, **Montgomery County**. Mark Piazza, Senior Environmental Engineer, Elf Atochem North America, Inc., 2000 Market Street, Philadelphia, PA 19103-3222 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX and polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide health and/or background standards and was approved by the Department on October 23, 1998.

**First Industrial Pennsylvania, L. P.**, Uwchlan Township, **Chester County**. James P. Cinelli, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, has submitted a Final Report concerning the remediation of site soil contaminated with polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on October 23, 1998.

## SOLID AND HAZARDOUS WASTE

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

---

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

---

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

**Permit No. 602622. Triple S Farm, BFI—Conestoga Landfill** (Mineview Drive, P. O. Box 128, Morgantown, PA 19543). This permit has been revoked at the applicant's request for a site in Amity Township, **Berks County**. Permit revoked in the Regional Office October 22, 1998.

---

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

---

*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3653.*

**Permit No. 301306. PP&L, Sunbury SES, Ash Basin No. 1, Pennsylvania Power & Light Co.** (Old Susquehanna Trail Rd., Shamokin Dam, PA 17876). Permit for residual waste disposal impoundment, located in Monroe Township, **Snyder County**, issued in the regional office on October 28, 1998.

## AIR QUALITY OPERATING PERMITS

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

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

**AQ-SE-0008: Naceville Materials** (2001 Ridge Road, Sellersville, PA 18960) issued for a portable crushing plant in West Rockhill Township, **Bucks County**.

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

**GP1-67-3040: York Container Co.** (138 Mt. Zion Road, York, PA 17401) issued to replace aged boilers with two natural gas/No. 2 fuel oil Johnston Boilers in Springettsbury Township, **York County**.

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

**30-00119: Envirogas Recovery, Inc.** (2652 Hidden Valley Drive, Suite 103, Pittsburgh, PA 15241) issued October 29, 1998, for operation of gas-fired booster engine at Blacksville No. 5 Station in Gilmore Township, **Greene County**.

**30-00125: Envirogas Recovery, Inc.** (One Northshore Center, 12 Federal Street, Pittsburgh, PA 15212) issued October 29, 1998, for operation of gas compressor station at Station 9-S-1 in Gilmore Township, **Greene County**.

**30-00123: Envirogas Recovery, Inc.** (One Northshore Center, 12 Federal Street, Pittsburgh, PA 15212) issued October 29, 1998, for operation of gas compressor station at Station 9-S-3 in Gilmore Township, **Greene County**.

**30-00124: Envirogas Recovery, Inc.** (One Northshore Center, 12 Federal Street, Pittsburgh, PA 15212) issued October 29, 1998, for operation of gas compressor station at Station 9-S-6 in Gilmore Township, **Greene County**.

**30-00122: Envirogas Recovery, Inc.** (One Northshore Center, 12 Federal Street, Pittsburgh, PA 15212) issued October 29, 1998, for operation of gas compressor station at Station 8-S-1 in Gilmore Township, **Greene County**.

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

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

**OP-46-0049: International Business Systems, Inc.** (431 Yerkes Road, King of Prussia, PA 19406) issued October 29, 1998, for the operation of a Facility VOC/NOx RACT in Upper Merion Township, **Montgomery County**.

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

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

**OP-46-0079: Naval Air Station Joint Reserve Base** (Route 611, Horsham, PA 19044) amended October 27, 1998, for Facility VOC/NOx RACT in Horsham Township, **Montgomery County**.

**OP-15-0006: Graco Children's Products, Inc.** (47 Park Avenue, Elverson, PA 19520) amended October 27, 1998, for Facility VOCs RACT in Elverson Borough, **Chester 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.*

**06-1047A: Bradley Specialties Corp.** (P. O. Box 436, Shartlesville, PA 19554) issued October 29, 1998, for modification of the fiberglass fabrication plant in Upper Bern Township, **Berks County**.

**06-5063C: EAFCO, Inc.** (Spring and Schaeffer Streets, Boyertown, PA 19512) issued October 29, 1998, for installation of a room blast controlled by a fabric collector at the Boyertown Plant in Boyertown/Colebrookdale Township, **Berks County**.

**06-5066A: General Battery Corp.** (P. O. Box 14294, Reading, PA 19612-4294) issued October 29, 1998, for construction of a lime slaker controlled by a fabric collector in Laureldale/Muhlenberg Township, **Berks County**.

**07-305-001A: Tyrone Synfuels, L. P.** (160 Quality Center Road, Homer City, PA 15748) issued October 28, 1998, for modification of the E-fuel production facility in Snyder Township, **Blair County**.

**22-03017: Hoover Funeral Homes of Linglestown, Inc.** (6011 Linglestown Road, Harrisburg, PA 17112) issued October 27, 1998, for construction of a human crematory controlled by afterburner in Lower Paxton Township, **Dauphin County**.

**31-323-003A: Berg Electronics Group, Inc.** (Lenape Drive, R. R. 1, Box 212, Mount Union, PA 17066) issued October 29, 1998, for construction of the three electroplating lines and an ammonium hydroxide replenishment system controlled by a MAPCO fume scrubber in Shirley Township, **Huntingdon County**.

**38-302-057: G & H Fortyniners, Inc.** (P. O. Box 37, Fredericksburg, PA 17026) issued October 28, 1998, for construction of one boiler 800 HP (Johnston Boiler), oil or natural gas fired, in Bethel Township, **Lebanon County**. This source is subject to 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

**38-303-007: Pottstown Trap Rock Quarries, Inc.** (P. O. Box 196, Skippack, PA 19474) issued October 26, 1998, for construction of the batch asphalt plant controlled by a cyclone and baghouse in North Annville Township, **Lebanon County**. This source is subject to 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities.

**38-318-020A: Aluminum Company of America** (3000 State Drive, Lebanon, PA 17042) issued October 29,

1998, for modification of the No. 92 aluminum foil/coil coating line, top and bottom controlled by a catalytic incinerator in South Lebanon Township, **Lebanon County**.

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

**04-059A: Koppel Steel Corp.** (P. O. Box 750, Beaver Falls, PA 15010) issued October 27, 1998, for operation of melt shop No. 4 at Koppel Plant in Koppel Borough in **Beaver County**.

**11-370A: Chambers Laurel Highlands Landfill, Inc.** (R. D. 1, Box 10, Wagner Road) issued October 29, 1998, for operation of municipal waste landfill at Laurel Highlands Landfill in Jackson Township, **Cambria County**.

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

**PA-10-302A: Allegheny Metalworking Corp.** (17 Leonburg Road, Cranberry Township, PA 16066) issued October 27, 1998, for construction of a paint finishing system in Cranberry Township, **Butler County**.

**PA-25-197A: Erie Bronze & Aluminum Co.** (6300 West Ridge Road, Erie, PA 16505) issued October 26, 1998, for construction of two electric induction furnaces in Fairview Township, **Erie County**.

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

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

**23-312-205: Sun Co., Inc. (R&M)** (Delaware Avenue and Green Street, Marcus Hook, PA 19061) issued October 27, 1998, for operation of an organic chemical production in Marcus Hook Borough, **Delaware County**.

**15-301-085: Bakery Feeds, Inc.** (97 West Brook Drive, Honey Brook, PA 19344) issued October 28, 1998, for operation of a combustion unit in West Brandywine Township, **Chester County**.

**15-317-020: Bakery Feeds, Inc.** (97 West Brook Drive, Honey Brook, PA 19344) issued October 28, 1998, for operation of a bakery waste plant in West Brandywine Township, **Chester County**.

**PA-15-0016B: Worthington Steel Co.** (45 N. Morehall Road, Malvern, PA 19355) issued October 30, 1998, for operation of a coil coating line in East Whiteland Township, **Chester County**.

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

**65-889A: Allegheny Energy Resources, Inc.** (20 Stanwix Street, Suite 600, Pittsburgh, PA 15222) issued October 29, 1998, for installation of LFG recycling facility at Valley Landfill Site in Penn Township, **Westmoreland County**.

**26-488A: Laurel Aggregates, Inc.** (P. O. Box 23, Gans, PA 15439) issued October 29, 1998, for installation of limestone hauling and crushing at Wymps Gap Quarry in Springhill Township, **Fayette County**.

**63-892A: Vesta Mining Co.** (P. O. Box 409, Fredricktown, PA 15333) issued October 29, 1998, for installation of coal preparation plant at preparation plant in North Bethlehem Township, **Washington County**.

**63-101A: Maple Creek Mining, Inc.** (981 Route 917, Bentleyville, PA 15314) issued October 29, 1998, for operation of coal storage area at Maple Creek Preparation Plant in New Eagle Borough, **Washington County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

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

*Approval of Reasonably Available Control Technology (RACT) Plan for: Occidental Chemical Corporation (Lower Pottsgrove Township, Montgomery County)*

The Department of Environmental Protection (Department) has made a determination to approve a RACT plan as an amendment to the State Implementation Plan (SIP) for the above facility. The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements contained in the RACT approval for this facility to comply with current regulations.

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

#### Occidental Chemical Corporation

##### (Operating Permit OP-46-0015)

<i>Sources</i>	<i>Emission Limit (tons/year)</i>	<i>Control Methods</i>	<i>Implementation Schedule</i>
Boiler No. 1	21.0 (NOx)	Annual Tune-Up	Immediate
Boiler No. 3	2.4 (NOx)	50% Capacity Factor & Annual Tune-Up	Immediate
Boiler No. 4	30.8 (NOx)	50% Capacity Factor & Annual Tune-Up	Immediate
Boiler No. 5	178.3 (NOx)	Alternate Fuel & Annual Tune-Up	Immediate
Reactors	2.7 (VOC)	Recordkeeping	Immediate

<i>Sources</i>	<i>Emission Limit (tons/year)</i>	<i>Control Methods</i>	<i>Implementation Schedule</i>
Spray Dryers	171.0 (VOC)	Recordkeeping	Immediate
Rotary Dryers	69.4 (VOC)	Recordkeeping	Immediate
Wastewater Plant	25 (VOC)	Recordkeeping	Immediate
Cleaning Tanks	2.7 (VOC)	Recordkeeping	Immediate
Storage Tanks	2.7 (VOC)	Recordkeeping	Immediate
Laboratories	2.7 (VOC)	Recordkeeping	Immediate

One public hearing will be held for the purpose of receiving comments on the proposed SIP revision. The hearing will be held at 2 p.m. on December 17, 1998, at the Department's Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA. The hearing will represent the opportunity for oral comment to the Department on the proposed SIP revision and will not be a question and answer session. Persons wishing to present testimony at the hearing are encouraged to contact Clarke Rupert, DEP Community Relations Coordinator, at (610) 832-6020 to register prior to the hearing, but may also register at the hearing. Those unable to attend the hearing but who wish to comment should send their written comments to Francine Carlini, Air Quality Program Manager, Department of Environmental Protection, Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428 on or before December 17, 1998.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act should contact Clarke Rupert at (610) 832-6020 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Copies of the pertinent documents are available for review at the Southeast Regional Office. Appointments for scheduling a review may be made by calling (610) 832-6268.

## 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*

**11850107.** Permit Renewal, **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), commencement, operation and restoration of a bituminous strip mine in

Portage Township, **Cambria County**, affecting 85.7 acres, receiving stream unnamed tributary to/and Spring Run, and unnamed tributary to/and Trout Run. Application received July 17, 1998. Permit issued October 26, 1998.

**56763036.** Permit Renewal, **Shade Landfill, Inc.** (R. D. 1, Box 305, Cairnbrook, PA 15924), commencement, operation and restoration of a bituminous strip mine, for reclamation, only in Shade Township, **Somerset County**, affecting 84.2 acres, receiving stream Miller Run. Application received September 3, 1998. Permit issued October 26, 1998.

**17724026.** Permit Renewal, **E. P. Bender Coal Company, Inc.** (Main and Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722), commencement, operation and restoration of bituminous strip mine for reclamation, only in White and Beccaria Townships, **Cambria and Clearfield Counties**, affecting 145.5 acres, receiving stream unnamed tributary to Witmer Run; and unnamed tributary to Beaverdam Run. Application received October 14, 1998. Permit issued October 26, 1998.

**32970105.** **T.L.H. Coal Company** (R. D. 1, Box 170, Rochester Mills, PA 15711), commencement, operation and restoration of a bituminous strip mine in Grant Township, **Indiana County**, affecting 54.2 acres, receiving stream East Run. Application received April 15, 1997. Permit issued October 27, 1998.

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

**26830201.** **Carbon Fuel Resources, Inc.** (P. O. Box 275, West Leisenring, PA 15489-0275). Permit revised to change the postmining land use on 64 acres from forestland to unmanaged natural habitat at a bituminous surface mine located in Dunbar Township, **Fayette County**, affecting 86.7 acres. Application received: August 21, 1998. Permit revision issued: October 29, 1998.

**26823024R.** **Robert Sperko** (R. D. 1, Box 400H, McClellandtown, PA 15458). Renewal issued for continued reclamation only of a bituminous surface mine located in German Township, **Fayette County**, affecting 22.2 acres. Receiving streams: North Branch and South Branch of Browns Run to Monongahela River. Application received September 15, 1998. Renewal issued: October 30, 1998.

**03960110.** **Cookport Coal Co., Inc.** (425 Market Street, Kittanning, PA 16201). Permit issued for commencement, operation and reclamation of a bituminous surface/auger mine located in Boggs Township, **Armstrong County**, affecting 59.7 acres. Receiving streams: unnamed tributary to South Fork of Pine Creek. Application received: July 25, 1997. Permit issued: October 30, 1998.

**65960108.** **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface

mining site located in Unity and Ligonier Townships, **Westmoreland County**, affecting 105.8 acres. Receiving streams: unnamed tributary to Indian Camp Run to Ninemile Run to Loyalhanna Creek to Conemaugh River; unnamed tributary to Fourmile Run to Loyalhanna Creek to Conemaugh River. Application received: August 22, 1997. Permit issued: November 2, 1998.

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

**17960113. Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), revision to an existing bituminous surface mine-auger permit for a Change in Permit Acreage from 306.0 to 321.5 acres, Covington Township, **Clearfield County**, receiving streams: Curley's Run, Curley's Run to West Branch Susquehanna River. Application received July 22, 1998. Permit issued October 20, 1998.

**17820118. Shale Hill Coal Company** (P. O. Box I, Grampian, PA 16838), renewal of an existing bituminous surface mine permit in Green Township, **Clearfield County** affecting 454.0 acres, receiving streams: Two unnamed tributaries to and Curry Run and Haslett Run to West Branch Susquehanna River. Application received June 19, 1998. Permit issued October 23, 1998.

**17930115. K & J Coal Co., Inc.** (P. O. Box 189, Westover, PA 16692), renewal of an existing bituminous surface mine-auger permit in Chest Township, **Clearfield County** affecting 118.0 acres, receiving streams: Wilson Run, Wilson Run to Chest Creek, Chest Creek to West Branch Susquehanna River, West Branch Susquehanna River to Susquehanna River, Susquehanna River to Chesapeake Bay. Application received July 8, 1998. Permit issued October 23, 1998.

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

**16950101. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous strip operation from Fye's Dozer Service in Clarion and Limestone Townships, **Clarion County** affecting 43.3 acres. Receiving streams: Two unnamed tributaries of Piney Creek. Application received: May 20, 1998. Permit Issued: October 14, 1998.

**16940105. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous strip operation from Ancient Sun, Inc. in Perry Township, **Clarion County** affecting 220.0 acres. Receiving streams: Three unnamed tributaries to the Allegheny River. Application received: May 20, 1998. Permit Issued: October 14, 1998.

**16970103. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous strip operation from MAF Coal & Excavation, Inc. in Clarion Township, **Clarion County** affecting 104.2 acres. Receiving streams: Unnamed tributaries to Brush Run. Application received: May 20, 1998. Permit Issued: October 14, 1998.

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

*Large Industrial Mineral Permits Issued*

**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 42.13 acres, receiving streams: none. Application received June 29, 1998. Permit issued October 29, 1998.

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

**4379306. H & H Materials, Inc.** (190 Canon Rd., Stoneboro, PA 16153). Renewal of NPDES No. PA0118699, Lake Township, **Mercer County**. Receiving streams: Shenango River. Application received: September 1, 1998. Permit Issued: October 14, 1998.

**37930305. G. L. McKnight, Inc.** (P. O. Box 773, Slippery Rock, PA 16057). Renewal of NPDES No. PA0211745, Plain Grove Township, **Lawrence County**. Receiving streams: Unnamed tributary to Taylor Run and Taylor Run. Application received: August 14, 1998. Permit Issued: October 14, 1998.

**37870301. A. Medure Sand & Gravel Co., Inc.** (438 Rear Line Avenue, Ellwood City, PA 16117). Renewal of NPDES No. PA0107913, Wayne Township, **Lawrence County**. Receiving streams: Duck Run and unnamed tributary to Duck Run. Application received: August 7, 1998. Permit Issued: October 23, 1998.

**10940306. Quality Aggregates, Inc.** (200 Neville Rd., Pittsburgh, PA 15225). Revision to an existing limestone operation to change the postmining land use from forestland to pastureland on the Bilma Obidean, Robert E. Baker and Sunbeam Coal Corporation properties in Marion Township, **Butler County**. Receiving streams Unnamed tributaries to Slippery Rock Creek and Unnamed tributaries to Blacks Creek. Application received: August 28, 1998. Permit Issued: October 26, 1998.

**37970302. Quality Aggregates, Inc.** (200 Neville Rd., Pittsburgh, PA 15225). Commencement, operation and restoration of a limestone operation in Slippery Rock Township, **Lawrence County** affecting 270.0 acres. Receiving streams: Unnamed tributaries to Slippery Rock Creek. Application received: October 17, 1997. Permit Issued: October 23, 1998.

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

**48980301. Chrin Brothers, Inc.** (635 Industrial Drive, Easton, PA 18042), commencement, operation and restoration of a quarry operation in Williams Township, **Northampton County** affecting 36.8 acres, receiving stream: Unnamed tributary to Lehigh River. Permit issued October 30, 1998.

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

**61980802. Norma J. Wheeler** (P. O. Box 366, Polk, PA 16342). Commencement, operation and restoration of a small noncoal (industrial mineral) shale and gravel operation in Mineral Township, **Venango County** affecting 1.0 acre. Receiving streams: None. Application received: August 14, 1998. Permit Issued: October 16, 1998.

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

**58980849. James W. Barber** (Box 157, Clifford, PA 18413), commencement, operation and restoration of a quarry operation in Lenox Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued October 29, 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 written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

---

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

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

**E28-221.** Encroachment. **Statler Farms**, 151 Miller Road, Chambersburg, PA 17201. To remove an existing twin 24-inch diameter corrugated metal pipe (CMP) culvert and to install and maintain a new 60-inch diameter CMP culvert at the channel of an unnamed tributary to Conococheague Creek located about a mile north of Marion Village (Greencastle, PA Quadrangle N: 22.2 inches; W: 10.07 inches) in Guilford Township, **Franklin County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E04-258.** Encroachment. **Colona Terminal Services, Inc.**, 200 Neville Road, Neville Island, PA 15225. To operate and maintain the existing barge docking facility along the left bank of the Ohio River (WWF) near River Mile 23.6 (Beaver, PA Quadrangle N: 10.8 inches; W: 1.5 inches) in Monaca Borough, **Beaver County**. Note: The site was originally permitted under E04-079.

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

**E45-358.** Encroachment. **Connaught Laboratories, Inc.**, P. O. Box 187, Swiftwater, PA 18370-0187. To expand the surface area of a spring fed pond by approximately 0.11 acre as part of a landscape enhancement project at Connaught Laboratories. The surface area of the pond will be approximately 0.25 acre after the proposed expansion project. The project is located on the south side of Swiftwater Creek, approximately 500 feet

downstream of S. R. 0611 (Mount Pocono, PA Quadrangle N: 17.0 inches; W: 9.8 inches) in Pocono Township, **Monroe County**.

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

**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**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-376.** Encroachment. **Pa. Dept. of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a single span prestressed concrete, adjacent box beam bridge with a normal span of 52.6 feet, a skew of 75 degrees and a minimum underclearance of 4.7 feet and to install and maintain approximately 150 feet of R-8 riprap and to construct and maintain a temporary bridge with a span length of 35 feet on a skew of 50 degrees and to place approximately 0.01 acre of riprap de minimis fill in wetland in Crooked Creek on SR 0249 Sect. 017, Segment 0250, offset 0889 (Knoxville, PA Quadrangle N: 1.0 inch; W: 6.1 inches) in Chatham Township, **Tioga County**.

## DAM SAFETY

---

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); 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)).**

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

**D06-501.** Dam. **Pennsylvania Department of Transportation** (Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103). To construct, operate and maintain a stormwater detention dam across a tributary to Lauers Run in the Borough of Wyomissing, **Berks County**. This dam is to control stormwater from the proposed relocation of Route 222 and the construction of the Warren Street Extension.

## SPECIAL NOTICES

### Bureau of Water Quality Protection

#### Correction of Typographical Error to the October 17, 1998 Pennsylvania Bulletin Notice on PIT-2 NPDES Permit and Permit Handbooks

In the October 17, 1998, publication of the *Pennsylvania Bulletin* (28 Pa.B. 5291), the Department of Environmental Protection published final Notice for Availability of the Revised NPDES Permit and Related two Permit Handbooks for Municipal, Nonmunicipal and Industrial Wastewater Dischargers. Although the documents listed in the notice are technically accurate, the notice, however, carried wrong document numbers for the two NPDES

Permit Handbooks. This notice is to correct the typographical errors in the October 17 publication. The following listing provides the correct names and documents numbers.

1. *Permittee Handbook for POTW and Non-Municipal Wastewater Dischargers (362-0300-005 Rev 10/98)*. This handbook contained only information germane to POTW dischargers.

2. *Permittee Handbook for Industrial Wastewater Dischargers (362-0300-006 Rev 10/98)*. This handbook contained only information germane to the industrial dischargers.

The final permit documents package are available for downloading from the Department's Web Site at: [HTTP://WWW.DEP.STATE.PA.US](http://WWW.DEP.STATE.PA.US). The documents may also be obtained by contacting the appropriate Department Regional Office having jurisdiction over the county with the proposed discharge.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Daniel Festa Daryl Festa Festa Radon Technologies, Inc.	208 Charlemma Drive Pittsburgh, PA 15214	Testing Mitigation
Kevin Fischer	49 South Main Street Yardley, PA 19067	Testing
John Gogal Choice Environmental Solutions	P. O. Box 65 Brodheadsville, PA 18322	Mitigation
Housing Inspection Services, Inc.	P. O. Box 373 Murrysville, PA 15668	Testing
Daniel Jones Precision Home Inspections, Inc.	6 Chestwood Drive Connellsville, PA 15425	Mitigation
David Kern-Lyons Kern-Lyons Enterprises, Inc.	29 Kent Street Trenton, NJ 08611	Mitigation
Stanley Kuhn Biechler & Tillery, Inc.	2843 North Front Street Harrisburg, PA 17110	Testing
Lee Porter	P. O. Box 241 205 Prospect Avenue Cadogan, PA 16212	Testing
Troy Rudy	1857 Sturbridge Drive Lancaster, PA 17601	Testing
Alan Marc Silverman	207 East Hector Street Conshohocken, PA 19428	Testing
John Urenovitch	R. R. 4, Box 4439 Drums, PA 18222	Testing
Glenn Vernon Certified Radon Services	200 Newburn Avenue Pittsburgh, PA 15227	Testing

[Pa.B. Doc. No. 98-1878. Filed for public inspection November 13, 1998, 9:00 a.m.]

### **Biosolids Education Workgroup**

The Biosolids Education Workgroup will meet on November 19, 1998, from 9:30 a.m.—3 p.m. in the Tenth Floor Conference Room at the Rachel Carson State Office Building, 400 Market St., Harrisburg, PA.

The focus for this meeting is to continue the efforts of the September 24, 1998 meeting. Topics will include a biosolids program update, progress reports on subcommittee projects and identification of outreach needs especially for septage haulers. The subcommittees will participate in breakout sessions following the general meeting to advance their individual activities.

### **Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of October 1998, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987 (P. L. 238, No. 43) (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

The purpose of the Biosolids Education Workgroup is to develop information and activities to promote and advance public confidence in the land application of biosolids. These activities currently involve general public education, local government outreach, legislative outreach, school age curriculum development and county conservation district involvement.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-1879. Filed for public inspection November 13, 1998, 9:00 a.m.]

### Biosolids Technical Workgroup

The Biosolids Technical Workgroup will meet on November 19, 1998, from 9:30 a.m.—3 p.m. in the Eighth Floor Conference Room at the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The focus for this first meeting is to initiate the activities of the Biosolids Technical Workgroup. Topics will include identification of the purpose of the workgroup and well as efforts to begin revisions of certain technical areas of the biosolids program. These areas of proposed revision will include the Notice of Intent (NOI) form and instructions, the Approval of First Land Application form and instructions (30-day notice), the biosolids program implementation guidance and the biosolids storage program guidance.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-1880. Filed for public inspection November 13, 1998, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Renal Disease Advisory Committee Public Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, November 20, 1998.

The meeting will be held in Room 812, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA, from 10 a.m. to 3 p.m.

For additional information, contact Jane E. Renaut, Director of the Chronic Renal Disease Program, Division of Special Health Care Needs at (717) 787-9772.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact the Chronic Renal Disease Program at (717) 787-9772.

V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1881. Filed for public inspection November 13, 1998, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Payments to Nursing Facilities; October 1, 1998 Proposed Rates

The purposes of this notice are to announce the proposed changes in payment rates for nursing facilities beginning October 1, 1998, and to identify the methodol-

ogy and justification for these proposed rates. Under 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997, P. L. 105-33, § 4711, a state must use a public process when it proposes to make changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan. The Department is not proposing to amend its State Plan or to change its regulations, 55 Pa. Code Chapter 1187, relating to the rate-setting methodology used to set nursing facility payment rates. Rather, the Department is proposing to make changes in its nursing facility payment rates because those rate changes are required by the rate-setting methodology contained in its approved State Plan and regulations.

#### Rates

The proposed October 1, 1998 rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout this Commonwealth, or by contacting Connie Pretz in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

#### Methodology

The methodology that the Department used to set the proposed rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

#### Justification

The justification for the proposed rates is that they were set under the rate-setting methodology required by the Commonwealth's approved State Plan and the current regulations.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 1998—1999 based on these final rates is \$20.809 million (\$9.639 million in State funds).

Interested persons are invited to submit written comments about the final rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, Room 515 Health and Welfare Building, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-184. (1) General Fund; (2) Implementing Year 1998—99 is \$9.6 million; (3) 1st Succeeding Year 1999—00 is \$10.5 million; 2nd Succeeding Year 2000—01 is \$10.5 million; 3rd Succeeding Year 2001—02 is \$10.5 million; 4th Succeeding Year 2002—03 is \$10.5 million; 5th Succeeding Year 2003—04 is \$10.5 million; (4) 1997—98 \$617 million; 1996—97 \$592 million; 1995—96 \$649 million; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funds are included in the 1998—99 budget for this purpose.

[Pa.B. Doc. No. 98-1882. Filed for public inspection November 13, 1998, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Pennsylvania Barnyard Bonanza Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Barnyard Bonanza.

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

3. *Play Symbols:* Each Pennsylvania Barnyard Bonanza instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$8.<sup>00</sup> (EGT DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$80\$ (EIGHTY), \$250 (TWO FTY), \$5,000 (FIV THO) and a Cow Symbol (COW).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$80, \$250, \$500 and \$5,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania Barnyard Bonanza instant lottery game.

6. *Determination of Prize Winners.*

(a) Holders of tickets with three matching play symbols of \$5,000 (FIV THO) in the play area, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with two matching play symbols of \$250 (TWO FTY) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with three matching play symbols of \$250 (TWO FTY) in the play area, on a single ticket, shall be entitled to a prize of \$250.

(d) Holders of tickets with three matching play symbols of \$80\$ (EIGHTY) in the play area, on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets with two matching play symbols of \$40\$ (FORTY) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$80.

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

(g) Holders of tickets with two matching play symbols of \$20\$ (TWENTY) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$40.

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

(i) Holders of tickets with two matching play symbols of \$10.<sup>00</sup> (TEN DOL) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with three matching play symbols of \$10.<sup>00</sup> (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with two matching play symbols of \$5.<sup>00</sup> (FIV DOL) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with three matching play symbols of \$8.<sup>00</sup> (EGT DOL) in the play area, on a single ticket, shall be entitled to a prize of \$8.

(m) Holders of tickets with two matching play symbols of \$4.<sup>00</sup> (FOR DOL) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$8.

(n) Holders of tickets with three matching play symbols of \$5.<sup>00</sup> (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets with three matching play symbols of \$4.<sup>00</sup> (FOR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets with two matching play symbols of \$2.<sup>00</sup> (TWO DOL) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets with three matching play symbols of \$2.<sup>00</sup> (TWO DOL) in the play area, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with two matching play symbols of \$1.<sup>00</sup> (ONE DOL) and a Cow Symbol (COW) in the play area, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets with three matching play symbols of \$1.<sup>00</sup> (ONE DOL) in the play area, on a single ticket, shall be entitled to a prize of \$1.

(t) A prize will be paid only for the highest Pennsylvania Barnyard Bonanza instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
3-\$1	\$1	1:9.68	421,600
2-\$1 W/COW	\$2	1:20	204,000
3-\$2	\$2	1:30	136,000
2-\$2 W/COW	\$4	1:75	54,400
3-\$4	\$4	1:150	27,200
3-\$5	\$5	1:300	13,600
2-\$4 W/COW	\$8	1:300	13,600
3-\$8	\$8	1:300	13,600

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
2-\$5 W/COW	\$10	1:300	13,600
3-\$10	\$10	1:500	8,160
2-\$10 W/COW	\$20	1:500	8,160
3-\$20	\$20	1:750	5,440
2-\$20 W/COW	\$40	1:4,000	1,020
3-\$40	\$40	1:3,000	1,360
2-\$40 W/COW	\$80	1:12,000	340
3-\$80	\$80	1:10,000	408
3-\$250	\$250	1:60,000	68
2-\$250 W/COW	\$500	1:80,000	51
3-\$5,000	\$5,000	1:510,000	8

COW = Doubles the prize

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

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

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

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

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 98-1883. Filed for public inspection November 13, 1998, 9:00 a.m.]

**Pennsylvania Double Time Instant Lottery Game**

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

1. *Name:* The name of the game is Pennsylvania Double Time.

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

3. *Play Symbols:* Each Pennsylvania Double Time instant lottery game ticket will contain one play area. The

play symbols and their captions located in the play area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$8<sup>00</sup> (EGT DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and a Double Dollar Sign Symbol (DOUBLE).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$8, \$10, \$16, \$20, \$40, \$50, \$100 and \$500.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 5,760,000 tickets will be printed for the Pennsylvania Double Time instant lottery game.

6. *Determination of Prize Winners:*

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

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

(c) Holders of tickets with two matching play symbols of \$50\$ (FIFTY) and a Double Dollar Sign Symbol (DOUBLE) in the play area, on a single ticket, shall be entitled to a prize of \$100.

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

(e) Holders of tickets with two matching play symbols of \$20\$ (TWENTY) and a Double Dollar Sign Symbol (DOUBLE) in the play area, on a single ticket, shall be entitled to a prize of \$40.

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

(g) Holders of tickets with two matching play symbols of \$10<sup>00</sup> (TEN DOL) and a Double Dollar Sign Symbol (DOUBLE) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with two matching play symbols of \$8<sup>00</sup> (EGT DOL) and a Double Dollar Sign Symbol (DOUBLE) in the play area, on a single ticket, shall be entitled to a prize of \$16.

(i) Holders of tickets with three matching play symbols of \$10<sup>00</sup> (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with two matching play symbols of \$5<sup>00</sup> (FIV DOL) and a Double Dollar Sign Symbol (DOUBLE) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three matching play symbols of \$8<sup>.00</sup> (EGT DOL) in the play area, on a single ticket, shall be entitled to a prize of \$8.

(l) Holders of tickets with two matching play symbols of \$4<sup>.00</sup> (FOR DOL) and a Double Dollar Sign Symbol (DOUBLE) in the play area, on a single ticket, shall be entitled to a prize of \$8.

(m) Holders of tickets with three matching play symbols of \$5<sup>.00</sup> (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(n) Holders of tickets with three matching play symbols of \$4<sup>.00</sup> (FOR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets with two matching play symbols of \$2<sup>.00</sup> (TWO DOL) and a Double Dollar Sign Symbol (DOUBLE) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets with three matching play symbols of \$2<sup>.00</sup> (TWO DOL) in the play area, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets with three matching play symbols of \$1<sup>.00</sup> (ONE DOL) in the play area, on a single ticket, shall be entitled to a prize of \$1.

(r) A prize will be paid only for the highest Pennsylvania Double Time instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 5,760,000 Tickets</i>
3-\$1	\$1	1:7.69	748,800
3-\$2	\$2	1:18.75	307,200
2-\$2 W/\$\$	\$4	1:75	76,800
3-\$4	\$4	1:150	38,400
3-\$5	\$5	1:300	19,200
2-\$4 W/\$\$	\$8	1:300	19,200
3-\$8	\$8	1:300	19,200
2-\$5 W/\$\$	\$10	1:300	19,200
3-\$10	\$10	1:750	7,680
2-\$8 W/\$\$	\$16	1:300	19,200
2-\$10 W/\$\$	\$20	1:1,500	3,840
3-\$20	\$20	1:1,500	3,840
2-\$20 W/\$\$	\$40	1:1,200	4,800
3-\$50	\$50	1:2,400	2,400
2-\$50 W/\$\$	\$100	1:10,000	576
3-\$100	\$100	1:10,000	576
3-\$500	\$500	1:40,000	144

\$\$ = Double the prize

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

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

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

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

disseminated through media used to advertise or promote Pennsylvania Double Time or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 98-1884. Filed for public inspection November 13, 1998, 9:00 a.m.]

### Pennsylvania New Year's Bonus Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania New Year's Bonus.

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

3. *Play Symbols:* Each Pennsylvania New Year's Bonus instant lottery game ticket will contain one play area and

one "Bonus" area. The play symbols and their captions located in the play area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$99\$ (NTY NIN), \$199 (HNTYN) and \$1,999 (NTNNTYNIN). The play symbols and their captions located in the "Bonus" area are: Noisemaker Symbol (BLOW), Balloons Symbol (BALNS), Mask Symbol (MASK), Music Notes Symbol (MUSIC) and Horn Symbol (HORN).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$9, \$25, \$50, \$99, \$199 and \$1,999.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 4,320,000 tickets will be printed for the Pennsylvania New Year's Bonus instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$1,999 (NTNNTYNIN) in the play area on a single ticket, shall be entitled to a prize of \$1,999.

(b) Holders of tickets with three matching play symbols of \$199 (HNTYN) in the play area on a single ticket, shall be entitled to a prize of \$199.

(c) Holders of tickets with three matching play symbols of \$99\$ (NTY NIN) in the play area on a single ticket, shall be entitled to a prize of \$99.

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

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

(f) Holders of tickets with a Horn Symbol (HORN) play symbol in the "Bonus" area, on a single ticket, shall be entitled to a prize of \$9.

(g) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets with three matching play symbols of \$3<sup>00</sup> (THR DOL) in the play area on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with three matching play symbols of \$1<sup>00</sup> (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

(k) A prize will be paid only for the highest Pennsylvania New Year's Bonus instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,320,000 Tickets</i>
3-\$1	\$1	1:7.89	547,200
3-\$2	\$2	1:18.75	230,400
3-\$3	\$3	1:85.71	50,400
3-\$5	\$5	1:100	43,200
BONUS (HORN)	\$9	1:50	86,400
3-\$25	\$25	1:600	7,200
3-\$50	\$50	1:4,800	900
3-\$99	\$99	1:8,000	540
3-\$199	\$199	1:24,000	180
3-\$1,999	\$1,999	1:60,000	72

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

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

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

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

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 98-1885. Filed for public inspection November 13, 1998, 9:00 a.m.]

**Pennsylvania 10 Times Lucky Instant Lottery Game**

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

1. *Name:* The name of the game is Pennsylvania 10 Times Lucky.

2. *Price:* The price of a Pennsylvania 10 Times Lucky instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania 10 Times Lucky instant lottery game ticket will contain one play area featuring one "Lucky Numbers" area and one "Your Numbers" area. The play symbols and their captions located in the "Lucky Numbers" area and the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN) and 20 (TWENTY).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$5<sup>00</sup> (FIVE DOL), \$7<sup>00</sup> (SEVEN DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIVE HUN) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$5, \$7, \$10, \$20, \$50, \$100, \$500 and \$20,000. The player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania 10 Times Lucky instant lottery game.

7. *Determination of Prize Winners.*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$20,000 (TWY THO) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

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

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

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

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$7<sup>00</sup> (SVN DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$7.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$1<sup>00</sup> (ONE DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>Match The Lucky Number To Any of Your Numbers With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
\$2	\$2	1:7.89	516,800
\$1 x 2	\$2	1:15	272,000
\$1 x 3	\$3	1:30	136,000
\$1 x 2 + \$2	\$4	1:75	54,400
\$2 x 2	\$4	1:150	27,200
\$1 x 5	\$5	1:250	16,320
\$1 + \$2 x 2	\$5	1:150	27,200
\$5	\$5	1:375	10,880
\$1 x 5 + \$2	\$7	1:150	27,200
\$1 x 7	\$7	1:150	27,200
\$1 x 3 + \$2 x 2	\$7	1:150	27,200
\$7	\$7	1:375	10,880
\$2 x 5	\$10	1:375	10,880
\$1 x 10	\$10	1:750	5,440
\$1 x 6 + \$2 x 2	\$10	1:750	5,440
\$10	\$10	1:750	5,440



*Match The Lucky Number  
To Any of Your Numbers  
With Prize(s) Of:*

	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
\$7 x 2	\$14	1:187.50	21,760
\$2 x 10	\$20	1:750	5,440
\$20	\$20	1:750	5,440
\$7 x 5	\$35	1:784.31	5,202
\$5 x 4 + \$10 x 2	\$40	1:1,412	2,890
\$20 x 2	\$40	1:1,412	2,890
\$5 x 10	\$50	1:2,353	1,734
\$50	\$50	1:2,353	1,734
\$7 x 10	\$70	1:7,059	578
\$10 x 10	\$100	1:7,059	578
\$50 x 2	\$100	1:7,059	578
\$100	\$100	1:7,059	578
\$50 x 10	\$500	1:60,000	68
\$500	\$500	1:60,000	68
\$20,000	\$20,000	1:510,000	8

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 10 Times Lucky instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

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

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 10 Times Lucky or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 98-1886. Filed for public inspection November 13, 1998. 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

Notice is hereby given that the Department of Transportation, pursuant to 71 P. S. § 513(e)(7), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcel 3—Harmony Township, Beaver County. This parcel contains 46, 871± square feet of unimproved land situated on the westerly side of Duss Avenue, adjacent to the Legionville Bridge, in Harmony Township. Minimum price \$6,551.00.

It has been determined that the land is no longer needed for present or future Transportation purposes.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to: Raymond S. Hack, P.E., District Engineer, Pennsylvania Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-1887. Filed for public inspection November 13, 1998. 9:00 a.m.]

### Retention of Engineering Firms

#### Adams County

#### Project Reference No. 08430AG2262

The Department of Transportation will retain an engineering firm to provide comprehensive traffic and transportation studies, for S.R. 9911, Section S01 for the Gettysburg area in Adams County.

The study involves analyzing and recommending projects to improve traffic flow and safety for various locations in and around Gettysburg. The municipalities involved within the study area, but not necessarily limited to, are the Boroughs of Arendtsville, Bendersville, Biglerville, Bonneauville, East Berlin, and Gettysburg; and the Townships of Butler, Cumberland, Franklin, Freedom, Highland, Menallen, Mount Joy, Mount Pleasant, Reading, Straban and Tyrone. Improvements to be considered include traffic signal/intersection improvements, minor widenings, capacity improvements, and congestion relief measures; and will include short and long term improvement proposals. The study should establish project needs based on traffic conditions and growth.

The engineering firm will be required to perform origin and destination studies; perform traffic modeling; prepare and distribute newsletters; conduct at least two (2) public

meetings/workshops; conduct interviews with municipalities, key industries and transportation officials for growth projections; and establish project needs based on traffic conditions and growth. The selected firm will be required to formulate and participate in a public involvement program, summarize and analyze feedback and coordinate development of the study with various agencies and special interest groups.

The letters of interest, should indicate how the selected firm will accomplish the tasks outlined and provide the services as detailed. The anticipated duration of the agreement is twenty-four (24) months.

The following factors, listed in order of importance, will be considered by the Consultant Selection Committee 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. Specialized experience, previous experience, technical competence of individuals who constitute the firm.
- d. Project approach by the firm to accomplish requirements of this assignment.
- e. Current workload and capacity of firm to perform work.
- f. Past record of performance with respect to cost control, work quality, and ability to meet schedules.

The District will announce the three (3) firms that have been shortlisted for further consideration at an open public meeting to be held at Engineering District 8-0, 2140 Herr Street, Harrisburg, PA, 17103-1699, at 1:30 p.m. on January 5, 1999, Conference Room "A". Please specify a contact person, phone number and address in your 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 contained 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. Barry G. Hoffman, P.E., District Engineer, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699.

Any technical questions concerning the requirements for this project should be directed to: Mr. William J. Greene, District 8-0, at (717) 783-5148.

Any questions concerning the submittal of the letter of interest 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.

The Department requests that each Letter of Interest include the following information and that the informa-

tion be packaged and presented in the order indicated below to facilitate the Department's review and evaluation.

The firm's ability and willingness to package and present the requested information in the above order to facilitate the Department's review and evaluation will be the first factor considered in the evaluation process.

1. Transmittal Letter (Maximum of two (2) 8 1/2" x 11" typed pages, one side)

2. A fact sheet that includes 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 should indicate on this fact sheet 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. If the project advertisement indicated the Department will retain an Land Surveying firm for the project, the applicant should indicate on this fact sheet the names and Professional Land Surveyor Registration Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's land surveying activities, and whose names and seals shall be stamped on all plans, plats, and reports issued by the firm.

3. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart should show key staff from the prime and each subconsultant and their area of responsibility.

4. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

The Standard Form 255 should 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 should 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 should not include 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.

5. 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, should 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.

These Forms should 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 Standard Form 255.

6. Authorization Letters (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 should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Standard 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 should 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.

Letters of Interest will be rejected for the following reasons:

1. Received after the cut-off time and date specified above.

2. Failure to identify a Department Certified Disadvantaged Business Enterprise (DBE) if a DBE participation goal is identified in the advertised project.

3. Failure to include a copy of the registration to do business in the Commonwealth, if applicable.

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. 98-1888. Filed for public inspection November 13, 1998, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Cancellation of Meeting

The November 17, 1998, Environmental Quality Board meeting has been canceled. The next meeting is scheduled for December 15, 1998, at 10 a.m. in Room 105 of the Rachel Carson State Office Building (RCSOB), Harrisburg.

JAMES M. SEIF,  
*Chairperson*

[Pa.B. Doc. No. 98-1889. Filed for public inspection November 13, 1998, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinions

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (P. L. 744, No. 222) announces the publication of the stipulations of fact, findings of fact, conclusions of law, final decision and order, made after a public hearing under section 9(e)—(g) of the act, in the following cases:

*Valerie Burt v. Ross Maintenance Company*; Doc. No. E69660D; (Pennsylvania Human Relations Commission, October 27, 1998); Gender-based sexual harassment; Ruling for Complainant, 11-0 decision; 20 pages.

*Francis C. Shaw v. Shaw Brothers Inc.*; Doc. No. E83544A; (Pennsylvania Human Relations Commission, October 27, 1998); Age-based lay-off; Ruling on Damages for Complainant, 11-0 decision; 11 pages.

The final orders in the above-listed cases are subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinions listed in this notice may be obtained by mailing a request indicating the opinions desired, accompanied by a check or money order in the amount of 10 cents per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Information Director, Human Relations Commission, 101 South Second Street, Suite 300, Harris-

burg, PA 17101. The check or money order should be made payable to the "Commonwealth of Pennsylvania."

HOMER C. FLOYD,  
*Executive Director*

[Pa.B. Doc. No. 98-1890. Filed for public inspection November 13, 1998, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final-Form Rulemakings

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-438	Department of Public Welfare Subsidized Child Day Care Eligibility	10/29/98
57-190	Pennsylvania Public Utility Commission Advanced Meter Deployment for Electricity	11/2/98
17-59	Pennsylvania State Police DNA Detection of Sexual and Violent Offenders Act	11/2/98

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 98-1891. Filed for public inspection November 13, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Acquisition of a Domestic Health Maintenance Organization

Health Risk Management, Inc. of Minneapolis, MN, has filed an application to purchase all the issued and outstanding stock of Oxford Health Plans (PA), Inc., a Pennsylvania domiciled Health Maintenance Organization. The filing was made under the requirements set forth under the Insurance Holding Company Act (40 P. S. § 991.1402 et. seq.) Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry

Square, Harrisburg, PA 17120, fax (717) 787-8557, email <http://www.mgraeff@ins.state.pa.us>.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 98-1892. Filed for public inspection November 13, 1998, 9:00 a.m.]

### List of Names of Qualified Unlicensed Reinsurers

Under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1), the Insurance Commissioner hereby lists reinsurers not licensed by the Insurance Department which shall be considered qualified to accept reinsurance from insurers licensed by the Insurance Department.

This listing of qualified unlicensed reinsurers shall be published in the *Pennsylvania Bulletin* when additions to or deletions from the listing are made by the Insurance Commissioner. This present listing shall replace in their entirety previously published listings of qualified unli-

censed reinsurers which appeared at 6 Pa.B. 2423 (September 25, 1976); 6 Pa.B. 3140 (December 18, 1976); 7 Pa.B. 501 (February 19, 1977); 7 Pa.B. 1766 (June 25, 1977); 8 Pa.B. 276 (January 28, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 3461 (December 2, 1978); 9 Pa.B. 4235 (December 22, 1979); 11 Pa.B. 38 (January 3, 1981); 12 Pa.B. 37 (January 2, 1982); 12 Pa.B. 2368 (July 23, 1982); 13 Pa.B. 657 (February 5, 1983); 13 Pa.B. 2826 (September 10, 1983); 14 Pa.B. 1053 (March 24, 1984); 14 Pa.B. 3065 (August 18, 1984); 15 Pa.B. 402 (February 2, 1985); 15 Pa.B. 3214 (September 7, 1985); 16 Pa.B. 290 (January 25, 1986); 17 Pa.B. 461 (January 24, 1987); 17 Pa.B. 5368 (December 26, 1987); 18 Pa.B. 5540 (December 10, 1988); 19 Pa.B. 713 (February 18, 1989); 19 Pa.B. 3129 (July 22, 1989); 19 Pa.B. 5476 (December 23, 1989); 20 Pa.B. 6227 (December 15, 1990); 21 Pa.B. 3286 (July 20, 1991); 21 Pa.B. 5445 (November 23, 1991); 22 Pa.B. 4591 (September 5, 1992); 23 Pa.B. 60 (January 2, 1993); 23 Pa.B. 48 (November 27, 1993); 24 Pa.B. 33 (August 13, 1994); 24 Pa.B. 49 (December 3, 1994); 25 Pa.B. 50 (December 16, 1995); 26 Pa.B. 46 (November 16, 1996); 27 Pa.B. 21 (May 24, 1997) and 27 Pa.B. 46 (November 15, 1997).

### Insurance Department's Qualified Unlicensed Reinsurers List

1. 37958 Acceptance Insurance Company, Omaha, Nebraska
2. 37532 Agricultural Excess and Surplus Insurance Company, Wilmington, Delaware
3. 10651 AIG Global Trade & Political Risk Insurance Company, Parsippany, New Jersey
4. 10103 American Agricultural Insurance Company, Indianapolis, Indiana
5. 41858 American Dynasty Surplus Lines Insurance Company, Wilmington, Delaware
6. 37990 American Empire Insurance Company, Cincinnati, Ohio
7. 26883 American International Specialty Lines Insurance Company, Anchorage, Alaska
8. 91785 American Phoenix Life and Reassurance Company, Hartford, Connecticut
9. 27898 Americas Insurance Company, New Orleans, Louisiana
10. 10316 Appalachian Insurance Company, Johnston, Rhode Island
11. Assicurazioni General Di Trieste, Rome, Italy
12. 27189 Associated International Insurance Company, Woodland Hills, California
13. 50687 Attorneys' Title Insurance Fund, Inc., Orlando, Florida
14. 19925 Audubon Indemnity Company, Jackson, Mississippi
15. 18988 Auto-Owners Insurance Company, Lansing, Michigan
16. 36552 Axa Reinsurance Company, Wilmington, Delaware
17. 61395 Beneficial Life Insurance Company, Salt Lake City, Utah
18. 10021 Capital Mortgage Reinsurance Company, New York, New York
19. 30180 Capital Reinsurance Company, New York, New York
20. 36951 Century Surety Company, Columbus, Ohio
21. 38989 Chubb Custom Insurance Company, Dover, Delaware
22. CNA Reinsurance Company Limited, London, England
23. 39993 Colony Insurance Company, Richmond, Virginia
24. 40371 Columbia Mutual Insurance Company, Columbia, Missouri
25. 27955 Commercial Risk Re-Insurance Company, South Burlington, Vermont
26. 37567 Commonwealth Insurance Company, Vancouver, British Columbia, Canada
27. 20923 Continental Reinsurance Corporation, San Francisco, California
28. 17400 Coregis Indemnity Company, Durham, North Carolina
29. 42048 Diamond State Insurance Company, Indianapolis, Indiana
30. 10928 Eagle Insurance Company, Jersey City, New Jersey
31. E+S Ruckversicherungs-AG, Hannover, Germany

32. 40509 EMC Reinsurance Company, Des Moines, Iowa
33. 90670 ERC Life Reinsurance Corporation, Jefferson City, Missouri
34. 39020 Essex Insurance Company, Wilmington, Delaware
35. 29700 European Reinsurance Corporation of America, Manchester, New Hampshire
36. 35378 Evanston Insurance Company, Evanston, Illinois
37. 44792 Executive Risk Specialty Insurance Company, Simsbury, Connecticut
38. 32018 First Excess and Reinsurance Corporation, Jefferson City, Missouri
39. 85472 First ING Life Insurance Company of New York, New York
40. 37362 General Star Indemnity Company, Stamford, Connecticut
41. 34991 Genesis Indemnity Insurance Company, Bismarck, North Dakota
42. 92673 Gerling Global Life Insurance Company, Toronto, Canada
43. 87017 Gerling Global Life Reinsurance Company, Los Angeles, California
44. 22098 Grain Dealers Mutual Insurance Company, Indianapolis, Indiana
45. Guardian Royal Exchange Assurance Public Limited Company, London, England
46. 42811 Gulf Underwriters Insurance Company, Raleigh, North Carolina
47. Hannover Ruckversicherungs-Aktiengesellschaft, Hannover, Germany
48. 39187 Hansa Reinsurance Company of America, Tarrytown, New York
49. 87572 Harbourton Reassurance, Inc., Wilmington, Delaware
50. 36200 Health Providers Insurance Company, Deerfield, Illinois
51. 78972 Healthy Alliance Life Insurance Company, St. Louis, Missouri
52. 42374 Houston Casualty Company, Houston, Texas
53. 27960 Illinois Union Insurance Company, Chicago, Illinois
54. INEX Insurance Exchange, Chicago, Illinois
55. 10040 Inner Harbor Reinsurance, Inc., Baltimore, Maryland
56. 22829 Interstate Fire & Casualty Company, Chicago, Illinois
57. 93505 ITT Hartford International Life Reassurance Corporation, Westport, Connecticut
58. 16187 John Hancock Property and Casualty Insurance Company, Wilmington, Delaware
59. 35637 Landmark Insurance Company, San Francisco, California
60. 29912 Legion Indemnity Company, Chicago, Illinois
61. 19437 Lexington Insurance Company, Wilmington, Delaware
62. Lloyd's Underwriters, London, England
63. 98078 Manulife Reinsurance Corporation (USA), Buffalo, New York
64. 32089 Medmarc Mutual Insurance Company, Vergennes, Vermont
65. 97071 Mercantile and General Life Reassurance Company of America, Lansing, Michigan
66. 23531 Millers Mutual Fire Insurance Company, Ft. Worth, Texas
67. 33189 Monticello Insurance Company, Wilmington, Delaware
68. 20079 National Fire & Marine Insurance Company, Omaha, Nebraska
69. 33510 Neumann Insurance Company, Denver, Colorado
70. 41629 New England Reinsurance Corporation, Hartford, Connecticut
71. Odyssey Re (London) Limited, London, England
72. 31143 Old Republic Union Insurance Company, Montgomery, Alabama
73. 88099 Optimum Re Insurance Company, Dallas, Texas
74. 37338 Pacific Insurance Company, Los Angeles, California
75. 29807 PXRE Reinsurance Company, Edison, New Jersey
76. 88340 Reassurance Company of Hannover, Orlando, Florida
77. 24481 Reliance Insurance Company of Illinois, Chicago, Illinois
78. River Thames Insurance Company, Ltd., London, England
79. 38636 SAFR Reinsurance Corporation of the U. S., New York, New York
80. St. Paul Reinsurance Company, Ltd., London, England

81. 21911 San Francisco Reinsurance Company, Novato, California
82. 41297 Scottsdale Insurance Company, Columbus, Ohio
83. 23388 Shelter Mutual Insurance Company, Columbia, Missouri
84. Terra Nova Insurance Company, Limited, London, England
85. 37982 Tudor Insurance Company, Keene, New Hampshire
86. Unionamerica Insurance Company, Limited, London, England
87. 36048 Unione Italiana Reinsurance Company of America, Inc., New York, New York
88. 39330 United Capitol Insurance Company, Atlanta, Georgia
89. 28053 United Coastal Insurance Company, Phoenix, Arizona
90. 13021 United Fire & Casualty Company, Cedar Rapids, Iowa
91. 38032 US International Reinsurance Company, Manchester, New Hampshire
92. 21067 Westchester Surplus Lines Insurance Company, Honolulu, Hawaii
93. 29548 Western Indemnity Insurance Company, Houston, Texas
94. 13196 Western World Insurance Company, Keene, New Hampshire
95. 40193 X.L. Insurance Company, New York, New York
96. Zurich Reinsurance (London) Limited, London, England

**Changes to the Qualified Unlicensed Reinsurers List Since It Was Published On November 15, 1997**

The following companies have been added to the list since it was published on November 15, 1997:

American Foundation Life Insurance Company, Birmingham, Alabama

Trinity University Insurance Company, Dallas, Texas

The following companies have been removed from the list since it was published on November 15, 1997:

Associated Electric & Gas Insurance Services, Ltd., Hamilton, Bermuda

British Aviation Insurance Company, Ltd., London, England

Centre Reinsurance Company of New York, New York

Commercial Union Assurance Company, PLC, London, England

Empire Indemnity Insurance Company, Oklahoma City, Oklahoma

First Specialty Insurance Corporation, Jefferson City, Missouri

Grinnell Mutual Reinsurance Company, Grinnell, Iowa

Indemnity Marine Assurance Company, Ltd., London, England

Investors Insurance Company of America, Red Bank, New Jersey

Landmark American Insurance Company, Englewood, Colorado

Northern Assurance Company, Ltd., London, England

Ocean Marine Insurance Company, Ltd., London, England

Realm National Insurance Company, New York, New York

Swiss Re Life & Health, Limited, London, England

Through Transport Mutual Insurance Association, Ltd., Hamilton, Bermuda

Ulico Indemnity Company, Little Rock, Arkansas

United Republic Insurance Company, Houston, Texas

Wausa General Insurance Company, Lisle, Illinois

Yorkshire Insurance Company, Ltd., York, England

Zurich International (Bermuda), Ltd., Hamilton, Bermuda

The following companies have changed their names since the list was published on November 15, 1997:

Folksamerica General Insurance Company, New York, New York has changed its name to X.L. Insurance Company, New York, New York

Great Lakes American Reinsurance Company, New York, New York has changed its name to Folksamerica General Insurance Company, New York, New York

Illinois Insurance Exchange, Chicago, Illinois has changed its name to INEX Insurance Exchange, Chicago, Illinois

La Concorde Compagnie D'Assurances S. A., Paris, France has changed its name to Generali-France Assurances, Paris, France

Sphere Drake Insurance PLC, London, England has changed its name to Odyssey Re (London), London England

The following companies were removed from the list because they were licensed since the list was published on November 15, 1997:

Beneficial Standard Life Insurance Company, Los Angeles, California

Citicorp Life Insurance Company, Dover, Delaware

The First Reinsurance Company of Hartford, Avon, Connecticut

Folksamerica Reinsurance Company, New York, New York

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1893. Filed for public inspection November 13, 1998, 9:00 a.m.]

**Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insured has requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with her company's termination of the insured's automobile policies. The hearings will be held in

accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Norma Sampedro; file no. 98-215-34567; Erie Insurance Exchange; doc. no. PH98-10-026; December 2, 1998, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1894. Filed for public inspection November 13, 1998, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0225, 322 Brownsville Road, Pittsburgh, PA 15210-2249.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,800 net useable square feet of new or existing retail commercial space on Brownsville Road serving the Mount Oliver area. Storeroom must have access for large truck delivery.

*Proposals due:* December 4, 1998 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Westmoreland County, Wine & Spirits Shoppe #6517, 970 E Pittsburgh Street, Greensburg, PA 15601-3519.

*Lease Expiration Date:* January 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space in a shopping center environment on/near Route 30 East of Greensburg.

*Proposals due:* December 4, 1998 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Schuylkill County, Wine & Spirits Shoppe #5402, 116 S. Main Street, Shenandoah, PA 17976-2336.

*Lease Expiration Date:* July 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,700 to 3,300 net useable square feet of new or existing retail commercial space along PA Route 924 (South Main Street).

*Proposals due:* December 4, 1998 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Ronald Hancher, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 98-1895. Filed for public inspection November 13, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 7, 1998, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.



**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.**

**A-00114815. Jefferson County EMS, Inc.** (353 Pine Street, P. O. Box 14, Punxsutawney, Jefferson County, PA 15767), a corporation of the Commonwealth of Pennsylvania—persons, both ambulatory and nonambulatory, in paratransit service, using vehicles equipped with wheelchair lifts and securing devices, between points in the county of Jefferson, and within an airline distance of 100 statute miles of the boroughs of Punxsutawney and Brookville, Jefferson County, and from points in the said territory, to points in Pennsylvania, and return. Temporary Authority Application filed seeking the right cited above. *Attorney:* Sharyn S. Bowser, 554 Vandalia Drive, Tallmadge, OH 44278.

**A-00115406. Clarion Hospital Emergency Medical Services** (One Hospital Drive, Clarion, Clarion County, PA 16214), a corporation of the Commonwealth of Pennsylvania—persons, in paratransit service, to or from medical related facilities such as hospitals, physician offices, clinics, skilled nursing facilities, extended care and personal care homes, in the counties of Clarion, Armstrong, Forest, and Jefferson, and from points in the said counties, to points within an airline distance of 100 statute miles of the limits of the borough of Clarion, Clarion County, and return. *Attorney:* Terry Pope, Ten Grant Street, Clarion, PA 16214.

**Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.**

**A-00111615, Folder 2, Am-A. WGM Transportation Inc.** (R. R. 7, Box 7438, North Fifth Street, East Stroudsburg, Monroe County, PA 18301), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Carbon, and from points in said county, to points in Pennsylvania, and return. Application for Temporary Authority has been filed at A-00111651, F 2, AM-A, seeking the right to transport in paratransit service, persons who are clients of the Carbon County Assistance Office, from their homes to educational training centers, and return, all service to be provided between points in the County of Carbon.

**Motor Carrier Applications—Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before November 30, 1998.

- A-00115413 Harry J. Stong  
P. O. Box 1182, Lewistown, PA 17044
- A-00115412 Samuel C. Park, t/a Highlander Farm  
P. O. Box 546, Elverson, PA 19520
- A-00115411 Central Parcel Express, Inc., t/a RDS  
Delivery Service  
P. O. Box 14749, Cincinnati, OH  
45250-0749; Michael Spurlock, 275 East  
State Street, Columbus, OH 43215

- A-00115413 Harry J. Stong  
P. O. Box 1182, Lewistown, PA 17044
- A-00115410 Homestead Oak, Inc.  
14221 Conneaut Lake Road, Meadville,  
PA 16134; John Swick, 360 Chestnut  
Street, Meadville, PA 16335
- A-00115409 Kenneth K. Rishel, t/a Kenneth K. Rishel,  
Contracting  
1229 Turnpike Avenue, Clearfield, PA  
16830; Dwight L. Koerber, Jr., 110  
North Second Street, P. O. Box 1320,  
Clearfield, PA 16830
- A-00115405 Ed's Delivery Service, Inc.  
3300 Old Lincoln Highway, Unit T4,  
Trevose, PA 19053
- A-00115407 Daniel O. Alspaugh  
15 Alspaugh Lane, Jonestown, PA 17038
- A-00115408 Dennis Corderman, t/a D. Corderman  
177 Smoker Road, Genesee, PA 16923
- A-00115414 Carrigan-Reiff, Ltd.  
27 Zimmerman Road, Leola, PA 17540
- A-00115415 Cafilisch Trucking & Construction  
P. O. Box 8, Clymer, NY 14724; Crandall  
G. Nyweide, P. O. Box 369, Clymer, NY  
14724
- A-00115416 Sandra L. Bressler, t/a Bressler  
Excavating & Truck,  
R. R. 1, Box 429F, Curwensville, PA  
16833; Dwight L. Koerber, Jr., P. O. Box  
1320, Clearfield, PA 16830

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1896. Filed for public inspection November 13, 1998, 9:00 a.m.]

**Water Service  
Without Hearing**

**A-223750F2000. Borough of Tyrone.** Application of the Borough of Tyrone for approval of the abandonment of water service to a portion of the Township of Snyder, Blair County, PA; and the transfer of the service to the Tyrone Borough Water Authority.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before November 30, 1998, under 52 Pa. Code (relating to public utilities).

*Applicant:* Borough of Tyrone

*Through and By Counsel:* Larry C. Clapper, Esquire,  
Tyrone Borough Solicitor, Goldstein, Heslop, Steele, Clapper & Oswald, 414 N. Logan Blvd., Altoona, PA 16602

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1897. Filed for public inspection November 13, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Water Service Without Hearing

**A-211070F0007. Citizens Utilities Water Company of Pennsylvania.** Application of Citizens Utilities Water Company of Pennsylvania for approval of the right to offer, render, furnish or supply water service to the public in a portion of Robeson Township, Berks County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before November 30, 1998, under 52 Pa. Code (relating to public utilities).

*Applicant:* Citizens Utilities Water Company of Pennsylvania

*Through and By Counsel:* Michael D. Klein, Esquire, Zsuzsanna E. Benedek, Esquire, LeBoeuf, Lamb, Greene & MacRae L.L.P., 200 North Third Street, Suite 300, P. O. Box 12105, Harrisburg, PA 17108-2105

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1898. Filed for public inspection November 13, 1998, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9830.1, Overlay Paving and Striping of Marginal Wharf, Packer Ave. Marine Terminal until 2 p.m. on Thursday, December 10, 1998. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available November 17, 1998. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. The contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held December 3, 1998, 10 a.m. at Delaware and Packer Aves. (1/4 mile S. of Packer Ave.), Philadelphia, PA 19148.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 98-1899. Filed for public inspection November 13, 1998, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT SYSTEM

### Request for Proposal for Real Estate Investment Consulting Services

The Commonwealth of Pennsylvania State Employees' Retirement Board is soliciting proposals for Real Estate Investment Consulting Services 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 1998-2 (RFP 1998-2). Proposals should be sent to Peter M. Gilbert, Chief Investment Officer, State Employees' Retirement System, 30 North Third Street, Harrisburg, Pennsylvania 17101, Attention: RFP 1998-2. Proposals must be received at this address no later than 4 p.m. on Monday, January 11, 1999. Proposals received after that time will be rejected.

A preproposal conference will be held on Friday, December 11, 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 1998-2 which may require explanation. Questions regarding the contents of RFP 1998-2 should be submitted in writing and received at SERS on or before November 30, 1998. 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 Sheri R. Bushey, RFP Coordinator, at the address referenced above or by telephone at (717) 237-0241 to obtain a copy of RFP 1998-2.

JOHN BROSIUS,  
*Executive Director*

[Pa.B. Doc. No. 98-1900. Filed for public inspection November 13, 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. 87-021-RP83**—General Construction of a New Generator Building at the Valley Forge Service Plaza located at M.P. 324.6 EB, Chester Co., and the North Neshaminy Service Plaza, WB, located at MP 351.9, Bucks Co., PA

*Bid Opening Date*—December 10, 1998, 11 a.m.

*Bid Surety*—5%

Plans, Specifications and Contract Documents will be available and open for public inspection at the Administration 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 not a necessary prerequisite for bidding on this project.

A prebid meeting conference for the project will be held November 18, 1998, at 10 a.m. The party will meet at the Valley Forge Service Plaza construction site.

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. 98-1901. Filed for public inspection November 13, 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.

**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

③ Contract  
Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)  
Vendor Services Section  
717-787-2199 or 717-787-4705

⑥ Duration

#### 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**

**1273218** Food preparation and serving equipment—1 each furnish and install tray washer Model No. TRAC-321-2 RPW w/pre-wash as manufactured by Ininger or approved equal.

**Department:** Public Welfare  
**Location:** Danville State Hospital, Danville, Montour County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1310118** Food preparation and serving equipment—1 each Girton King Zeero Ice Builder cabinet or approved equal.

**Department:** Corrections  
**Location:** Huntingdon, Huntingdon County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1241218** Household and commercial furnishings and appliances—240 each cubicle surface mounted track w/all necessary accessories to make a complete working track unit including nylon pop-out carrier sys; 240 each Oxford curtains for each track.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, Bridgeville, Allegheny County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1278218** Motor vehicles, trailers and cycles—1 each 1999 model dump truck.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, Bridgeville, Allegheny County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1319218** Motor vehicles, trailers and cycles—1 each 1999 model converted van type wheelchair/passenger van.

**Department:** Public Welfare  
**Location:** Altoona Center, Altoona, Blair County, PA  
**Duration:** FY 98—99  
**Contact:** Vendor Services, fax request to (717) 787-0725 or call (717) 787-2199

**1337228** Motor vehicles, trailers and cycles—1 each 1999 model executive sedan.

**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

**1345158** Motor vehicles, trailers and cycles—1 each 1999 model 15 passenger van wagon.

**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

**1334158** Prefab structures and scaffolding—1 lot Wadsworth Greenhouse Independent Environmental Control Systems.

**Department:** Penn State University  
**Location:** University Park, Centre 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 98-99** The Springfield School District invites Requests for Proposals for telephone system upgrade and/or interschool fiber optic cabling in Springfield School District. Proposals must be received by Springfield School District, 111 West Leamy Avenue, Springfield, PA 19064 by 2 p.m. Thursday, December 17, 1998. A walk-through inspection will be held on Friday, November 20, 1998. All vendors submitting proposals must be in attendance. Information concerning RFPs may be obtained at the Business Office for a nonrefundable fee of \$100 payable to Springfield School District. Questions may be directed to (610) 690-1773 or (610) 690-1789.

**Department:** Education  
**Location:** Springfield School District  
**Duration:** FY 99—00  
**Contact:** J. D'Ambrosia, (610) 690-1789

## Construction—09

**DGS 166-8 Phase 4** Project title: Site development. Brief description: Youghiogheny bicycle trail work consists of bridge replacement, new trail and train station development. General construction. Plans deposit: \$64 per set. Payable to: Department of Conservation and Natural Resources. 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 to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Department of Conservation and Natural Resources, Bureau of Facility Design and Conservation, 8th Floor, RCSOB, Harrisburg, PA 17101, (717) 783-3333. Bid date: Wednesday, December 9, 1998 at 11 a.m. A prebid conference has been scheduled for Friday, November 20, 1998, at 1 p.m. at Ohiopyle State Park, Fayette County, PA. Contact: Bob Hershey, (717) 783-3319. All contractors who have secured contract documents are invited and urged to attend this prebid conference.

**Department:** General Services  
**Location:** Ohiopyle State Park, Fayette County, PA  
**Duration:** 190 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS 515-22** Project title: Upgrade Water Supply/Treatment Systems. Brief description: Work consists of demolition, site work for new chlorine room, sludge thickening tank, HVAC and electrical renovations at water treatment plant. Construct new backup water service connections to water authority main. General, HVAC and electrical construction. Plans deposit: \$150 per set. Payable to: Entech Engineering, 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 to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Entech Engineering Inc., P. O. Box 32, 4 South Fourth Street, Reading, PA 19603, (610) 373-6667. Bid date: Wednesday, December 16, 1998, at 1 p.m. A prebid conference has been scheduled for Monday, December 7, 1998, at 10 a.m. at Wernersville State Hospital, Building No. 24P, Wernersville, Berks County, PA. Contact: Scott Carl, (610) 373-6667, Ext. 180. All contractors who have secured contract documents are invited and urged to attend this prebid conference.

**Department:** General Services  
**Location:** Wernersville State Hospital, Wernersville, Berks County, PA  
**Duration:** 140 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS 594-25** Project title: Addition to Dormitory "A." Brief description: Work consists of an addition to an existing dormitory including general, HVAC, plumbing and electrical construction, site work, bituminous walks, concrete block walls, wood stud partition walls, wood floor and roof joists, fiberglass shingle roof, new finishes, new toilet fixtures, lighting and new heating system. General, HVAC, plumbing and electrical construction. Plans deposit: \$40 per set. Payable to: Thomas and Couch Associates, P.C. 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 to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: Thomas & Couch Associates, P.C., 2314 South Street, A, Philadelphia, PA 19146, (215) 546-6677. Bid date: Wednesday, December 16, 1998 at 1 p.m.

**Department:** General Services  
**Location:** Youth Forestry Camp No. 2, Hickory Run, Carbon County, PA  
**Duration:** 180 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 971-16** Project title: Asbestos Abatement Construction. Brief description: Work consists of asbestos abatement and installation of substitution materials in five historic buildings including pipe insulation, duct insulation, floor tile and ceiling plaster. Asbestos abatement construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. 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 to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, December 2, 1998 at 1 p.m. A prebid conference has been scheduled for Wednesday, November 18, 1998 at 10:30 a.m., at Pennsbury Manor Visitors' Center, Morrisville, PA. Contact: Doug Miller or Joe Camel, (215) 946-0400. All contractors who have secured contract documents are invited and urged to attend this prebid conference.

**Department:** General Services  
**Location:** Pennsbury Manor, Morrisville, Bucks County, PA  
**Duration:** Proposed start of on site work, January 4, 1999; Proposed date of contract completion, March 15, 1999  
**Contact:** Contract Bidding Unit, (717) 787-6556

**DGS A 1574-16** Project title: Fuel Tank Replacement. Brief description: Remove one 4,000 gallon underground gasoline storage tank, concrete pads, dispenser, piping and two abandoned gasoline storage tanks (500 and 1,500 gallon), perform site assessment, testing, sampling and backfill excavation. Provide one new 6,000 gallon aboveground vaulted gasoline storage tank with stairs, dispenser, leak detection/fuel level monitoring system, canopy, concrete pads, apron and all electrical work. Electrical and UST/AST construction. Plans deposit: \$25 per set. Payable to: The Commonwealth of Pennsylvania. 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 to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail requests to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid date: Wednesday, December 2, 1998 at 11 a.m.

**Department:** General Services  
**Location:** Cresson State Correctional Institution, Cresson, Cambria County, PA  
**Duration:** 120 calendar days from date of initial job conference  
**Contact:** Contract Bidding Unit, (717) 787-6556

## Engineering Services—14

**08430AG2262** To provide a comprehensive transportation study in Adams County.

**Department:** Transportation  
**Location:** Engineering District 8-0  
**Duration:** Twenty-four (24) calendar months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**AE-5248** Installation of a new aboveground storage tank. Fax (717) 783-7971.

**Department:** Transportation  
**Location:** PennDOT Maintenance Building, Temple, Berks County, PA  
**Duration:** 90 calendar days—Bid date November 24, 1998  
**Contact:** Valentina Chubb, (717) 787-7001

## Environmental Maintenance Services—15

**BOGM 98-7** Clean out and plug one abandoned oil well estimated to be 600 feet deep (Allegheny National Forest Property).

**Department:** Environmental Protection  
**Location:** Tionesta Township, Forest County, PA  
**Duration:** 45 days after Notice to Proceed  
**Contact:** Construction Contracts Section, (717) 783-7994

**OSM 54(1540)202.1** Backfilling strip pits, South End Tamaqua involves clearing and grubbing, backfilling, grading an estimated 539,500 c. y., 219,100 c. y. rock excavation and 30.6 acres of seeding. One hundred percent (100%) of this project is financed by the Federal Government. Federal funds available for this program total \$20.8 million for Pennsylvania's 1996 AML Grant.

**Department:** Environmental Protection  
**Location:** Walker Township and Tamaqua, Schuylkill County, PA  
**Duration:** 840 days after Notice to Proceed  
**Contact:** Construction Contracts Section, (717) 783-7994

## Food—19

**118811** Fresh bread, pastries, pies, and related items. Estimated need: enriched white bread, Texas toast, wheat bread, cinnamon/raisin bread, Italian bread, hamburger rolls, frankfurter rolls, soft dinner rolls, semi-hard rolls, hard rolls, English muffins, assorted pastries, individual size pies.

**Department:** Public Welfare  
**Location:** Youth Development Center at New Castle, R. R. 6, Box 21A, New Castle, Lawrence County, PA 16101  
**Duration:** January 1, 1999 through March 31, 1999  
**Contact:** Kathy Zeigler, Purchasing Agent, (724) 656-7308

**011** Coffee. Vendor to supply approximately 300,000 lbs. of coffee to be bid approximately quarterly. Coffee to be packaged at the direction of the agency.

**Department:** Corrections  
**Location:** Correctional Industries, State Correctional Institution, Graterford, PA 19426  
**Duration:** December 1, 1998 to November 30, 1999  
**Contact:** Joseph P. Kanjorski, (717) 773-2158, Ext. 560

**011** Tea. Vendor to supply approximately 100,000 lbs. of tea to bid approximately quarterly. Tea to be packaged at the direction of the agency.

**Department:** Corrections  
**Location:** Correctional Industries, State Correctional Institution, Graterford, PA 19426  
**Duration:** December 1, 1998 to November 30, 1999  
**Contact:** Joseph P. Kanjorski, (717) 773-2158, Ext. 560

## Fuel Related Services—20

**Project No. 9941** Removal of two underground storage tanks.

**Department:** Military and Veterans Affairs  
**Location:** Ft. Indiantown Gap, Annville, Lebanon County, PA  
**Duration:** December 1, 1998—June 30, 1999  
**Contact:** Emma Schroff, (717) 861-8518

## HVAC—22

**011** The contractor will perform boiler brick repairs to one boiler.

**Department:** Corrections  
**Location:** Training Academy, 1451 North Market Street, Elizabethtown, PA 17022  
**Duration:** 1—2 years  
**Contact:** Ruth Nagy, (717) 367-9070

**Project No. 914** Install electric for an MCOFT unit.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 201 Pine Street, Berwick, Columbia County, PA  
**Duration:** January 1, 1999—September 30, 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 9940** Replace existing steam coil in hot water storage tank.

**Department:** Military and Veterans Affairs  
**Location:** PAARNG Armory, 2700 Southampton Road, Philadelphia, Philadelphia County, PA  
**Duration:** December 1, 1998—June 30, 1999  
**Contact:** Emma Schroff, (717) 861-8518

**Service Purchase Contract No. 331270** Campsite electrification—Hickory Run State Park. Sealed bids will be received in Hickory Run State Park Office, R. R. 1, Box 81, White Haven, PA 18661, until 2 p.m. prevailing time on November 30, 1998, and then publicly opened and read. Documents containing all pertinent information must be obtained from the office of the Park Manager.

**Department:** Conservation and Natural Resources  
**Location:** Hickory Run State Park, R. R. 1, Box 81, White Haven, PA 18661  
**Duration:** June 30, 1999  
**Contact:** Park Manager, (717) 443-0400

**Service Purchase Contract No. 401557** Furnish and install central air conditioning on the main floor of the Regional Park Office located within Nockamixon State Park.

**Department:** Conservation and Natural Resources  
**Location:** Regional Park Office No. 4, 2808 Three Mile Run Road, Perkasio, Bucks County, PA 18944-2065  
**Duration:** June 30, 1999  
**Contact:** Regional Park Office, (215) 453-5016

**050-310** Remove existing boiler at the driver's licensing center located in Schuylkill Haven, and then replace removed boiler. The contractor will be responsible for disposal of old boiler.

**Department:** Transportation  
**Location:** Driver's Licensing Center, Schuylkill Haven, PA  
**Duration:** 3 months from the effective date  
**Contact:** Bill Bellas, (610) 798-4190

## Janitorial Services—23

**DES009** The Department of Transportation is soliciting bids for janitorial services at the Warren Driver Exam Site. The site will need cleaning every Wednesday. Requests for bid packages can be obtained by calling (717) 783-3931 or by fax at (717) 772-8282 (Attention: Susan Sobotor).

**Department:** Transportation  
**Location:** Warren Driver Exam Site, Hatch Road, Warren, PA 16365  
**Duration:** 3 years with two 1-year renewals  
**Contact:** Susan Sobotor, (717) 783-3931

**Medical Services—29**

**Inquiry No. 32** Preventative maintenance and service agreement for an automatic film processor located on our hospital grounds. A copy of this bid packet can be obtained by contacting the Purchasing Department at (610) 740-3428 or by faxing your request to (610) 740-3424.

**Department:** Public Welfare  
**Location:** Allentown State Hospital, Purchasing Department, 1600 Hanover Avenue, Allentown, PA 18103-2498  
**Duration:** July 1, 1999 to June 30, 2003  
**Contact:** T. F. Snyder, Purchasing Agent, (610) 740-3428

**Inquiry No. 34** This service is for the maintenance and repair of an x-ray unit, on an as needed basis. A copy of this bid packet can be obtained by contacting the Purchasing Department of the Allentown State Hospital at (610) 740-3428 or by fax at (610) 740-3424.

**Department:** Public Welfare  
**Location:** Allentown State Hospital, Purchasing Department, 1600 Hanover Avenue, Allentown, PA 18103  
**Duration:** July 1, 1999 to June 30, 2003  
**Contact:** T. F. Snyder, Purchasing Agent, (610) 740-3428

**GCO No. 1** To conduct an analysis of the duties and responsibilities of the Game Conservation Officer Trainee classification to develop post offer physical test. Standards are to include pass and fail criteria for visual acuity, color perception, hearing, flexibility, strength and power and must be in accord with ADA and EEO regulations. The evaluation must be completed by March 31, 1999. Upon completion of the analysis, administer medical and physical evaluations and swimming test to approximately 30 candidates for this position. The medical evaluation will include EKG, visual acuity, color perception, hearing and chemical and clinical tests. The physical evaluations will include physical characteristics, endurance, agility, strength, power and swimming tests in accord with job related duties and standards. Provide complete written report on all candidates. The results of examination including pass or fail must be given to the PGC within 24 hours of completion of the evaluation. All forms and questionnaires used in conjunction with the testing must be in compliance with ADA. The medical and physical evaluations and swimming test will be in effect for the following periods: April 1, 1999—June 1, 1999; April 1, 2000—June 1, 2000; and April 1, 2001—June 1, 2001.

**Department:** Game Commission  
**Location:** One location in Central Pennsylvania to accommodate candidates throughout this Commonwealth  
**Duration:** January 01, 1999 to June 01, 2001  
**Contact:** Jane Peyton, (717) 787-7836

**Personnel, Temporary—31**

**SC-98-011** To provide temporary certified nursing assistants and licensed practical nurses to fill in for absences of facility employees due to illness or other unforeseen circumstances.

**Department:** Military and Veterans Affairs  
**Location:** Northeastern PA Veterans Affairs, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** April 1, 1999 through June 30, 1999 with renewal option  
**Contact:** Joseph Libus, Purchasing Agent II, (717) 961-4318

**Property Maintenance—33**

**Service Purchase Contract No. 401556** Furnish and install windows in the Nockamixon State Park Office Building.

**Department:** Conservation and Natural Resources  
**Location:** Nockamixon State Park, 1542 Mountain View Drive, Quakertown, Bucks County, PA 18951  
**Duration:** June 30, 1999  
**Contact:** Regional Park Office, (215) 453-5016

**Service Purchase Contract No. 401558** Furnish and install windows and doors in the Regional Park Office located within Nockamixon State Park.

**Department:** Conservation and Natural Resources  
**Location:** Regional Park Office No. 4, 2808 Three Mile Run Road, Perkaspie, Bucks County, PA 18944-2065  
**Duration:** June 30, 1999  
**Contact:** Regional Park Office, (215) 453-5016

**030-0307** Tree removal and trimming in Sullivan County, 2.4 miles on S.R. 0087. Contractor to provide all equipment, labor, material and traffic control necessary to complete contract according to bid specification. Job is to be bid on per mile basis. Payment will be made lump sum. All requests for bid packages must be received by fax at (717) 368-4343 (Attn: Lyndon Mink).

**Department:** Transportation  
**Location:** Sullivan County, PA  
**Duration:** 4 months  
**Contact:** Lyndon B. Mink, (717) 368-4224

**030-0308** Tree removal and trimming in Northumberland County, 5.6 miles on various routes. Contractor to provide all equipment, labor, material and traffic control necessary to complete contract according to bid specification. Job is to be bid on per mile basis. Payment will be made lump sum. All requests for bid packages must be received by fax at (717) 368-4343 (Attn: Lyndon Mink).

**Department:** Transportation  
**Location:** Northumberland County, PA  
**Duration:** 4 months  
**Contact:** Lyndon B. Mink, (717) 368-4224

**030-0309** Tree removal and trimming in Columbia County, 5.3 miles on various routes. Contractor to provide all equipment, labor, material and traffic control necessary to complete contract according to bid specification. Job is to be bid on per mile basis. Payment will be made lump sum. All requests for bid packages must be received by fax at (717) 368-4343 (Attn: Lyndon Mink).

**Department:** Transportation  
**Location:** Columbia County, PA  
**Duration:** 4 months  
**Contact:** Lyndon B. Mink, (717) 368-4224

**030-0310** Tree removal and trimming in Bradford County, 4.5 miles on various routes. Contractor to provide all equipment, labor, material and traffic control necessary to complete contract according to bid specification. Job is to be bid on per mile basis. Payment will be made lump sum. All requests for bid packages must be received by fax at (717) 368-4343 (Attn: Lyndon Mink).

**Department:** Transportation  
**Location:** Bradford County, PA  
**Duration:** 4 months  
**Contact:** Lyndon B. Mink, (717) 368-4224

**FM No. 078298-02** Roof repairs to Building No. 7 at the Hamburg Center. To receive specifications, submit fax request to the Hamburg Center, Hamburg, PA 19526, fax (610) 562-6025.

**Department:** Public Welfare  
**Location:** Hamburg Center, Hamburg, PA 19526  
**Duration:** 120 calendar days from effective date of contract  
**Contact:** Beverly O. Epting, Purchasing Agent, (610) 562-6031

**FM 338021540** Contractor will supply all labor, tools, equipment and building materials needed to renovate the Basement Snack Bar in the Health and Welfare Building. Work will include the demolition of interior walls, ceiling, lighting and duct work; installation of new walls, door and wall material; and painting of doors and trim. Complete specifications and drawings can be obtained by contacting the Procurement Office.

**Department:** Public Welfare  
**Location:** Basement of Health and Welfare Building, Harrisburg, PA 17105  
**Duration:** December 01, 1998 through June 30, 1999  
**Contact:** Ed Blandy, Purchasing Agent, (717) 772-4883



**KU 99-04** Kutztown University is seeking qualified contractors for Student Union Building Office Renovation/Relocation, and Multi-Purpose Room and Formal Dining Room renovation at Kutztown University. Bid packages are available for a nonrefundable fee of \$50 from: Janet Spahr, STV Architects, 205 West Welsh Drive, Douglassville, PA 19508, (610) 385-8219. Bid packages are available November 16, 1998, through prebid. A prebid meeting has been scheduled for Tuesday, November 24, 1998 at 10 a.m. in the Office of Planning and Construction. Bids are to be received on December 8, 1998 no later than 2 p.m. in the Office of Planning and Construction, Room 236. Bids will be opened on December 8, 1998, at 2 p.m. Nondiscrimination and Equal Opportunity are policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** 60 days after Notice to Proceed  
**Contact:** Barbara Barish, (610) 683-4602

### Sanitation—36

**SP 400951** Removal of solid wastes from R. B. Winter State Park. Bids will be opened at R. B. Winter State Park Office, R. R. 2, Box 314, Mifflinburg, PA 17844, Union County, November 24, 1998, 2:30 p.m. prevailing time.

**Department:** Conservation and Natural Resources  
**Location:** R. B. Winter State Park, R. R. 2, Box 314, Mifflinburg, Union County, PA 17844  
**Duration:** January 01, 1999—December 31, 2001  
**Contact:** A. Edward Kautz, Park Manager, (717) 966-1455

**SP No. 290030** Solid waste removal and disposal at Bald Eagle State Park. Bids will be opened at the Bald Eagle State Park Office, 149 Main Park Road, Howard, PA 16841, Centre County on Monday, November 30, 1998, at 2 p.m. prevailing time.

**Department:** Conservation and Natural Resources  
**Location:** Bald Eagle State Park, 149 Main Park Road, Howard, Centre County, PA 16841  
**Duration:** January 01, 1999 to December 31, 2001  
**Contact:** Anthony L. Miele, Park Manager, (814) 625-2775

### Miscellaneous—39

**FPM 99-1** Gypsy Moth/Native Insects Suppression Project aerial application of insecticides of approximately 40,000+ acres over certain populated and nonpopulated forested areas in Adams, Blair, Cambria, Cameron, Centre, Clearfield, Clinton, Cumberland, Dauphin, Elk, Franklin, Huntingdon, Northumberland and Venango counties in the Commonwealth of Pennsylvania to prevent defoliation of high-value trees by the gypsy moth.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Forest Pest Management, Various counties in Pennsylvania as listed above  
**Duration:** May 1, 1999 through June 30, 1999  
**Contact:** Cory Gaiski, (717) 783-0760

[Pa.B. Doc. No. 98-1902. Filed for public inspection November 13, 1998, 9:00 a.m.]

### Vehicle, Heavy Equipment—38

**010345** Repair parts for traffic line paint machine.

**Department:** Transportation  
**Location:** 1140 Liberty Street, Franklin, PA 16323  
**Duration:** 2 weeks ARO  
**Contact:** Tom Moore, (814) 437-4237

**340052** Water softener units—Mfg. Brunner. Service to include regeneration study, tune up of Brunermatic valve, complete inspection of tank, written resin analysis report, complete brine optimization study. Mayview State Hospital, Purchasing Department, will supply Spec for 3973 upon request. Call (412) 257-6215.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** July 1, 1999—June 30, 2002  
**Contact:** F. Molisee, Purchasing Agent II, (412) 257-6215

**0270-98004** Remove and replace dump bed and lift cylinder with new on a 1989 Mack tandem dump VIN No. 1M2P198C8KW003710. Bed size 13' 6" 1/4" alum plate; aluminum body. Note: All work will be done at vendor's site.

**Department:** Transportation  
**Location:** District 0270; Work to be done at vendor's location  
**Duration:** Indeterminate 1998—99  
**Contact:** Larry L. Lawson, (717) 436-2187

---

## DESCRIPTION OF LEGEND

---

- |  |   |
|--|---|
| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

GARY E. CROWELL,  
*Secretary*

STATE CONTRACT INFORMATION

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
1014118-01	11/03/98	Murata Wiedemann, Inc.	464,916.00
1051388-01	11/03/98	Mabie Brothers, Inc.	84,600.00
1074158-01	11/03/98	NCR Corp.	11,140.00
1095118-01	11/03/98	Chemtick Coated Fabrics, Inc.	10,490.00
1100118-01	11/03/98	J. Weinstein & Sons, Inc.	114,000.00
1137118-01	11/03/98	J. Weinstein & Sons, Inc.	37,200.00
1149358-01	11/03/98	Rupprecht & Patashnick Co., Inc.	309,406.20

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
2039157-01	11/03/98	G. R. Sponaugle & Sons, Inc.	104,799.00
8249520-01	11/03/98	Griffin Motors Co.	793,286.00
8249590-01	11/03/98	E-Town Dodge	104,900.00
8249590-02	11/03/98	Hoffman Ford Sales, Inc.	17,949.00
8249630-01	11/03/98	Regester Chevrolet, Inc.	327,758.00

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 98-1903. Filed for public inspection November 13, 1998, 9:00 a.m.]