

# PENNSYLVANIA BULLETIN

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State Board of Pharmacy

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

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# 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.

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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 1999.

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 1873, 2143, 2575, 2855, 2995, 2996, 2997, 3069,  
 3199, 3348, 3622, 3719, 4060, 4168, 4348, 4349,  
 4432, 4433, 4434, 4435, 4436, 4543, 4544, 4558,  
 4559, 4678, 4679, 4680, 4781, 4862, 4863, 4942,  
 4947, 4948, 4949, 4950, 5065, 5067, 5288, 5388

# THE COURTS

## Title 255—LOCAL COURT RULES

### BERKS COUNTY

#### Rules of Court; No. 99-1099

##### Order

*And Now*, this 3rd day of September, 1999, Berks County Rules of Criminal Procedure (B.R.C.P.) No. 303, No. 303.3 and No. 303.5 are amended as hereinafter set forth, and as so amended are hereby promulgated. Said Rules as amended and promulgated are approved and adopted for use in the Court of Common Pleas of Berks County, Pennsylvania (23rd Judicial District of Pennsylvania), effective thirty (30) days after the date of their publication in the *Pennsylvania Bulletin*, and said Rules, as herein approved and adopted, shall apply to all criminal proceedings then and thereafter begun, including, but not limited to, proceedings then pending.

*It Is Further Ordered* that each of said Rules as said Rule existed prior to these amendments is hereby repealed and annulled on the effective date of said Rules as amended, but no rights acquired thereunder shall be disturbed.

The Prothonotary of Berks County is *Ordered and Directed* to do the following:

1. Keep continuously available for public inspection and copying, copies of this Order and of Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5 as herein amended and promulgated.

2. File with the Administrative Office of Pennsylvania Courts for distribution in accordance with Pa. Rule of Judicial Administration No. 103(c), ten (10) certified copies of each of the following:

(a) This Order;

(b) Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5, as herein amended and promulgated.

3. File two (2) certified copies of this Order and two (2) certified copies of Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5, as herein amended and promulgated, with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. File one (1) certified copy of this Order and one (1) certified copy of Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5, as herein amended and promulgated, with the Civil Procedural Rules Committee.

5. Within three (3) weeks after the publication of said amended Rules in the *Pennsylvania Bulletin*, the Prothonotary of Courts shall cause a copy of this Order and a copy of said amended Rules to be published one (1) time in the *Berks County Law Journal* in suitable form so that the same may be placed as an additional or replacement page in the current binder of the Berks County Rules of Court. Each such additional or replacement page shall show in its lower right-hand corner, the effective date of said amended Rules.

*By the Court*

SCOTT D. KELLER,  
*President Judge*

#### Rules of Criminal Procedure

##### Rule 303. Arraignment.

Each Defendant in a criminal case shall be arraigned before a judge or before the court administrator or a deputy court administrator or a criminal court master when such court administrator or deputy is designated and authorized by an order of the president judge.

##### Rule 303.3. Arraignment Before Court Administrator, Deputy Court Administrator or a Criminal Court Master.

(a) Whenever arraignments are held before the court administrator or a deputy court administrator, or a criminal court master, designated and authorized by order of the president judge, and the defendant stands mute, the clerk is authorized and directed to enter a plea of not guilty for the defendant.

(b) Whenever arraignments are held before the court administrator or a deputy court administrator, or a criminal court master, designated and authorized by order of the president judge, and the defendant fails to appear, the court administrator, or deputy court administrator, or criminal court master, shall report such fact in writing to a judge of the court, and the court may authorize that a bench warrant be issued for the apprehension and arrest of the defendant so that he or she may be brought before the court.

##### Rule 303.5. Place and Manner of Arraignment.

Arraignment shall take place at the Berks County Courthouse, at the Berks County Prison in Bern Township, Berks County, Pennsylvania, or at such other places in the County of Berks as may from time to time be designated by a judge of the Court of Common Pleas and may be conducted by means of video conferencing.

[Pa.B. Doc. No. 99-1741. Filed for public inspection October 15, 1999, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
[25 PA. CODE CH. 89]

### Corrective Amendment to 25 Pa. Code § 89.67

The Department of Environmental Protection (Department) has discovered a discrepancy between the agency text of 25 Pa. Code § 89.67 (relating to support facilities) as deposited with the Legislative Reference Bureau and as published at 28 Pa.B. 2215, 2256 (May 9, 1998) and the official text as published in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 285) and as currently appearing in the *Pennsylvania Code*. Amendments to § 89.67, adopted at 28 Pa.B. 2215, 2256, were never codified.

Therefore, under 45 Pa.C.S. § 901: The Department has deposited with the Legislative Reference Bureau a corrective amendment to 25 Pa. Code § 89.67. The corrective amendment to 25 Pa. Code § 89.67 is effective as of August 1, 1998, the date the defective official text was announced in the *Pennsylvania Bulletin*.

The correct version of 25 Pa. Code § 89.67 appears in Annex A.

JAMES M. SEIF,  
*Secretary*

#### TITLE 25. ENVIRONMENTAL PROTECTION

#### PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Subpart C. PROTECTION OF NATURAL RESOURCES

#### ARTICLE I. LAND RESOURCES

#### CHAPTER 89. UNDERGROUND MINING OF COAL AND COAL PREPARATION FACILITIES

#### Subchapter B. OPERATIONS PERFORMANCE STANDARDS

#### § 89.67. Support facilities.

(a) Support facilities required for, or used incidentally to, the operation of the underground mine, including, but not limited to, mine buildings, coal loading facilities at or near the mine site, coal storage facilities, equipment storage facilities, fan buildings, hoist buildings, preparation plants, sheds, shops and other buildings, shall be located, maintained and used in a manner that does the following:

(1) Prevents or controls erosion and siltation, water pollution and damage to public or private property.

(2) To the extent possible using the best technology currently available:

(i) Minimizes damage to fish, wildlife and related environmental values.

(ii) Minimizes additional contributions of suspended solids to streamflow or runoff outside the permit area. Contributions may not be in excess of limitations of State or Federal law.

(b) All underground mining activities shall be conducted in a manner which minimizes damage, destruction

or disruption of services provided by oil, gas and water wells; oil, gas and coal-slurry pipelines; railroads; electric and telephone lines; and water and sewage lines which pass over, under or through the permit area, unless otherwise approved by the owner of those facilities and the Department.

[Pa.B. Doc. No. 99-1742. Filed for public inspection October 15, 1999, 9:00 a.m.]

### ENVIRONMENTAL QUALITY BOARD [25 PA. CODE CHS. 121, 126 AND 139]

[Correction]

#### Gasoline Volatility Requirements—Low Reid Vapor Pressure

An error occurred in two paragraphs of the preamble to this document as it appeared at 29 Pa.B. 5089, 5090 (October 2, 1999). The correct version of these two paragraphs is as follows, with ellipses referring to the remaining text of the preamble:

The Environmental Quality Board (Board) amends Chapters 121, 126 and 139 (relating to general provisions; standards for motor fuels; and sampling and testing) to read as set forth in Annex A. The amendments eliminate the use of Federal reformulated gasoline (RFG) as a compliant fuel in the Pittsburgh-Beaver Valley area during the ozone season. The amendments also provide that compliance records shall be kept onsite for all points in the distribution network except at retail facilities. Retail facilities are required to retain compliance records onsite for the current ozone season only. In addition, the amendments make a technical language correction relating to sampling procedures. The Board approved the final amendments at its July 20, 1999, meeting.

\* \* \* \* \*

#### D. Background and Summary of the Amendments

These amendments eliminate the use of RFG as a compliant fuel in the Pittsburgh-Beaver Valley Area during the ozone season. Because of concerns with implementation of the existing regulation as it relates to RFG, the Department is eliminating the RFG provisions. Since refiners and marketers have been supplying low Reid vapor pressure (RVP) gasoline during the ozone season, these amendments will have minimal practical consequences. While this low RVP gasoline is more stringent than the Federal requirement, it is necessary because it is part of a comprehensive plan for the Pittsburgh area to attain and maintain the National health-based standard for ground level ozone. These amendments also require that compliance records be kept onsite for all points in the distribution network except at retail facilities. Retail facilities are required to retain compliance records onsite for the current ozone season only. Finally, these amendments also correct the technical language relating to sampling procedures.

\* \* \* \* \*

[Pa.B. Doc. No. 99-1663. Filed for public inspection October 1, 1999, 9:00 a.m.]

# Title 55—PUBLIC WELFARE

## DEPARTMENT OF PUBLIC WELFARE

### [55 PA. CODE CH. 155]

#### Enumeration

The Department of Public Welfare (Department), by this order, adopts the amendments to read as set forth in Annex A under the authority of sections 201(2) and 403(b) of the Public Welfare Code (code) (62 P. S. §§ 201(2) and 403(b)).

The proposed amendments were published at 27 Pa.B. 3679 (July 26, 1997). No comments were received and there are no changes to the published amendments.

#### *Purpose*

The purpose of these amendments is to delete §§ 155.1, 155.3, 155.4, 155.41, 155.44, 155.61, 155.64, 155.74 and 155.84. The Department is replacing all previous regulations and procedures with a single requirement which provides that applicants for and recipients of assistance benefits shall comply with Federal enumeration requirements. Federal regulations require that applicants and recipients of Medical Assistance (MA), Food Stamps and Temporary Assistance for Needy Families (TANF) shall, as a condition of eligibility, disclose or apply for a Social Security Number (SSN). Federal statutes and regulations relating to enumeration are applicable to all programs in which Federal funding is received (for example, MA, Food Stamps and TANF). Further, section 432.2(b)(3) of the code (62 P. S. § 432.2(b)(3)) requires that applicants or recipients of State-funded programs also provide SSNs. Therefore, the Department has adopted the same practice for State-funded programs as for those in which Federal funding is received.

#### *Background*

Section 1137 of the SSA (42 U.S.C.A. § 1320b-7), added to the Social Security Act by section 2651 of the Deficit Reduction Act of 1984 (Pub.L. No. 98-369), provides the authority by which the Department requires all persons applying for or receiving TANF, Nonmoney Payment Medical Assistance (NMP) and Medically Needy Only Medical Assistance (MNO) to disclose or apply for an SSN. Federal enumeration requirements for the Food Stamp Program are adopted by reference in § 501.1 and are not included in Chapter 155. Section 432.2(b)(3) of the code, as amended, further provides the authority by which the Department requires that persons applying for or receiving General Assistance (GA), State Blind Pension (SBP) or MNO in a related category shall disclose or make application for SSNs. In addition, the Federal requirements mandate the Department to verify all SSNs with the Social Security Administration (SSA).

#### *Need for the Amendments*

These amendments will enable the Department to use, by reference, the enumeration regulations in the *Code of Federal Regulations*. It will also facilitate the issuance of instructional material to county assistance offices (CAOs) for the operation of the program. This eliminates any need for the Department to promulgate its own regulations to implement a new change in Federal regulations.

#### *Requirements*

Section 1137 of the Social Security Act, requires applicants and recipients to provide their SSN or apply for one if they do not have a number.

These amendments make no substantive changes to enumeration requirements already in effect. They will have no additional impact on applicants for, or recipients of, public assistance programs.

#### *Affected Persons and Organizations*

The changes to Chapter 155 will not change enumeration requirements which currently exist.

#### *Accomplishments/Benefits*

The changes to Chapter 155 will ensure immediate compliance with Federal regulation changes and simplify administration of the program by eliminating the need to revise 55 Pa. Code to reflect changes in Federal regulations.

#### *Public Comment*

Written comments, suggestions and objections were solicited within a 30-day period after the publication date.

#### *Discussion of Comments*

No comments were received and there are no changes to the published amendments.

#### *Fiscal Impact*

The amendments will have no fiscal impact on State or local government or private entities.

#### *Paperwork Requirements*

The changes to Chapter 155 will reduce paperwork requirements associated with administration of the program by eliminating the need to revise 55 Pa. Code to reflect changes in Federal regulations.

#### *Effective Date*

The amendments are effective upon publication as final rulemaking.

#### *Sunset Date*

A sunset date is not applicable.

#### *Regulatory Review Act*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of the notice of proposed rulemaking published at 27 Pa. B. 3679 (July 26, 1997) to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Health and Welfare and the Senate Committee on Public Health and Welfare for review and comment. Compliance with section 5(b.1) of the Regulatory Review Act was not necessary because the Department did not receive comments from the IRRC, the Committees or the public on the proposed amendments. No changes were made to the proposed amendments.

These final-form regulations were approved by the Senate Public Health and Welfare Committee and the House Health and Welfare Committee on September 9, 1999, and were deemed approved by IRRC on September 23, 1999, in accordance with section 5(g) of the Regulatory Review Act.

*Findings*

The Department finds that:

(1) Public notice of intention to adopt 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 thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of these amendments in the manner provided in this order is necessary and appropriate for the administration and enforcement of the code.

*Order*

The Department, acting under the code, orders that:

(a) The regulations of the Department, 55 Pa. Code Chapter 155, are amended by deleting §§ 155.1, 155.3, 155.4, 155.41, 155.44, 155.61, 155.64, 155.74 and 155.84 and by adding § 155.2 to read as set forth in Annex A.

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

(c) The Secretary of the Department shall duly 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*.

FEATHER O. HOUSTOUN,  
*Secretary*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 29 Pa.B. 5357 (October 9, 1999).)*

**Fiscal Note:** Fiscal Note 14-425 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 55. PUBLIC WELFARE  
PART II. PUBLIC ASSISTANCE MANUAL  
Subpart C. ELIGIBILITY REQUIREMENTS  
CHAPTER 155. ENUMERATION**

**§ 155.1. [Reserved].**

**§ 155.2. General.**

Applicants for and recipients of cash or Medical Assistance benefits are required to disclose or apply for a Social Security Number (SSN) as required by Federal regulations found in 42 CFR 435.910, 435.920 and 45 CFR 205.52 (relating to use of social security number; verification of SSNs; and furnishing of social security numbers) and section 432.2(b)(3) of the Public Welfare Code (62 P. S. § 432.2(b)(3)). Enumeration (disclosure of or application for an SSN) is also required by persons applying for or receiving General Assistance or State Blind Pension in accordance with section 432.2(b)(3) of the Public Welfare Code. The Federal regulations and State statute cited in this section are incorporated by reference.

**§ 155.3. [Reserved].**

**§ 155.4. [Reserved].**

**§ 155.41. [Reserved].**

**§ 155.44. [Reserved].**

**§ 155.61. [Reserved].**

**§ 155.64. [Reserved].**

**§ 155.74. [Reserved].**

**§ 155.84. [Reserved].**

[Pa.B. Doc. No. 99-1743. Filed for public inspection October 15, 1999, 9:00 a.m.]

# PROPOSED RULEMAKING

## INSURANCE DEPARTMENT

[31 PA. CODE CH. 25]

### Insurance Holding Company Systems

The Insurance Department (Department) proposes to amend Chapter 25 (relating to rules and procedural requirements for insurance holding company systems) to read as set forth in Annex A. The rulemaking is proposed under the authority of section 337.8 and Article XIV of The Insurance Company Law of 1921 (act) (40 P. S. §§ 459.8 and 991.1401—991.1413). The chapter sets forth rules, procedural requirements and reporting forms relating to acquisitions of control of or mergers with insurers and transactions within insurance holding company systems.

#### *Purpose*

In 1994, the act was amended to: (1) bring health maintenance organizations within the scope of the act; and (2) update provisions relating to dividends and other material transactions within an insurance holding company system to meet minimum financial regulation standards adopted by the National Association of Insurance Commissioners (NAIC). See the act of February 17, 1994, (P. L. 92, No. 9). This rulemaking includes revisions needed to update the chapter to reflect the 1994 amendments to the act.

The rulemaking also includes a prescribed form for providing notice of the potential competitive impact of a proposed merger or acquisition under section 1403 of the act (40 P. S. § 991.1403). The new form (Form E) is consistent with a model form adopted by the NAIC and will provide the Department with information needed to determine whether a proposed merger or acquisition would violate the competitive standard of section 1403(d) of the act.

In addition, this rulemaking includes amendments to clarify a number of existing procedural and reporting requirements and eliminate other requirements deemed to be unnecessary or duplicative.

Therefore, the proposed rulemaking will update the chapter to be consistent with current Commonwealth law and the NAIC reporting standards and improve upon the clarity and efficiency of reporting requirements relating to insurance holding company systems.

#### *Explanation of Regulatory Requirements*

Section 25.1 (relating to definitions) is being amended to add a definition of "surplus." Terms used in statutory accounting are not consistent for all types of insurers subject to the act. Therefore, a definition of "surplus" is needed to provide a common meaning of that term for purposes of compliance with this chapter. A definition for the "NAIC—National Association of Insurance Commissioners" has been added for ease of reference in using the chapter.

Section 25.2 (relating to purpose) is being deleted because it does not provide information that is necessary to understand the meaning and intent of the provisions of the chapter.

Section 25.11 (relating to expenses) is being amended to include standards relating to costs of outside experts retained to assist the Department in the evaluation of

filings made under the chapter. The standards are consistent with Chapter 12 (relating to costs of examinations) and the Commonwealth's procedures for retaining the services of outside parties.

Section 25.12(b) (relating to forms—general requirements) is being amended to eliminate the requirement to file duplicate copies of insurance holding company registration forms and forms providing notice of material transactions. However, because applications for the Department's approval of an acquisition of control of an insurer are available for public inspection, duplicate copies of the forms used for those applications (Forms A and E) will still be required. A new § 25.12(c) has been added to provide instructions relating to assertions of confidentiality, privilege or trade secret with respect to information included or referenced within Form A and E filings. The new section is consistent with a Department Notice published at 27 Pa.B. 2216 (May 3, 1997). Section 25.12(b) is also being amended to permit filings by facsimile or other form of electronic transmission acceptable to the Department. The additional language will allow the Department to accept electronic filings as soon as the required technology and procedures are in place.

Section 25.14(b)(3) (relating to forms—information unknown or unavailable and extension of time to furnish) is being amended to eliminate the requirement that the Commissioner enter a formal order to deny a request for an extension of time for filing required information. The amendment would allow a request for extension of time to be deemed granted unless denied in writing by the Department within 30 days of receipt.

Section 25.15 (relating to forms—additional information and exhibits) is being amended to clarify that the Commissioner may require the person filing a form to provide additional information as may be necessary to make the filing not misleading or to determine compliance with the act.

Under sections 1402(f)(1)(ii) and 1403(d) of the act (40 P. S. §§ 991.1402(f)(1)(ii) and 991.1403(d)), the Department may enter an order disapproving a merger or acquisition if there is substantial evidence that the effect of the transaction would be to substantially lessen competition or tend to create a monopoly in insurance in this Commonwealth. Section 1403(c)(2) of the act provides for information relating to the competitive impact of a proposed merger or acquisition to be furnished in a form as prescribed by the NAIC. Section 25.16(a) and (c) (relating to acquisition of control—statement filing) are being amended to include Form E as the prescribed form for providing the required information. Form E is consistent with a model form adopted by the NAIC. In addition § 25.16(d) is being added to clarify section 1403(c)(2) of the act relating to information in addition to that furnished on Form E that may be required to determine the competitive impact of a proposed merger or acquisition in this Commonwealth. The information may include an opinion of an economist, accompanied by a summary of the economist's education and experience.

Section 25.16(b) (relating to acquisition of control—statement filings) is being amended to clarify that Form A is not required when filing a request for an exemption from section 1402 of the act.

Under section 1402(d) of the act, material changes in the facts in Form A or E shall be filed with the Department within 2 business days after the person filing



the forms learns of the change. Section 25.16(e) is being added to clarify that, if the acquiring person is not an individual, a material change includes changes in directors, executive officers or owners of 10% or more of the voting securities of the acquiring person. Section 25.16(d) is also being amended to allow an amendment disclosing all other changes to be filed within 5 business days. The 5-day requirement is being added in recognition that, while the Department must be aware of any changes in information provided in Forms A and E, the 2-day requirement should apply only to changes that may have a material effect on the Commissioner's disposition of the filing.

Section 25.17(c) (relating to annual registration of insurers—statement filing) is being amended to eliminate the requirement to file an amendment to an annual registration statement (Form B) if a material change in the information provided in the statement has already been properly reported as a dividend, other distribution to shareholders or other transaction under the regulation. This change will allow for adequate reporting of material transactions without duplicative filings.

Section 25.18 (relating to summary of registration—statement filing) requires an insurer to file a copy of Form C with another jurisdiction within 15 days from receipt of a written request from the chief insurance regulatory official of the jurisdiction. The section is being amended to require the insurer to file the requested form by the date instructed by the requesting official or no later than 15 days from receipt of the request. These amendments will recognize the discretion of a regulatory official in another jurisdiction to request the filing within a shorter time frame.

Under section 1405(a)(2) of the act (40 P. S. § 991.1405(a)(2)), an insurer may not enter into certain material transactions unless the insurer has provided at least 30 days notice to the Department of its intention to enter into the transaction and the Department has not disapproved the transaction. Section 25.21 (relating to transactions subject to prior notice—notice filing) requires notice of these transactions to be furnished on Form D as prescribed by the chapter. Section 25.21(b) is being added to require a material change in the information furnished on Form D to be reported as an amendment to Form B, the annual registration statement. The addition of § 25.21(b) in conjunction with the amendment to § 25.17 will eliminate duplicative reporting requirements. An insurer is currently required to provide 30 days prior notice of certain transactions on Form D and then report the same transaction 15 days after the end of the month in which it occurs as an amendment to Form B. The proposed amendments eliminate the requirement to file both a Form D and an amendment to Form B, unless there is a change in the information initially provided on Form D. Finally, § 25.21(c) is being added to provide notice that the Department may withdraw its prior approval of a transaction or take other regulatory action as a result of a material change in the information furnished on Form D.

Section 25.22 (relating to all dividends and other distributions) currently applies to only extraordinary dividends or other extraordinary distributions reported under section 1405(b) of the act. The section is being amended to broaden its application to all types of dividends and other distributions reported under the act. Section 25.22(a) is being added to provide instructions for reporting all dividends and other distributions under section 1404(e) of the act. Section 25.22(b) is being added to

provide instructions for requesting the Department's approval to pay dividends and other distributions from other than unassigned funds (surplus) under section 337.8 of the act. Section 25.22(c) is being amended to refer to the section of the act relating to extraordinary dividends or other extraordinary distributions. Section 25.22(c) lists information required to be included in reports and requests filed with the Department under the section and is being amended to apply to all types of dividends and other distributions and to reflect the 1994 amendments to the act. Section 25.22(d) and (e) are being added to provide format and procedural requirements for reports of dividends and other distributions consistent with requirements relating to Form D filings. These provisions are needed to establish consistent reporting standards for all types of transactions under the act. Finally, § 25.22(f) is being added to provide notice that the Department may withdraw its prior approval of a dividend or other distribution and require the transaction to be reversed or take other regulatory action as a result of a material change in information reported under the section.

Transactions within an insurance holding company system are subject to standards in section 1405(a) of the act. One of the standards (section 1405(a)(v) of the act) is whether the insurer's surplus after the transaction will be reasonable in relation to its outstanding liabilities and adequate to its financial needs. Section 1405(d) of the act lists factors that the Department will consider in determining whether the standard in section 1405(a)(v) of the act has been met. Section 25.23 (relating to adequacy of surplus) is being amended to clarify for users of the chapter that the factors in section 1405(d) of the act relate to the standard in section 1405(a)(v) of the act.

Form A, Item 3 (relating to identity and background of individuals associated with the applicant) and Form B, Item 4 (relating to biographical information) are being amended to eliminate the need to include a biographical affidavit with the forms if an affidavit furnished within the immediately preceding 3 years is currently on file with the Insurance Commissioner. These amendments will eliminate unnecessary filings while assuring that the Department has current information.

Form B, Item 5 (relating to transactions and agreements) is being amended to clarify that annual registration statements shall include extraordinary dividends and other material transactions that have occurred during the last calendar year. Interim amendments to Form B will no longer be required for transactions and dividends reported under §§ 25.21 and 25.22. Therefore, this amendment is needed to clarify that the next annual registration statement shall include all transactions that have occurred during the past year, including transactions for which prior notice was required.

Form B, Item 8 (relating to financial statements and exhibits) is being amended to include current Department policy relating to financial statements for controlling persons who are individuals. The policy was published as *Insurance Department Notice No. 1993-19* and provides that individuals may file personal financial statements that are reviewed rather than audited by an independent public accountant. The review shall be conducted in accordance with standards published by the American Institute of Certified Public Accountants.

Form C-Summary Registration Statement is being amended to require descriptions of items that have changed from the prior year's annual registration statement to include the date and dollar amount of the change

and to identify any previous filings made as a result of the change. This information is needed to permit the Department to properly identify and evaluate related filings under the act.

Forms A—C are being amended to require persons filing the forms to include the NAIC code numbers of the affected insurers. The inclusion of the NAIC number will facilitate the Department's use of electronic data in reviewing the forms.

Form D, Item 2.B. (relating to description of the transaction) is being amended to better define what is required in a description of the nature of a proposed material transaction. The amendment provides for the description to include the purpose of the transaction and its anticipated immediate and long-term effect on the financial condition of the insurer. This information is needed for the Department to determine whether the transaction meets the standards under section 1405 of the act including whether the insurer's surplus after the transaction will be reasonable in relation to its outstanding liabilities and adequate to its financial needs.

Form D, Items 3—5 (relating to sales, purchases, exchanges, loans, extensions of credit, guarantees, investments or contributions to surplus; loans or extensions of credit to a nonaffiliate; and reinsurance) are being amended to update these items consistent with language in the 1994 amendments to the act.

A new Form E is being added to prescribe the form for providing notice of the potential competitive impact of a proposed merger or acquisition under section 1403 of the act. Form E requires information relating to the competitive impact of the transaction on the insurance market in this Commonwealth. The form is consistent with a model form adopted by the NAIC.

Further amendments have been made to §§ 25.12—25.17, 25.19, 25.20 and Forms A—D to improve upon the clarity and readability of the chapter.

#### *External Comments*

In drafting this proposed rulemaking, the Department requested comments from The Insurance Federation of Pennsylvania, Inc., and the Pennsylvania Association of Mutual Insurance Companies. The comments received in response to the Department's request were considered in the development of this rulemaking.

#### *Fiscal Impact*

The proposed reporting requirements in this rulemaking will impose no significant costs on persons filing applications to merge with or acquire control of insurers transacting business in this Commonwealth or on domestic insurance companies in insurance holding company systems. This proposed rulemaking will reduce current costs imposed on regulated parties to the extent that it eliminates duplicative filing requirements. Department costs associated with the review of applications and statements filed under Chapter 25 will not increase as a result of this rulemaking. This rulemaking will not impact on costs to political subdivisions. While this rulemaking has no immediate fiscal impact on the general public, the general public will benefit to the extent that adoption of this rulemaking enhances the efficiency and effectiveness of the Commonwealth's regulation of domestic insurers in insurance holding company systems under the act.

#### *Paperwork*

Because this proposed rulemaking updates the chapter consistent with requirements imposed and implemented under the 1994 amendments to the act, this proposed rulemaking will impose no additional paperwork requirements on domestic insurers or other persons subject to the act. This proposed rulemaking reduces paperwork by eliminating duplicative filings relating to biographical information, reporting forms and notices of proposed material transactions. The disclosure and review requirements in the proposed amendments are necessary for the Department to evaluate whether proposed mergers, acquisitions and material transactions within an insurance holding company system are fair and reasonable and do not have an adverse impact on the interests of policyholders or the financial stability of a domestic insurer.

#### *Persons Regulated*

This proposed rulemaking applies to persons filing applications to merge with or acquire control of an insurer transacting business in this Commonwealth, domestic insurers (including health maintenance organizations) in insurance holding company systems and other domestic insurers filing reports of dividends and other distributions with the Department.

#### *Contact Person*

Questions or comments regarding this proposed rulemaking may be addressed in writing to Peter J. Salvatore, Regulatory Coordinator, Office of Special Projects, 1326 Strawberry Square, Harrisburg, PA 17120, within 30 days following the publication of this notice in the *Pennsylvania Bulletin*.

Questions or comments may also be e-mailed to [psalvato@ins.state.pa.us](mailto:psalvato@ins.state.pa.us) or faxed to (717) 705-3873.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 5, 1999, the Department submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Insurance and the Senate Committee on Banking and Insurance. In addition to submitting this proposed rulemaking, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the agency in compliance with Executive Order 1996-1. A copy of this material is available to the public upon request.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

**Fiscal Note:** 11-182. No fiscal impact; (8) recommends adoption.

Annex A  
**TITLE 31. INSURANCE**  
**PART I. GENERAL PROVISIONS**  
**Subpart B. SECURITIES AND STOCK**  
**TRANSACTIONS**  
**CHAPTER 25. RULES AND PROCEDURAL**  
**REQUIREMENTS FOR INSURANCE HOLDING**  
**COMPANY SYSTEMS**

**§ 25.1. Definitions.**

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

\* \* \* \* \*

**NAIC**—The National Association of Insurance Commissioners, or successor organization.

**Surplus**—Total assets less total liabilities as calculated and reported in accordance with the annual statement instructions and accounting practices and procedures manuals adopted by the NAIC as required by the Commissioner.

**Ultimate controlling person**—[ That ] A person which is not controlled by another person. An ultimate controlling person may be one or more of the following: individual, corporation, limited liability corporation, partnership, association, joint stock company, trust, unincorporated organization, or any similar entity or combination of the foregoing who directly or indirectly controls the registrant.

\* \* \* \* \*

**§ 25.2. [ Purpose ] (Reserved).**

[ (a) The purpose of this chapter is to set forth the rules and procedural requirements which the Commissioner deems necessary to carry out the act. The information required by this chapter is necessary and appropriate in the public interest and for the protection of the policyholders of this Commonwealth.

(b) The practice of acquisition of a controlling interest in an insurance company without an advance disclosure of intentions to the insurance company itself shall be regarded as incompatible with the responsibility of the Department to protect the interests of policyholders and the public and to assure itself as to the present and continuing financial stability of the insurance company.

(c) The Department will exercise the powers accorded it by the insurance laws of the Commonwealth to require the disclosure of pertinent information with regard to proposed acquisitions and transactions within a holding company system so that the Department may make an informed and reasoned evaluation of the impact of the proposed acquisition upon the interests of the policyholders and the public and upon the financial stability of the insurance company. ]

**§ 25.11. Expenses.**

[ Expenses incurred by the Department in the evaluation of a filing under this chapter related to expert testimony and consulting services, including legal advice, may be assessed by the Commissioner in his discretion to the person filing the statements prescribed in this chapter. ]

(a) Under sections 1402(f)(3) and 1405(a)(4) of the act (40 P. S. §§ 991.1402(f)(3) and 991.1405(a)(4)), the Department may retain attorneys, actuaries, accountants and other experts not otherwise a part of the Department's staff as may be reasonably necessary to assist the Department in the evaluation of a filing under this chapter.

(b) The cost of experts retained by the Department will be charged to and paid by the person filing the statements or a designee of the person acceptable to the Department.

(c) The Department will require that per diem charges for experts retained by the Department be comparable to prevailing rates for the services.

(d) Charges for travel, lodging and food expenses of experts retained by the Department will be made in accordance with provisions set forth in letters of engagement.

**§ 25.12. Forms—general requirements.**

(a) Forms [ A—D ] A—E are intended to be guides in the preparation of the statements required by sections 1402[ , 1404 and ]—1405 of the act (40 P. S. §§ 991.1402[ , 991.1404 and ]—991.1405). They are not intended to be blank forms which are to be filled in. The [ statements ] forms filed shall contain the numbers and captions of all items, but the text of the items may be omitted if the answers are prepared in a manner that indicates clearly the scope and coverage of the items. Instructions, whether appearing under the items of the form or elsewhere therein, shall be omitted. Unless expressly provided otherwise, if an item is inapplicable or the answer thereto is in the negative, an appropriate statement to that effect shall be made.

(b) Two [ complete ] copies of [ each statement ] Forms A and E and one copy of Forms B—D, including exhibits and other papers and documents filed as a part thereof, shall be filed with the Commissioner by personal delivery [ or ], mail, facsimile or other form of electronic transmission acceptable to the Department. [ A copy of Form C shall be filed in each state in which an insurer is authorized to do business, if the Commissioner of that state has notified the insurer of its request in writing. The insurer has 15 days from receipt of the notice to file the form. ] At least one [ of the copies ] copy shall be [ manually ] signed in the manner prescribed on the form. Unsigned copies shall be conformed. If the signature of a person is affixed under a power of attorney or other similar authority, a copy of the power of attorney or other authority shall also be filed with the [ statement ] form.

(c) One of the filed copies of Forms A and E will be available for public inspection as of the date the initial filing is made. Form A or E filings may contain or reference materials that are confidential, proprietary or privileged under statute, regulation, case law, administrative or court order or other authority. If a person filing a Form A or E wishes to assert that materials included or referenced within the filing are confidential, proprietary or privileged and should not be available for public inspection, the person shall notify the Department at the time the initial filing is made as follows:

(1) Identify the specific information, document, report or other material that is asserted to be confidential, proprietary or privileged.

(2) State the basis upon which the assertion of confidentiality, proprietary or privilege is premised.

(3) Identify the person to whom inquiries regarding the issue of confidential treatment should be directed.

(4) Submit one copy of the filing with the materials asserted to be confidential, proprietary or privileged physically separate from the remainder of the filing, or as otherwise instructed by the Department.

(d) [ Statements ] Forms shall be prepared on 8 1/2" x 11" paper and preferably bound at the top or the top left-hand corner. Exhibits and financial statements, unless specifically prepared for the filing, may be submitted in their original size. Copies of [ statements ] forms, financial statements or exhibits shall be clear, easily readable and suitable for photocopying. Debits in credit categories and credits in debit categories shall be designated so that they are clearly distinguishable on photocopies.

[ (d) Statements ] (e) Forms shall be completed in the English language and monetary values shall be stated in United States currency. If [ an ] a financial statement, exhibit or other paper or document filed with the [ statement ] form is in a foreign language, it shall be accompanied by a translation into the English language and monetary value shown in a foreign currency normally shall be converted into United States currency utilizing the conversion rate in effect as of the financial statement date.

**§ 25.13. Forms—incorporation by reference, summaries and omissions.**

(a) Information required by an item [ of Form A, Form B or Form D ] in Form A, B, D or E may be incorporated by reference in answer or partial answer to another item. Information contained in a financial statement, annual report, proxy statement, statement filed with a governmental authority or another document may be incorporated by reference in answer or partial answer to an item [ of Form A, Form B or Form D ] in Form A, B, D or E if the document or paper is filed as an exhibit to the [ statement ] form. Excerpts of documents may be filed as exhibits if the documents are extensive. Documents currently on file with the Commissioner which were filed within the immediately preceding 3 years need not be attached as exhibits if there has been no change in the information already on file. References to information contained in exhibits or in documents already on file shall clearly identify the material and shall specifically indicate that the material is to be incorporated by reference in answer to the item. Matter may not be incorporated by reference if the incorporation would [ render ] make the [ statement ] information provided in the form incomplete, unclear or confusing.

(b) If an item requires a summary or outline of the provisions of a document, only a brief statement shall be made as to the pertinent provisions of the document. In addition to the brief statement, the summary or outline may incorporate by reference particular parts of an exhibit or document currently on file with the Commissioner which was filed within the immediately preceding 3 years and may be qualified in its entirety by that reference. [ If ] When two or more documents required to be filed as exhibits are substantially identical in all

material respects, except as to the parties thereto, the dates of execution or other details, a copy of only one of the documents needs be filed with a schedule identifying the omitted documents and setting forth the material details in which the omitted documents differ from the [ documents a copy of ] document which is filed.

[ (c) When Form A and Form B require background information on individuals, the information shall be presented in the form of biographical affidavits signed in the original and notarized. ]

**§ 25.14. Forms—information unknown or unavailable and extension of time to furnish.**

(a) Information required need be given only insofar as it is known or reasonably available to the person filing the [ statement ] form. If required information is unknown and not reasonably available to the person filing, either because the obtaining thereof would involve unreasonable effort or expense, or because it rests peculiarly within the knowledge of another person not affiliated with the person filing, the information may be omitted, subject to the following conditions. The person filing shall:

\* \* \* \* \*

(b) If it is impractical to furnish required information, document or report at the time it is required to be filed, there may be filed with the Commissioner a separate document:

\* \* \* \* \*

(3) Requesting an extension of time for filing the information, document or report to a specified date. The request for extension shall be deemed granted unless the Commissioner within 30 days after receipt thereof [ enters an order denying ] denies the request.

**§ 25.15. Forms—additional information and exhibits.**

(a) In addition to the information expressly required to be included in Forms [ A—D, there shall be added ] A—E, the person filing shall provide further material information, if any, as necessary to make the information contained [ therein ] in the form not misleading. The person filing may also file exhibits as desired in addition to those expressly required by the [ statement ] form. The exhibits shall be marked to indicate clearly the subject matters to which they refer. The Commissioner may require the person filing the form to provide additional information as may be necessary to determine compliance with the act.

(b) Changes to Form A, B, C [ or ], D or E shall include on the top of the [ cover ] first page the phrase: "Change No. (insert number) to" and shall indicate the date of the change and not the date of the original filing.

**§ 25.16. Acquisition of control—statement filings.**

(a) A person required to file a statement under section 1402 of the act (40 P.S. § 991.1402) shall furnish the required information on Form A as prescribed by this chapter. If the information requirements in section 1403(c)(2) and the criteria in section 1403(d)(2) of the act (40 P.S. § 991.1403(c)(2) and (d)(2)) apply to a Form A filing, the person shall also furnish the required information on Form E as prescribed by this chapter.

(b) [ The applicant shall advise the Commissioner within 5 business days of changes in the information furnished on Form A arising subsequent to the date upon which the information was furnished but prior to the Commissioner's disposition of the application. ] A person filing a request under section 1402(g) of the act (40 P.S. § 991.1402(g)) for an exemption from the provisions of section 1402 of the act is not required to file a Form A as prescribed by this chapter but shall provide information deemed by the Commissioner as necessary to determine that an offer, request, invitation, agreement or acquisition has not been made or entered into for the purpose and will not have the effect of changing or influencing the control of a domestic insurer or otherwise is not comprehended within the purposes of section 1402 of the act.

(c) A person required to file a preacquisition notification under section 1403(b) for an acquisition not subject to a Form A filing under section 1402 of the act shall file Form E as prescribed by this chapter.

(d) Under section 1403(c)(2) of the act, the Department may require material and information in addition to the information required by Form E as reasonably necessary to determine whether the proposed acquisition, if consummated, would exceed the competitive standard of section 1403(d) of the act. The additional information required may include an opinion of an economist as to the competitive impact in this Commonwealth of an acquisition that would exceed the competitive standard of section 1403(d) of the act. The opinion shall be obtained by the person filing the form and shall be accompanied by a summary of the economist's education and experience indicating the economist's ability to render an informed opinion.

(e) Under section 1402(d) of the act, a person shall file with the Department and send to the insurer an amendment disclosing a material change in the information furnished on Forms A and E within 2 business days after the person learns of the change. If the acquiring person is not an individual, a material change includes changes in directors, executive officers or owners of 10% or more of the voting securities of the acquiring person. In addition, the person shall file with the Department and send to the insurer within 5 business days an amendment disclosing a change other than a material change in the information furnished on Forms A and E arising after the date on which the form was filed but before a determination is made on the filing.

(f) If the person being acquired is deemed to be a "domestic insurer" [ solely because of ] under section 1402(a)(2) of the act, the name of the domestic insurer on the [ cover ] first page of Forms A and E shall be indicated as follows: "ABC Insurance Company, a subsidiary of XYZ Holding Company."

[ (d) ] (g) If a [ section 1402(a)(2) insurer ] person deemed to be a "domestic insurer" under section 1402(a)(2) of the act is being acquired, references to "the insurer" [ contained ] in [ Form ] Forms A and E shall refer to both the domestic subsidiary insurer and the person being acquired.

§ 25.17. Annual registration of insurers—statement filing.

\* \* \* \* \*

(c) An amendment to Form B shall be filed within 15 days after the end of a month in which there is a material change to the information provided in the annual registration statement, including changes in officers or directors listed in Item 4 of Form B. **An amendment to Form B is not required if a material change has been reported as a dividend, other distribution to shareholders, or other transaction under §§ 25.21 and 25.22 (relating to transactions subject to prior notice—notice filing; and all dividends and other distributions), and there has been no change in the reported information.**

(d) Amendments shall be filed in the Form B format with only items which are being amended reported. Each amendment shall include at the top of the [ cover ] first page "Amendment No. (insert number) to Form B for (insert year of most recent filing)" and shall indicate the date of the [ change ] amendment and not the date of the original filing.

§ 25.18. Summary of registration—statement filing.

An [ insurer required to file an ] annual registration statement filed under section 1404 of the act (40 P.S. § 991.1404) [ is also required to furnish ] shall include the information required on Form C as prescribed by this chapter. [ An insurer shall file a ] A copy of Form C shall be filed in [ each state ] any jurisdiction in which an insurer is authorized to do business, if [ requested by the Commissioner of that state ] chief insurance regulatory official of the jurisdiction has notified the insurer of its request in writing, in which case the insurer shall file the form by the date required by the requesting chief insurance regulatory official or within 15 days from receipt of the notice to file the form, whichever is later.

§ 25.19. Alternative and consolidated registrations.

(a) [ An authorized ] Under section 1404(i) of the act (40 P.S. § 991.1404(i)), an insurer authorized to do business in this Commonwealth may file a registration statement on behalf of an affiliated insurer which is required to register under section 1404 of the act [ (40 P.S. § 991.1404) ]. A registration statement may include information [ not required by the act ] regarding an insurer in the insurance holding company system even if the insurer is not authorized to do business in this Commonwealth. In lieu of filing a registration statement on Form B, [ the authorized insurer ] an insurer authorized to do business in this Commonwealth may file a copy of the registration statement or similar report which it is required to file in its state of domicile, if:

\* \* \* \* \*

(b) The question of whether the filing insurer is the principal insurance company in the insurance holding company system is a question of fact [ and an ]. An insurer filing a registration statement or report in lieu of Form B on behalf of an affiliated insurer shall set forth a brief statement of facts [ which will ] to substantiate the filing insurer's claim that it, in fact, is the principal insurer in the insurance holding company system.

\* \* \* \* \*

(d) An insurer may take advantage of the provisions of section 1404(h) or (i) of the act without obtaining the prior approval of the Commissioner. The Commissioner reserves the right to require individual filings if **[ it is deemed ] the Commissioner deems** that the filings are necessary in the interest of clarity, ease of administration or the public good.

**§ 25.20. Disclaimers and termination of registration.**

(a) A disclaimer of affiliation or a request for termination of registration **under section 1404(g) and (k) of the act (40 P. S. § 991.1404(g) and (k))** claiming that a person does not, or will not upon the taking of some proposed action, control another person, referred to as the "subject" within this chapter, shall contain the following information:

\* \* \* \* \*

(b) A request for termination of registration shall be deemed to have been granted unless the **[ Commissioner ] Department**, within 30 days after **[ he receives ] receipt** of the request, notifies the registrant otherwise.

**§ 25.21. Transactions subject to prior notice—notice filing.**

(a) \* \* \*

(b) The insurer shall file an amendment to Form B reporting a material change in the information furnished on Form D, including a change in the effective date of the transaction, within 15 days after the end of a month in which the transaction is effectuated.

(c) The Department may withdraw its prior approval of a transaction and require the transaction to be reversed or take other regulatory action as a result of a material change in information furnished on Form D.

**§ 25.22. [ Extraordinary ] All dividends and other distributions.**

(a) Under section 1404(e) of the act (40 P. S. § 991.1404(e)), a registered insurer is required to report to the Department all dividends and other distributions to shareholders within 5 business days following the declaration thereof and at least 10 days, commencing from the date of receipt by the Department, prior to payment thereof. The report shall include the information in section 1404(e) of the act and subsection (c)(1)–(5). Upon the insurer's request, the Commissioner may grant a waiver from providing the information in subsection (c)(5) for dividends other than dividends reported under section 1405(b) of the act (40 P. S. § 991.1405(b)) and dividends and other distributions filed under section 337.8 of the act (40 P. S. § 459.8).

(b) Under section 337.8 of the act, a domestic insurance company, association or exchange may pay dividends and other distributions to shareholders only out of unassigned funds (surplus) or upon approval of the Commissioner. Information filed with the Commissioner under section 337.8 of the act shall include the information in subsection (c)(1)–(5).

(c) Requests for approval of extraordinary dividends or another extraordinary distribution **[ , jointly**

**referred to as "dividend" in this section, ]** to shareholders **under section 1405(b) of the act** shall include the following:

(1) The amount of the proposed dividend **or other distribution**.

(2) The date established for payment of the dividend **or other distribution**.

(3) A statement as to whether the dividend **or other distribution** is to be in cash or other property and, if in property, a description thereof, its cost and its fair market value together with an explanation of the basis for valuation.

(4) A copy of the calculations determining that the proposed dividend **or other distribution** is **or is not** extraordinary. The work paper shall include the following information **with respect to the domestic insurer**:

(i) The amounts, dates and form of payment of **[ dividends, including regular dividends but excluding distributions of the insurer's own securities, paid within the period of 12 consecutive months ending on the date fixed for payment of the proposed dividend for which approval is sought and commencing on the day after the same day of the same month in the last preceding year ]** all dividends and other distributions made within the previous 12 consecutive months ending on the date fixed for payment of the proposed dividend and commencing on the day after the same day of the same month in the last preceding year.

(ii) Surplus **[ as regards policyholders ]**, total capital and surplus, as of the 31st day of December next preceding.

(iii) **[ The net gain from operations as described in section 1405 of the act (40 P. S. § 991.1405) for the 12-month period ending the 31st day of December next preceding, if the insurer is a life insurer. ]** The net income for the 12-month period ending the 31st of December next preceding.

**[ (iv) The net investment income earned before net realized capital gains or losses as described in section 1405 of the act for the 12-month period ending the 31st day of December next preceding and the two preceding 12-month periods, if the insurer is not a life insurer.**

(v) The dividends paid to stockholders excluding distributions of the insurer's own securities in the preceding 2 calendar years, if the insurer is not a life insurer.

**(6) ] (5)** A balance sheet and statement of income for the period intervening from the last annual statement filed with the Commissioner and the end of the month preceding the month in which the request for dividend **or other distribution** approval is submitted.

**[ (7) ] (6)** A statement demonstrating the transaction's compliance with section 1405(d) of the act by describing the effect of the proposed dividend **or other distribution** upon the insurer's surplus and the reasonableness of surplus in relation to the insurer's outstanding liabilities and the adequacy of surplus relative to the insurer's financial needs.

**[ (b) Under section 1405(b)(1)(i) of the act, a registered insurer shall provide written notice to the Commissioner of all dividends to shareholders**

within 15 business days following the declaration thereof, including the same information required by subsection (a)(4)(i)—(v). ]

(d) Reports of dividends and other distributions under this section shall include on the top of the first page the phrase: "Notice of Dividend or Other Distribution" and the name of the insurer.

(e) The insurer shall report changes in information furnished under subsection (c) within 15 days after the end of a month in which the dividend or other distribution is paid. If the dividend or other distribution is required to be reported on Form B, the insurer shall report the changes as an amendment to Form B. If the dividend or other distribution is not subject to a Form B filing, the report of changes shall state on the top of the first page the phrase: "Change No. (insert number) to," and shall include the date of the change, date of declaration, amount paid, payment date, form of payment and the nature of and reason for the change.

(f) The Department may withdraw its prior approval of a dividend or other distribution and require the transaction to be reversed or take other regulatory action as a result of a material change in information furnished under this section.

§ 25.23. Adequacy of surplus.

[ (a) ] The factors in section 1405(d) of the act (40 P. S. § 991.1405(d)) to be considered in determining whether an insurer's surplus is reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs are not intended to be an exhaustive list. In determining the adequacy and reasonableness of an insurer's surplus, no single factor is necessarily controlling. The Commissioner will consider the net effect of these factors plus other factors bearing on the financial condition of the insurer. In comparing the surplus maintained by other insurers, the Commissioner will consider the extent to which each of these factors varies from company to company [ and in ]. In determining the quality and liquidity of investments in subsidiaries, the Commissioner will consider the individual subsidiary and may discount or disallow its valuation to the extent that the individual investments so warrant.

FORM A

STATEMENT REGARDING THE ACQUISITION OF CONTROL OF OR MERGER WITH A DOMESTIC INSURER

(Name of Domestic Insurer)

BY: (Name of Acquiring Person ([ Applicants ] Applicant))

Filed with the Insurance Department of the Commonwealth of Pennsylvania

Dated:

Name, title, address and telephone number of individual to whom notices and correspondence concerning this [ statement ] form should be addressed:

Item 1. Insurer and Method of [ acquisition ] Acquisition

State the name, NAIC code number and address of the domestic insurer to which this application relates and a brief description of how control is to be acquired.

Item 2. Identity and Background of the Applicant

\* \* \* \* \*

C. Furnish a chart or listing clearly presenting the identities and the interrelationships among the applicant and all affiliates of the applicant. No affiliate need be identified if its total assets are equal to less than 1/2 of 1% of the total assets of [ the ] an ultimate controlling person affiliated with the applicant. Indicate in the chart or listing the percentage of voting securities of each person which is owned or controlled by the applicant or by any other person. If control of any person is maintained other than by the ownership or control of voting securities, indicate the basis of control. As to each person specified in the chart or listing indicate the type of organization (e.g. corporation, trust, partnership) and the state or other jurisdiction of domicile. If court proceedings involving a reorganization or liquidation are pending with respect to any such person, indicate which person, and set forth the title of the court, nature of proceedings and the date when commenced.

Item 3. Identity and Background of Individuals Associated with the Applicant

[ State the following with respect to (1) the applicant if (s)he is an individual or (2) all persons who are directors, executive officers or owners of 10% or more of the voting securities of the applicant if the applicant is not an individual. ] Furnish a biographical affidavit for (1) the applicant if the applicant is an individual or (2) all persons who are directors, executive officers or owners of 10% or more of the voting securities of the applicant if the applicant is not an individual. Biographical affidavits filed with the Department within the immediately preceding 3 years need not be included if there has been no change in the information already on file.

Biographical affidavits shall be signed in the original, notarized and shall include the following:

\* \* \* \* \*

Item 4. Nature, Source and Amount of Consideration

\* \* \* \* \*

C. If the source of the consideration is a loan made in the lender's ordinary course of business and if the applicant wishes the identity of the lender to remain confidential, [ he ] the applicant must specifically request that the identity be kept confidential.

\* \* \* \* \*

FORM B

INSURANCE HOLDING COMPANY SYSTEM ANNUAL REGISTRATION STATEMENT

Filed with the Insurance Department of the Commonwealth of Pennsylvania by (Name of Registrant) on behalf of the following insurance companies:

Name Address
NAIC Code Number State of Domicile
Date: \_\_\_\_\_

Name, title, address and telephone number of individual to whom notices and correspondence concerning this statement should be addressed:

\* \* \* \* \*

Item 2. Organizational Chart

Furnish a chart or listing clearly presenting the identities of and interrelationships among all affiliated persons within the insurance holding company system. No affli-

ate need be shown if its total assets are equal to less than 1/2 of 1% of the total assets of [the] an ultimate controlling person within the insurance holding company system unless it has assets valued at or exceeding \$5,000,000. The chart or listing should show the percentage of each class of voting securities of each affiliate which is owned, directly or indirectly, by another affiliate.

If control of any person within the system is maintained other than by the ownership or control of voting securities, indicate the basis of such control. As to each person specified in the chart or listing indicate the type of organization (e.g., corporation, trust, partnership) and the state or other jurisdiction of domicile.

Item 3. [The] Ultimate Controlling Person

As to [the] an ultimate controlling person in the insurance holding company system furnish the following information:

\* \* \* \* \*

Item 4. Biographical Information

Furnish the following information for the directors and executive officers of [the] an ultimate controlling person in the form of biographical affidavits signed in the original and notarized: the individual's name and address, his or her principal occupation and all offices and positions held during the past five (5) years, and any conviction of crimes other than minor traffic violations during the past ten years. Biographical affidavits filed with the Department within the immediately preceding 3 years need not be included if there has been no change in the information already on file.

Item 5. Transactions and Agreements

Briefly describe the following agreements in force, and transactions currently outstanding or which have occurred during the last calendar year, including extraordinary dividends and other material transactions reported under §§ 25.21 and 25.22 of this chapter, between the Registrant and its affiliates:

\* \* \* \* \*

[No information need be disclosed if such information is not material for purposes of Section 1404 of the Act.]

Sales, purchases, exchanges, loans or extensions of credit, investments or guarantees involving one-half of 1% or less of the Registrant's admitted assets as of the 31st day of December next preceding shall not be deemed material and need not be disclosed.

The description shall be in a manner as to permit the proper evaluation thereof by the Commissioner, and shall include at least the following: the effective date, nature and purpose of the transaction, the nature and amounts of any payments or transfers of assets between the parties, the identity of all parties to [such] the transaction, and relationship of the affiliated parties to the Registrant.

Item 6. Litigation or Administrative [proceedings] Proceedings

A brief description of any litigation or administrative proceedings of the following types, either then pending or concluded within the preceding fiscal year, to which [the] an ultimate controlling person or any of its directors or executive officers was a party or of which the property of [the] an ultimate controlling person or any

of its directors or executive officers is or was the subject; give the names of the parties and the court or agency in which the litigation or proceeding is or was pending:

\* \* \* \* \*

B. Proceedings which may have a material effect upon the solvency or capital structure of [the] an ultimate [holding company] controlling person including, but not necessarily limited to, bankruptcy, receivership or other corporate reorganizations.

\* \* \* \* \*

Item 8. Financial Statements and Exhibits

\* \* \* \* \*

B. The financial statements shall include the annual financial statements of [the] any ultimate controlling person in the insurance holding company system as of the end of the person's latest fiscal year. Financial statements are required for an ultimate controlling person who is an individual as well as a corporation or other type of business organization.

If a holding company system includes more than one ultimate controlling person, annual financial statements are required for each ultimate controlling person unless the Commissioner, in the Commissioner's discretion, finds that annual financial statements for one or more of the ultimate controlling persons are not necessary to carry out the act.

\* \* \* \* \*

Unless the Commissioner otherwise permits, the annual financial statements shall be accompanied by the certificate of an independent public accountant to the effect that the statements present fairly the financial position of [the] an ultimate controlling person and the results of its operations for the year then ended, in conformity with generally accepted accounting principles or with requirements of insurance or other accounting principles prescribed or permitted under law. If [the] an ultimate controlling person is an insurer which is actively engaged in the business of insurance, the annual financial statements need not be certified, provided they are based on the Annual Statement of the insurer filed with the chief insurance [department] regulatory official of the insurer's domiciliary [state] jurisdiction and are in accordance with requirements of insurance or other accounting principles prescribed or permitted under the law and regulations of that [state] jurisdiction. Any ultimate controlling person who is an individual may file personal financial statements that are reviewed rather than audited by an independent public accountant. The review shall be conducted in accordance with standards for review of personal financial statements published in the Personal Financial Statements Guide by the American Institute of Certified Public Accountants. Personal financial statements shall be accompanied by the independent public accountant's Standard Review Report stating that the accountant is not aware of any material modifications that should be made to the financial statements in order for the statements to be in conformity with generally accepted accounting principles.

C. Exhibits shall include copies of the latest annual reports to shareholders of [the] an ultimate controlling person and proxy material used by [the] an ultimate controlling person; and any additional documents or papers required by this Chapter.



\* \* \* \* \*

FORM C

SUMMARY OF REGISTRATION STATEMENT

Filed with the Insurance Department of the Commonwealth of Pennsylvania by (Name of Registrant) on behalf of the following insurance companies:

Name Address
NAIC Code Number State of Domicile
Date: \_\_\_\_\_, \_\_\_\_\_

\* \* \* \* \*

Furnish a brief description, including a reference to any amendments filed in the intervening year, of all items in the current annual registration statement which represent changes from the prior year's annual registration statement. The description shall include the date and dollar amount of each change, identify any previous filings as a result of the change by amendment number or by type and date of filing, be in a manner as to permit the proper evaluation thereof by the Commissioner, and shall include specific references to Item numbers in the annual registration statement and to the terms contained therein.

Changes occurring under Item 2 of Form B, insofar as changes in the percentage of each class of voting securities held by each affiliate is concerned, need only be included where the changes are ones which result in ownership or holdings of ten (10) percent or more of voting securities, loss or transfer of control, or acquisition or loss of partnership interest.

Changes occurring under Item 4 of Form B need only be included where: an individual is, for the first time, made a director or executive officer of [ the ] an ultimate controlling person; a director or executive officer terminates his or her responsibilities with [ the ] an ultimate controlling person; or in the event an individual is named president of [ the ] an ultimate controlling person.

\* \* \* \* \*

FORM D

PRIOR NOTICE OF A TRANSACTION

Filed with the Insurance Department of the Commonwealth of Pennsylvania by (Name of Registrant) on behalf of the following insurance companies:

Name Address
NAIC Code Number State of Domicile
Date: \_\_\_\_\_, \_\_\_\_\_

\* \* \* \* \*

Item 1. Identity of [ parties ] Parties to Transaction

Furnish the following information for each of the parties to the transaction:

\* \* \* \* \*

G. [ Where ] If the transaction is with a non-affiliate, the name(s) of the affiliate(s) which will receive, in whole or in substantial part, the proceeds of the transaction.

Item 2. Description of the Transaction

Furnish the following information for each transaction for which notice is being given:

\* \* \* \* \*

B. A [ statement of the nature ] description of the nature and purpose of the transaction, including the anticipated immediate and long-term effect of the transaction on the financial condition of the insurer.

\* \* \* \* \*

Item 3. Sales, Purchases, Exchanges, Loans, Extensions of Credit, Guarantees, Investments or Contributions to Surplus

\* \* \* \* \*

No notice need be given if the maximum amount which can at any time be outstanding or for which the insurer can be legally obligated under the loan, extension of credit or guarantee is less than [ (a) in the case of non-life insurers, the lesser of 5% of the insurer's admitted assets or 35% of surplus as regards policyholders or (b) in the case of life insurers, 3% of the insurer's admitted assets, each ] 5% of the insurer's admitted assets or 25% of its surplus as of the 31st day of December next preceding.

Item 4. Loans or Extensions of Credit to a Non-Affiliate

\* \* \* \* \*

No notice need be given if the loan or extension of credit is one which equals less than [ , in the case of non-life insurers, the lesser of 5% of the insurer's admitted assets or 35% of surplus as regards policyholders or, with respect to life insurers, 3% of the insurer's admitted assets, each ] 5% of the insurer's admitted assets or 25% of its surplus as of the 31st day of December next preceding.

Item 5. Reinsurance

If the transaction is a reinsurance agreement or modification thereto, as described by Section 1405(a)(2)(iii) of the Act, [ and a domestic insurer has experienced a decline in policyholder surplus in an amount of 10% or more for two consecutive years and net loss from operations in both those years, ] furnish a description of the known and/or estimated amount of liability to be ceded and/or assumed in each calendar year, the period of time during which the agreement will be in effect, and a statement whether an agreement or understanding exists between the insurer and non-affiliate to the effect that any portion of the assets constituting the consideration for the agreement will be transferred to one or more of the insurer's affiliates. Furnish a brief description of the consideration involved in the transaction, and a brief statement as to the effect of the transaction upon the insurer's surplus.

No notice need be given for reinsurance agreements or modifications thereto if the reinsurance premium [ or a change in the insurer's liabilities in connection with the reinsurance agreement or modification thereto is less than 5% of the insurer's surplus as regards policyholders, as of the 31st day of December next preceding ] is less than 5% of the insurer's surplus as of the 31st day of December next preceding; or the change in the insurer's liabilities or any transfer of assets required to fund the transaction equals or exceeds 25% of the insurer's surplus as of the 31st day of December next preceding, including those agreements which may require as consideration the transfer of assets from an insurer to a nonaffiliate, if an agreement or understanding exists between the insurer and nonaffiliate that any portion of the assets will be transferred to one or more affiliates of the insurer.

\* \* \* \* \*

FORM E

PRE-ACQUISITION NOTIFICATION STATEMENT OF THE POTENTIAL COMPETITIVE IMPACT OF A PROPOSED MERGER OR ACQUISITION

(Name of Applicant)

(Name of Other Person Involved in Merger or Acquisition)

Filed with the Insurance Department of the Commonwealth of Pennsylvania

Date:

Name, title, address and telephone number of person completing this statement:

Item 1. Name and Address

State the names and addresses of the persons who hereby provide notice of their involvement in a pending acquisition or change in control.

Item 2. Name and Addresses of Affiliated Companies

State the names and addresses of the persons affiliated with those listed in Item 1. Describe their affiliations.

Item 3. Nature and Purpose of Proposed Merger or Acquisition

State the nature and purpose of the proposed merger or acquisition.

Item 4. Nature of Business

State the nature of the business performed by each of the persons identified in response to Item 1 and Item 2.

Item 5. Market and Market Share

State specifically what market and market share the persons identified in Item 1 and Item 2 currently enjoy in this Commonwealth in each insurance market which, under section 1403(b)(2)(v) of the act (40 P. S. § 1403(b)(2)(v)), causes the proposed merger or acquisition not to be exempted from Article XIV of the act. Provide historical market and market share data for each person identified in

Item 1 and Item 2 for the past 5 years, or for the number of years the person and any predecessors thereof have been transacting business if less than 5 years, and identify the source of the data.

For purposes of this item, market means direct written insurance premium in this Commonwealth for a line of business as contained in the annual statement required to be filed by insurers licensed to do business in this Commonwealth.

Item 6. Signature and Certification

Signature and certification required as follows:

SIGNATURE

Pursuant to the requirements of Section 1402 of the act has caused this application to be duly signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

Name of Applicant

BY (Name) (Title)

Attest:

(Signature of Officer)

(Title)

CERTIFICATION

The undersigned deposes and says that (s)he has duly executed the attached application dated \_\_\_\_\_, \_\_\_\_\_, for and on behalf of (Name of Applicant); that (s)he is the (Title of Officer) of such company and that (s)he is authorized to execute and file such instrument. Deponent further says that (s)he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

(Signature)

(Type or print name beneath)

[Pa.B. Doc. No. 99-1744. Filed for public inspection October 15, 1999, 9:00 a.m.]

# NOTICES

## COMMISSION ON CRIME AND DELINQUENCY

### Criminal Justice Research Symposium

The Pennsylvania Commission on Crime and Delinquency is sponsoring a Criminal Justice Research Symposium at the Harrisburg Marriott on November 8-9, 1999. The Symposium, "Merging Practice, Policy and Evaluation," will focus on important Statewide and National research in the criminal justice field. Findings from the latest research will be presented, along with workshops on how to conduct research and use evaluation results to inform policy and practice.

The following panels and workshops are tentatively scheduled: Measuring Offender Recidivism, Scared Straight Programs for Juveniles, Victim Restitution: Research and Practice, Evaluation of Pennsylvania's Motivational Boot Camp, Making Correctional Population Projections, The 1999 Pennsylvania Crime Victimization Survey, Assessment of Centralized Police Booking Centers and Evaluation of the Communities That Care Delinquency Prevention Program.

An exhibit showcase is scheduled for both days of the conference. Vendors from the criminal justice field have been invited to participate in this Statewide symposium and to share their research expertise, services, publications and related materials with conference attendees. Exhibitor opportunities are still available.

The Center for Research on Crime and Justice at Penn State University has been contracted to facilitate the conference. For additional information or to register, contact Dr. Barry Ruback, Conference Coordinator, at (814) 865-1307, e-mail: [bruback@psu.edu](mailto:bruback@psu.edu). Conference information and registration materials are also available on the Internet at: [www.pop.psu.edu/clcj/pccd.html](http://www.pop.psu.edu/clcj/pccd.html).

JAMES THOMAS,  
*Executive Director*

[Pa.B. Doc. No. 99-1745. Filed for public inspection October 15, 1999, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Application Period for Farm Safety and Occupational Health Grant Program

The Department of Agriculture (Department) announces the opening of the application period for funding from the Farm Safety and Occupational Health (FSOH) Grant Program for FY 2000. Grant applications will be accepted at the Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Room G-13, Harrisburg, PA 17110-9408, from October 15, 1999, to January 30, 2000. Applications must be postmarked by January 30, 2000, to be considered for funding.

The FSOH Program was created by the General Assembly through the passage of the Farm Safety and Occupational Health Act (act) (3 P. S. §§ 1901—1915), effective February 10, 1995. The program is funded through a specific appropriation provided for in the act. For program guidelines, see the Farm Safety and Occupational Health Grant Program Guidelines.

The Farm Safety and Occupational Health Grant Program will award financial assistance, of up to \$2,500 to Statewide farm organizations, volunteer fire companies, ambulance services and rescue squads within this Commonwealth that wish to develop and deliver farm safety, occupational health and emergency response programs. The applications will be evaluated using criteria set forth in the Statement of Policy.

#### *Obtaining Applications*

Applications are available upon request by contacting Shiree Hunter at the Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5202 or by fax (717) 783-3275.

For further assistance, contact John Tacosky, Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5217.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 99-1746. Filed for public inspection October 15, 1999, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 5, 1999.

## BANKING INSTITUTIONS

## Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-30-99	Port Richmond Savings, Philadelphia, and Gorgas Savings Association, Philadelphia Surviving Institution—Port Richmond Savings, Philadelphia	Philadelphia	Effective

## Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-23-99	Northwest Savings Bank Warren Warren County	70 Richmond Street Painesville Lake County, Ohio	Opened
9-23-99	Northwest Savings Bank Warren Warren County	325 Center Street Chardon Geauga County, Ohio	Opened
10-1-99	Patriot Bank Pottstown Montgomery County	151 Good Drive Lancaster Lancaster County	Opened
10-1-99	Patriot Bank Pottstown Montgomery County	500 Office Center Dr. Ft. Washington Montgomery County	Opened
10-1-99	Patriot Bank Pottstown Montgomery County	65 E. Elizabeth Avenue Bethlehem Northampton County	Opened

## Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
9-29-99	vBank, A Savings Bank Philadelphia Philadelphia County	Provides for a change in the principal place of business from: 803 East Germantown Pike, Norristown, Montgomery County; to: 1535 Locust Street, Philadelphia, Philadelphia County	Effective

## SAVINGS ASSOCIATIONS

## Conversions

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
10-1-99	Morton Savings and Loan Association Morton Delaware County <i>To:</i> Morton Savings Bank Morton Delaware County	Morton	Effective
Represents conversion from a State-chartered savings and loan association to a Federally-chartered savings and loan association.			

## Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
9-28-99	The Bridesburg Savings Association, Philadelphia, and Cornerstone-Feltonville Building and Loan Association, Glenside Surviving Institution—The Bridesburg Savings Association, Philadelphia, with a change in corporate title and location to: "Cornerstone Savings Association," Glenside	Philadelphia	Approved Effective 9-30-99

*Note:* The former main office of The Bridesburg Savings Association located at 4800 Richmond Avenue, Philadelphia, became a branch office of Cornerstone Savings Association subsequent to the merger.

## CREDIT UNIONS

## Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-30-99	Atlantic Employees Federal Credit Union, Newtown Square, and National Group Employees Credit Union, Frazer Surviving Institution—Atlantic Employees Federal Credit Union, Newtown Square	Newtown Square	Effective

DAVID E. ZUERN,  
*Secretary*

[Pa.B. Doc. No. 99-1747. Filed for public inspection October 15, 1999, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council Meeting

Notice is hereby given of a meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources on Wednesday, October 27, 1999. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

DENNIS DEMARA,  
*Chairperson*

[Pa.B. Doc. No. 99-1748. Filed for public inspection October 15, 1999, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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

#### [National Pollution Discharge Elimination System Program (NPDES)]

#### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

#### (Part I Permits)

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

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

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

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

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

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

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

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

**PA 0026166.** Sewage, **Warminster Municipal Authority**, 415 Gibson Avenue, P. O. Box 2279, Warminster, PA 18974-4163.

This application is for renewal of an NPDES permit to discharge treated sewage from Log College sewage treatment plant in Warminster Township, **Bucks County**. This is an existing discharge to Little Neshaminy Creek.

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

The proposed effluent limits for Outfall 001 and 002, based on an average flow of 8.18 mgd and 0.3 mgd respectively are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	15	23	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	1.0		2.0
(11-1 to 4-30)	3.0		6.0
Nitrite and Nitrate (as N)	10.0		20.0
(7-1 to 10-31)			
Phosphorus (as P)	2.0		4.0
(4-1 to 10-31)			
Total Copper	monitor only		
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 6.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Lead	monitor only		
4,6-Dinitro-O-Cresol	monitor only		
Pentachlorophenol	monitor only		
Benzidine	monitor only		

The proposed effluent limits for copper were based on a dissolved Water Effect Ratio of 5.6, a site-specific hardness of 196 mg/l as CaCO<sub>3</sub> and a chemical translator of 1.06.

*Other Conditions:*

The EPA waiver is not in effect.

Special Test Methods for certain pollutants.

Implementation of industrial pretreatment program requirements.

Authorization to discharge stormwater from sewage treatment plant area.

**PA 0026794.** Sewage, **Conshohocken Borough Authority**, 601 East Elm Street, Conshohocken, PA 19428.

This application is for renewal of an NPDES permit to discharge treated sewage from the Conshohocken Borough STP in the Borough of Conshohocken, **Montgomery County**. This is an existing discharge to the Schuylkill River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1.78 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	8.0		16.0
(11-1 to 4-30)	20.0		40.0
Total Residual Chlorine			
(0—2 years)	1.2		1.6
(3—5 years)	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	monitor instantaneous minimum		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	within limits of 6.0—9.0 standard units at all times		
Total Copper	monitor/report		
Total Lead	monitor/report		
Total Zinc	monitor/report		

The EPA waiver is in effect.

**PA 0045187.** Sewage, **Richland Meadows Mobil Home Park**, 232 Yankee Road, Quakertown, PA 19440.

This application is for renewal of an NPDES permit to discharge treated sewage from the sewage treatment plant in Richland Township, **Bucks County**. This is an existing discharge to dry swale to Morgan Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 80,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	5	10
(11-1 to 4-30)	10	20
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	1	3
(11-1 to 4-30)	3	9
Phosphorous as P	0.5	1.0
Total Residual Chlorine		
(0—2 years)	1.2	1.5
(3—5 years)	0.2	0.6
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0011436.** Industrial waste, **Handy and Harmon Tube Company**, 701 West Township Line Road, Norristown, PA 19403-4629.

This application is for renewal of an NPDES permit to discharge treated groundwater and stormwater from the Handy and Harmon Tube Company in East Norriton Township, **Montgomery County**. This is an existing discharge to Stoney Creek.

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

The proposed effluent limits for Outfall 001, based on average flows are as follows:

For Monitoring Point MP101:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Chloroform	0.086		0.22
Tetrachloroethylene	0.010		0.025
1,1,1 Trichloroethane	monitor/report		
Trichloroethylene	0.0097		0.024
Zinc	monitor/report		

For Outfall 001 during nonstormwater events:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			90°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Dissolved Solids	monitor/report		

Stormwater monitoring for Outfall 001 as follows:

	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	monitor/report
COD	monitor/report
Oil and Grease	monitor/report
pH	monitor/report
Total Suspended Solids	monitor/report
Total Kjeldahl Nitrogen	monitor/report

*Instantaneous Maximum*

Total Phosphorus	monitor/report
Dissolved Iron	monitor/report
Trichloroethylene	monitor/report

*Other Conditions:*

The EPA waiver is in effect.

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

**PA 0063207.** Sewerage, **Scott Township Sewer and Water Authority**, R. R. 1, Box 324, Jermyn, PA 18433.

This proposed action is for a revoked and reissued NPDES permit to discharge treated cooling water sewage into the South Branch Tunkhannock Creek in Scott Township, **Lackawanna County**.

This notice reflects changes from the notice published in the October 24, 1998 *Pennsylvania Bulletin*.

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Phosphorous as P	1.0	2.0	2.5

The EPA waiver is in effect.

**PA 0026000.** Sewerage, **City of Allentown**, 112 Union Street, Allentown, PA 18102.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into the Lehigh River in the City of Allentown, **Lehigh County**.

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

Effluent limits were evaluated at the point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of 40.0 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	20.0	30.0	40.0
Total Suspended Solids	30.0	45.0	60.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	5.0		10.0
(11-1 to 4-30)	18.0		30.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times		
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		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	0.50		1.0

The EPA waiver is not in effect.

**PA 0063304.** Industrial waste, SIC: 4941, **Municipal Authority of the Township of Blythe**, 375 Valley Street, New Philadelphia, PA 17959.

This proposed action is for renewal of an NPDES permit to discharge treated process wastewater into Crystal Run in Cass Township, **Schuylkill County**.

The receiving stream is classified for the following uses: cold water fishery, 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 downstream potable water supply (PWS) considered during the evaluation is Pottstown Borough Water Authority on the Schuylkill River.

The proposed effluent limits for Outfall 001, based on a design flow of 0.018 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>
Total Suspended Solids	30.0	60.0
Total Aluminum	4.0	8.0
Total Iron	2.0	4.0
Total Manganese	1.0	2.0
pH	6.0 to 9.0 standard units at all times.	

The EPA waiver is in effect.

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

**PA 0024759.** Sewerage, SIC: 4952, **Curwensville Municipal Authority**, 900 Susquehanna Avenue, Curwensville, PA 16833.



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

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is GUP Steam Electric Plant located at Shawville.

The proposed effluent limits for Outfall 001, based on a design flow of 0.75 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>	27	41	54
TSS	30	45	60
Total Lead	report		
Total Mercury	0.00033		
Total Cl <sub>2</sub> Residual	0.5		1.6
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The EPA waiver is not in effect.

**PA 0228150.** Industrial waste, SIC: 3399, **Embassy Powdered Metals, Inc.**, P. O. Box 344 (Airport Road facility), Emporium, PA 15834.

This proposed action is for issuance of an NPDES permit for an existing discharge of once through noncontact cooling water to Driftwood Branch Sinnemahoning Creek in Emporium Borough, **Cameron County**.

The receiving stream is classified for the following uses: trout stocked 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 existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company, White Deer Division, located on the Susquehanna River at Milton, 135 miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.072 mgd, are:

<i>Parameter</i>	
Temperature °F	monitor only
pH	6.0 to 9.0 standard units at all times

The EPA waiver is in effect.

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

**PA 0032263.** Industrial waste, SIC: 4941, **Bureau of State Parks, Yellow Creek State Park**, 170 Route 259 Highway, Penn Run, PA 15765.

This application is for renewal of an NPDES permit to discharge treated process water from Yellow Creek State Park Water Treatment Plant in Cherryhill Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Yellow Creek Lake, classified as a cold 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 the Central Indiana Water Authority.

*Outfall 002:* existing discharge, design flow of 0.05 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>
Iron			2.0		4.0
Manganese			1.0		2.0
Aluminum			4.0		8.0
Suspended Solids			30		60
Total Residual Chlorine			1.4		3.3
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA 0026336.** Sewage, **Township of Hopewell**, 1700 Clark Boulevard, Aliquippa, PA 15001.

This application is for renewal of an NPDES permit to discharge treated sewage from Wickham Village STP in Hopewell Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tributary to Boggs 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 Midland Borough Water Authority.

*Outfall 010:* existing discharge, design flow of .070 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			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)	0.06			0.13
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Copper				
(1st month—36th month)	monitor and report			
(37th month—expiration)	.011			.028
Dichlorobromomethane				
(1st month—36th month)	monitor and report			
(37th month—expiration)	.0006			.0015

The EPA waiver is in effect.

**PA 0032263.** Sewage, **Bureau of State Parks, Yellow Creek State Park**, 170 Route 259 Highway, Penn Run, PA 15765.

This application is for renewal of an NPDES permit to discharge treated sewage from Yellow Creek State Park Sewage Treatment Plant in Cherryhill Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Yellow Creek Lake, 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 Central Indiana Water Authority.

*Outfall 001:* existing discharge, design flow of .313 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	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0033626.** Sewage, **West Greene School District**, R. D. 5, Box 36B, Waynesburg, PA 15370.

This application is for renewal of an NPDES permit to discharge treated sewage from the West Greene Middle School/High School sewage treatment plant in Center Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Hargus Creek, which are classified as a high quality-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 Waynesburg Water Treatment Plant.

*Outfall 001:* existing discharge, design flow of 0.012 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>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	4.5			9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0033642.** Sewage, **West Greene School District**, R. D. 5, Box 36B, Waynesburg, PA 15370.

This application is for renewal of an NPDES permit to discharge treated sewage from the Graysville Elementary School Sewage Treatment Plant in Gray Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Grays Fork, which are classified as a high quality 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 Waynesburg Water Treatment Plant.

*Outfall 001:* existing discharge, design flow of 0.008 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>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	4.5			9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 as a geometric mean			
Total Residual Chlorine	0.4			0.8
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0094617.** Sewage, **Robbie Rose**, R. D. 2, University Drive, Dunbar, PA 15431.

This application is for renewal of an NPDES permit to discharge treated sewage from Robbie Mobile Home Park STP in Georges Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tributary of York 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 Dunkard Valley Joint Municipal Authority.

*Outfall 001:* existing discharge, design flow of .03 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>	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	6.0			12.0
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)	.07			0.15
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0033120.** Sewage, **Eisenhower Middle/Senior High, Warren County School District**, 14 Hospital Drive Building 11, Warren, PA 16365-4885.

This application is for renewal of an NPDES permit, to discharge treated sewage to Fairbanks Run in Farmington Township, **Warren County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is State of New York on Kiantone Creek located at river mile 2.1 and is located 16.8 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.00341 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
Ammonia-Nitrogen		
(5-1 to 10-31)	3.5	7
(11-1 to 4-30)	10.5	21
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	3,400/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 5 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0032549.** Sewage, **Department of Conservation and Natural Resources, Bureau of State Parks, Presque Isle State Park**, West Fisher Drive, Erie, PA 16505.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage to the Outer Erie Harbor and Presque Isle Bay, **Erie County**. This is an existing discharge.

The receiving water is classified for warm water and protected for critical use of 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, there are no potable water supplies (PWS) at or near the point of discharge.

The proposed effluent limits for Outfall 001, based on an average design flow of 0.0175 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	0.5	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
pH	6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0102067.** Sewage, **Nystrom Martin Subdivision**, P. O. Box 271, Sugar Grove, PA 16350.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Stillwater Creek in Sugar Grove Township, **Warren County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the State of New York (Stillwater Creek) on Stillwater Creek located at river mile 11.92 and is located 6 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after the chlorine contact tank), based on a design flow of 0.0028 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
Ammonia-Nitrogen			
(5-1 to 10-31)	12		24
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		
Dissolved Oxygen	minimum of 3 mg/l at all times		
Total Residual Chlorine	1.4		3.3
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0101079.** Sewage, **Oak Tree Land Company**, P. O. Box 154, Pulaski, PA 16143.

This application is for renewal of an NPDES permit, to discharge treated sewage to an Unnamed Tributary to the Shenango River in Shenango Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Western Pennsylvania Water Company intake on the Shenango River located at New Castle, approximately 15 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.035 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	0.035 mgd	
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	3,700/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine (Final Limit)	0.4	1.0
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0001988.** Industrial waste, SIC: 2865, 2869 and 2891, **INDSPEC Chemical Corporation**, 133 Main Street, P. O. Box 307, Petrolia, PA 16050.

This application is for renewal of an NPDES permit, to discharge treated industrial waste, noncontact cooling water Group 1 and Group 2 Stormwater to South Branch Bear Creek in Petrolia Borough, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is PA American Water Company on the Allegheny River located at East Brady, approximately 18 miles below point of discharge.

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

*Outfall Nos. 001, 002, 008, 013, 021, 022 and 025*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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These discharges shall consist solely of stormwater.

For Outfalls 001, 002 and 008, representative sampling shall be conducted at Outfall 010.

For Outfalls 013, 021 and 022, representative sampling shall be conducted at Outfall 015.

For Outfall 025, representative sampling shall be conducted at Outfall 027.

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

*Outfall Nos. 010, 015 and 027.*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
BOD <sub>5</sub>	XX		
COD	XX		
Nitrate-Nitrite Nitrogen	XX		
Oil and Grease	XX		
Total Suspended Solids	XX		
Aluminum	XX		
Total Iron	XX		
Benzene	XX		
Benzene Sulfonic Acid	XX		
Formaldehyde	XX		
Phenol	XX		
Resorcinol	XX		
pH	XX		

XX—Monitor and report on DMRs.

The proposed discharge limits, based on a design flow of n/a mgd, are:  
*Outfall Nos. 003, 004, 007, 028 and 128.*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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These discharges shall consist solely of stormwater runoff.

The proposed discharge limits, based on a design flow of n/a mgd, are:  
*Outfall Nos. 005 and 006.*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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These discharges shall consist solely of groundwater.

The proposed discharge limits, based on a design flow of n/a mgd, are:  
*Outfall Nos. 012 and 016.*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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These discharges shall consist solely of groundwater.

Representative sampling for Outfall 012 shall be conducted at Outfall 011.  
 Representative sampling for Outfall 016 shall be conducted at Outfall 020.

The proposed discharge limits, based on a design flow of n/a mgd, are:  
*Outfall Nos. 011 and 020.*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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Flow	XX		
COD	XX		
pH	XX		

XX—Monitor and report on DMRs.

The proposed discharge limits, based on a design flow of n/a mgd, are:  
*Outfall No. 014, 018 and 019.*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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Flow	XX		
Oil and Grease	XX		
COD	XX		
TSS	XX		
pH			6.0 to 9.0 at all times

XX—Monitor and report on DMRs.

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

<i>Outfall No. 117 Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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Flow (mgd)	XX		
(*) TSS	30		
(*) Total Iron	2.0		
(**) Total Aluminum	0.8		
(*) Total Manganese	1.0		
pH			6.0 to 9.0 at all times

XX—Monitor and report on DMRs.

\* BPJ limitation from Development of Technology—Based Control Requirements for Water Treatment Plants in PA.

\*\* Previous permit limit that is being achieved.

The proposed discharge limits, based on a design flow of 0.0605 mgd, are:

<i>Outfall No. 017 Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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Flow (mgd)	XX		
TSS	XX		
Total Iron	XX		
Total Aluminum	XX		
Total Manganese	XX		
Oil and Grease	XX		
COD	XX		

Outfall No. 017  
Parameter

Average  
Monthly (mg/l)

Maximum  
Daily (mg/l)

Instantaneous  
Maximum (mg/l)

pH

6.0 to 9.0 at all times

XX—Monitor and report on monthly DMRs.

The proposed discharge limits, based on a design flow of 0.017 mgd, are:

Outfall No. 023.

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX		
BOD <sub>5</sub>	XX		
Nitrate-Nitrite Nitrogen	XX		
Oil and Grease	XX		
COD	XX		
Total Suspended Solids	XX		
Aluminum	XX		
Total Iron	XX		
Benzene	XX		
Benzene Sulfuric Acid	XX		
Formaldehyde	XX		
Phenol	XX		
Resorcinol	XX		
pH	XX		

XX—Monitor and report on monthly DMRs.

The proposed discharge limits, based on a design flow of 0.0504 mgd, are:

Outfall No. 126.

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX		
(*) Total Suspended Solids	30		
(**) Total Iron	2.0		
(**) Total Aluminum	0.8		
pH		6.0 to 9.0 at all times	

\* BPJ limitation from Development of Technology-Based Control Requirements for Water Treatment Plant Wastes in PA.

\*\* Existing limitations being achieved.

The EPA waiver is in effect.

**PA 0222925.** Sewage, **Kenneth E. and Tina M. White**, 2275 West Washington Street, Bradford, PA 16701.

This application is for a new NPDES permit to discharge treated sewage to an Unnamed Tributary to Willow Creek in Corydon Township, **McKean County**. This is a new discharge.

The receiving water is classified for the following uses: high quality—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 Emlenton M. A. on the Allegheny River located at Emlenton, approximately 96 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.0004 mgd, are:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
Flow		
CBOD <sub>5</sub>	10	20
TSS	20	40
Total Residual Chlorine	1.4	3.3
Fecal Coliform (all year)	200/100 ml as a geometric average	
pH	6.0—9.0 at all times	

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 Pro-

tection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined

sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

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

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field 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.

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*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 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-0060691	Luzerne County Parks Department R. R. 2, Box 301 Hunlock Creek, PA 18621	Luzerne County Plymouth Township	Unnamed Tributary to Hunlock Creek	TRC
PA0086304	Earl Township Sewer Authority 517 N. Railroad Ave. New Holland, PA 17557	Lancaster County Earl Township	Mill Creek	TRC
PA0080764	Red Lion Municipal Authority (Cabin Creek Water Treatment Plant) P. O. Box 190 Red Lion, PA 17356-0190	York County Windsor Township	Cabin Creek	
PA0007391	The York Water Company 130 East Market Street P. O. Box 15089 York, PA 17405-7089	York County Spring Garden Township	Codorus Creek	

### **DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**

#### **Applications under the Pennsylvania Clean Streams Law**

##### **(Part II Permits)**

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

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

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date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact the 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.

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

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

**WQM Permit No. 1599202.** Industrial waste. **Sunny Dell Foods Inc.**, 214 S. Mill Road, Kennett Square, PA 19348. Applicant requests approval for the construction and operation of an industrial wastewater treatment facility to serve the cannery operations located in Kennett Township, **Chester County**.

**WQM Permit No. 0999426.** Sewerage. **Warwick Township Water & Sewer Authority**, 1733 Greene, P. O. Box 315, Jamison, PA 18929. Applicant requests approval for the construction and operation of a sewage treatment plant to serve Country Crossing wastewater



plant, which will include expanding of STP, located in Warwick Township, **Bucks County**.

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

**A. 4899405. Bethlehem Township Municipal Authority**, 4225 Easton Avenue, Bethlehem, PA 18020. Application to construct and operate a pump station, located in Bethlehem Township, **Northampton County**. Application received in the Regional Office September 29, 1999.

*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. 0799405.** Sewage, submitted by **Northern Blair County Regional Sewer Authority**, R. R. 4, Box 236A, Tyrone, PA 16686, in Antis Township, **Blair County** to construct public sewers/pump station on Bellwood Road to serve the Roots Crossing area was received in the Southcentral Region on September 27, 1999.

**A. 0799406.** Sewage, submitted by **Northern Blair County Regional Sewer Authority**, R. R. 4, Box 236A, Tyrone, PA 16686, in Antis Township, **Blair County** to construct public sewers/pump station on SR4015 crossing with Bells Gap Run to serve Roots Crossing was received in the Southcentral Region on September 27, 1999.

**A. 0699408.** Sewage, submitted by **Lower Heidelberg Township Municipal Authority**, 720 Brownsville Road, Sinking Spring, PA 19608, in Lower Heidelberg and Spring Townships, **Berks County** to construct the Green Valley Estates Interceptor and replace existing pump station was received in the Southcentral Region on September 24, 1999.

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

**A. 468S020, Amendment No. 1.** Sewerage. **Brownsville Municipal Authority**, 200 Bank Street, Brownsville, PA 15417. Application for the modification and operation of sewage pump stations A, H, J, K and L located in Brownsville Borough, **Fayette County**.

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

**WQM Permit No. 3799404.** Sewage. **Sisters of the Humility of Mary**, P. O. Box 906, Villa Maria, PA 16155. This project is for the construction and operation of a new wastewater treatment plant in Pulaski Township, **Lawrence County**.

**WQM Permit No. 4399202.** Industrial waste. **Duferco Farrell Corporation**, 15 Roemer Boulevard, Farrell, PA 16121-2299. This project is for the permitting/installation of a new rinse water neutralization system as part of their current no. 2 (new) cold roll reactivation program. The permit application will be for the existing no. 7 pickle line rebuild and new pickle rinse water neutralization and treatment system (outfall 104) project in the City of Farrell, **Mercer County**.

**WQM Permit No. 2599418.** Sewage, **Dale J. and Therese L. Mitchell, SRSTP**, 1037 Central Drive, Waterford, PA 16441. This project is for the construction of a single residence sewage treatment plant in Union Township, **Erie County**.

## INDIVIDUAL PERMITS (PAS)

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### NPDES Individual

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

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

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

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

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

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

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

**NPDES Permit PAS10-G384.** Stormwater. **Shamona Creek Builders**, P. O. Box 370, Drexel Hill, PA 19026, has applied to discharge stormwater from a construction activity located in Uwchlan Township, **Chester County**, to Unnamed Tributary to east Branch Brandywine Creek.

**NPDES Permit PAS10-D112.** Stormwater. **Bucks County Airport Authority**, 3879 Old Easton Road, Doylestown, PA 18901, has applied to discharge stormwater from a construction activity located in Milford Township, **Bucks County**, to Unnamed Tributary to Unami Creek.

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

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

**NPDES Permit PAS10Q183.** Stormwater. **Vinart Realty Associates**, Arthur Wright, Jr., 675 State Rd., Emmaus, PA 18049, has applied to discharge stormwater from a construction activity located in the City of Allentown, **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).

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

**4099504.** Public water supply. **Glen Summit Spring Water**. Kevin Duffy, General Manager, P. O. Box 129, Mountaintop, PA 18707. This proposal involves the reconnecting of the existing previously permitted Spring No. 2. The company intends to use Spring No. 2 to supplement spring Nos. 1 and 3 only during periods of low groundwater recharge. The company also proposes to add a filtration system to its water treatment process. It is located in Wright Township, **Luzerne County**. *Engineer:* Mark Snyder, P.E., RETTEW Assoc. Inc.

**4599501.** Public water supply. **Borough of East Stroudsburg**, James Phillips, Borough Manager, 24 Analomink Street, P. O. Box 303, East Stroudsburg, PA 18301. This proposal involves the construction of a new groundwater source, Well No. 4, to supplement the existing source supplies, installation of chemical feed systems for disinfection and manganese sequestration; the upgrading of control/telemetry systems and the construction of transmission main piping and related appurtenances. It is located in East Stroudsburg Township, **Monroe County**. *Engineer:* Russell Scott, P.E., RKR Hess Assoc., Inc.

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

**Permit No. 0599501.** Public water supply, **Hillside Terrace MHP**, East St. Clair Township, **Bedford County**. *Responsible Official:* Carl and Kelly Dallmeyer. *Type of Facility:* Application is for the installation of manganese greensand filtration system to remove iron from the source water. *Consulting Engineer:* George W. Ruby, P.E., Ruby Engineering, P. O. Box 127, Rexmont, PA 17985. *Application received:* August 31, 1999.

**Permit No. 3699502.** Public water supply, **East Donegal Township Municipal Authority**, East Donegal Township. *Responsible Official:* Thomas S. Ladue, P.E., Director of Municipal Services, Goodkind & O'Dea, Inc., P. O. Box 82, Maytown, PA 17550. *Type of Facility:* This application is for the addition of Well No. 2 as a source of supply, expansion of the existing treatment building for the addition of another ion exchange unit for nitrate treatment, changing the disinfection system, and addition of transmission main to pipe Well No. 2 to the existing treatment building. Construction of a pump house for Well No. 2 will also be completed. *Consulting Engineer:* Thomas S. Ladue, P.E., Director of Municipal Services, Goodkind & O'Dea, Inc., P. O. Box 340, Carlisle, PA 17013. *Application received:* March 3, 1999.

**Permit No. 3699507.** Public water supply, **Groffdale MHP**, Upper Leacock Township, **Lancaster County**. *Responsible Official:* Rick Herr. *Type of Facility:* The

application is for the installation of softeners for reduction of radium in the source water. *Consulting Engineer:* Parley E. Hess Jr., P.E., Miller & Sons, Inc., 2021 Horseshoe Rd., Lancaster, PA 17602. *Application received:* June 8, 1999.

**Permit No. 3699508.** Public water supply, **Solanco School District**, East Drumore Township. *Type of Facility:* Application is for the installation of nitrate treatment for the Solanco School District High School and the Swift Middle School. *Consulting Engineer:* Thomas J. Whitehill, P.E., Whitehill Consulting Engineers, 763 Conowingo Road, Quarryville, PA 17566. *Application received:* September 8, 1999.

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

**A. 4496031-A8.** The Department has received a permit application from the **Tulpehocken Spring Water Company, Inc.**, R. D. 1, Sunbury, PA 17801, Point Township, **Northumberland County**. The application is for construction of a facility to bottle spring water which will be trucked in from a permitted source. Bottles will be billed and transported to customers from this facility. Also, returned empty bottles will be washed and rinsed to reuse.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### Under Act 2, 1995

#### Preamble 1

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

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a

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

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

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

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

**U.S. Plywood Corp. Facility (Former)**, City of Philadelphia, **Philadelphia County**. Eugene A. Belli, ENSR, 2005 Cabot Blvd. West, Langhorne, PA 19047, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons. The site is located in a special industrial area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent Remediate was reported to have been published in *The Philadelphia Daily News* on July 20, 1999.

**Hyman Korman, Co.**, City of Philadelphia, **Philadelphia County**. Carl J. Bones, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted a Notice of Intent to Remediate site soil contaminated with lead and BTEX. 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 Philadelphia Inquirer* on August 26, 1999.

**Lenape Manufacturing Co.**, East Rockhill Township, **Bucks County**. Thomas R. Severino, Environmental Science & Remediation Technologies, Inc., 105 East Evans Street, West Chester, PA 19380, has submitted a notice of Intent to Remediate site soil contaminated with PCBs, heavy metals, solvents and petroleum hydrocarbons and groundwater contaminated with solvents and petroleum hydrocarbons. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Intelligencer* the week of August 27, 1999.

**Devitts Hardware Site (Former)**, City of Coatesville, **Chester County**. Douglas A. Yochum, General Manager Financial Services and Property Management, Bethlehem

Steel Corp., 1170 Eighth Avenue, Bethlehem, PA 18016-7699, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The site is located in a special industrial area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent Remediate was reported to have been published in *The Philadelphia Inquirer* on or about September 29, 1999.

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

**Former Fruehauf Drive-A-Way Terminal**, Lower Swatara Township, **Dauphin County**. Middletown Area School District, 55 West Water Street, Middletown, PA 17057, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs, lead, heavy metals, pesticides, solvents and PAHs and groundwater contaminated with pesticides and solvents. The applicant proposes to remediate the site as a special industrial area. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot* on September 5, 1999.

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

**Neville Chemical Company**, Neville Township, **Allegheny County**. Thomas F. McKnight, Neville Chemical Company, 2800 Neville Road, Pittsburgh, PA 15225, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, BTEX and other. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on September 4, 1999.

## SOLID AND HAZARDOUS WASTE

### HAZARDOUS WASTE, TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

*Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**A. 100113. Modern Landfill, Republic Services Group of PA III, LLC** (4400 Mount Pisgah Road, York, PA 17402). Application for permit reissuance from Waste Management Disposal of PA Inc. to Republic Services of PA III, LLC located in Windsor and Lower Windsor Townships, **York County**. Application administratively complete in the Regional Office September 22, 1999.

## AIR QUALITY

### Notice of Plan Approval and Operating Permit Applications

#### Nonmajor Sources and Modifications

The Department of Environmental Protection (Department) has developed an integrated plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regu-

lated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department's Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act and regulations adopted under the act.

#### OPERATING PERMITS

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

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

**13-308-083A: Horsehead Resource Development Co., Inc.** (900 Delaware Avenue, Palmerton, PA 18071), for operation of the no. 5 baghouse to control fugitive dust emissions from dump hopper in Building 608 in Palmerton Borough, **Carbon County**.

**13-308-087A: Horsehead Resource Development Co., Inc.** (900 Delaware Avenue, Palmerton, PA 18071), for operation of the no. 8 baghouse to control fugitive dust emissions from conveying equipment in Building 608 in Palmerton Borough, **Carbon County**.

**35-320-002: P. A. Hutchison Co.** (400 Penn Avenue, Mayfield, PA 18433), for operation of five printing presses in Mayfield Borough, **Lackawanna County**.

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

**07-03019. New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664), for operation of the Sproul crushing plant controlled by wet suppression in Greenfield Township, **Blair County**.

**07-305-001A. Tyrone Synfuels, L.P.** (160 Quality Center Road, Homer City, PA 15748), for operation of an E-fuel production facility controlled by a coal hammer mill baghouse, a cooler dust cyclone and a dryer baghouse in Snyder Township, **Blair County**.

**21-03001A: Ahlstrom Filtration, Inc.** (P. O. Box A, Mount Holly Springs, PA 17065), for operation of a natural gas/no. 6 fuel oil-fired boiler in Mount Holly Springs, **Cumberland County**.

**28-03018: CECO/Taylor Co.** (150 Derbyshire Street, P. O. Box V, Chambersburg, PA 17201-0802), for operation of two spray booths controlled by dry filters in Chambersburg Borough, **Franklin County**.

**28-322-001B: Community Refuse Limited d/b/a Mountain View Reclamation** (9716 Letzburg Road, Greencastle, PA 17225), for operation of a landfill gas extraction system controlled by an enclosed ground flare in Greencastle, **Franklin County**. This source is subject to 40 CFR Part 60, Subpart WWW, New Source Performance Standards for Municipal Waste Landfills.

**29-05001A: JLG Industries, Inc.** (1 JLG Drive, McConnellsburg, PA 17233-9533), for operation of three post assembly spray paint booths at their McConnellsburg facility in Ayr Township, **Fulton County**.

**31-310-025E: U. S. Silica Co.** (P. O. Box 187, Berkeley Springs, WV 25411), for operation of a silica sandstone dry screening operation, controlled by a fabric collector at the Keystone Plant in Brady Township, **Huntingdon County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of performance for Nonmetallic Mineral Processing Plants.

**36-05014B: Alumax Mill Products, Inc.** (1480 Manheim Pike, Lancaster, PA 17604), for operation of two aluminum hot rolling mills controlled by rotoclones and stack skimmers in Manheim Township, **Lancaster County**.

**36-05014C: Alumax Mill Products, Inc.** (1480 Manheim Pike, Lancaster, PA 17604), for operation of an aluminum dross process line controlled by a baghouse in Manheim Township, **Lancaster County**.

**67-309-107: Lehigh Portland Cement Co.** (200 Hokes Mill Road, York, PA 17404), for operation of a railcar cement loading system in West Manchester Township, **York County**.

**67-310-054: Lehigh Portland Cement Co.** (200 Hokes Mill Road, York, PA 17404), for operation of a roll crusher in West Manchester Township, **York County**.

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

**12-399-014A: GKN Sinter Metals** (R. R. 2, Box 47, Emporium, PA 15834), for operation of two sintered metal parts induction hardening operations and associated air cleaning device (an electrostatic precipitator) at Plant 6 (Airport Road Plant) in Emporium Borough, **Cameron County**.

**55-303-003: Meckley's Limestone Products, Inc.** (R. R. 1, Box 950, Herndon, PA 17830), for operation of a batch asphalt concrete plant and associated air cleaning device (a fabric collector) in Franklin Township, **Snyder County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

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

**OP-32-00133: Helvetia Coal Co.** (P. O. Box 219, Shelocta, PA 15774), for operation of coal handling at Lucerne No. 6 Mine, Truck Dump No. 1 at Center Township, **Indiana County**.

**OP-32-00209: Bentley Development Co., Inc.** (P. O. Box 338, Blairsville, PA 15717), for operation of coal handling at Pennview Coal Yard in West Wheatfield Township, **Indiana County**.

**OP-56-00266: Somerset Synfuel #1 LLC** (106 East Market Street, Suite 615, Warren, OH 44481), for operation of coal agglomeration at Shade Township Facility in Shade Township, **Somerset County**.

**TV-56-00262: Mostoller Landfill, Inc.** (420 Bedford Street, Suite 300, Lexington, MA 02173), for operation of landfill in Somerset Township, **Somerset County**.

#### **Notice of Intent to Issue Title V Operating Permits**

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

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

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

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

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Attn: Mark Wayner, (412) 442-4161.*

**TVOP-04-00059: Koppel Steel Corp., Koppel Plant** (P. O. Box 750, Beaver Falls, PA 15010), in Beaver Falls, **Beaver County**. The facility is a steel melting operation and subsequent production of hot rolled bars in both carbon and alloy grades. The melt shop features an electric arc furnace, a ladle refining station and a continuous caster. Other sources at this major facility include a rotary hearth furnace and other natural gas sources that support the steel making operations. The facility has the potential to emit greater than 100 tons of the

following pollutants: oxides of nitrogen (NOx), carbon monoxide, oxides of sulfur and volatile organic compounds respectively.

#### **PLAN APPROVALS**

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

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

**06-03005C: Morton International** (P. O. Box 15209, Reading, PA 19912-5209), for construction of various sources for the manufacturing of plastic powder coatings controlled by five fabric collectors in Reading City, **Berks County**.

**07-310-020F: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664), for modification of the existing limestone crushing plant no. 1 controlled by water sprays and three fabric filters located in the Roaring Spring Plant, Taylor Township, **Blair County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of performance for Nonmetallic Mineral Processing Plants.

**21-317-005B: Purina Mills, Inc.** (P. O. Box 66812, St. Louis, MO 63166-6812), for modification to the truck unloading system controlled by a cyclone and fabric collector at the Camp Hill Facility in Hampden Township, **Cumberland County**.

**28-05004A: Grove U. S. L.L.C.** (1565 Buchanan Trail East, Shady Grove, PA 17256), for installation of a continuous surface coating line controlled by a dry filter system at the Shady Grove plant in Antrim Township, **Franklin County**.

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

**14-309-044: Gensimore Trucking, Inc.** (P. O. Box 5210, Bellefonte, PA 16823), for construction of a bulk cement blending facility and associated air cleaning devices (two fabric collectors) in Spring Township, **Centre County**.

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

**PA-65-788J: Sony Electronics, Inc.** (1001 Technology Drive, Mt. Pleasant, PA 15666), for installation of exhaust oven at Pittsburgh Mfg. Center in Mt. Pleasant Township, **Westmoreland County**.

**PA-65-788I: Sony Electronics, Inc.** (1001 Technology Drive, Mt. Pleasant, PA 15666), for installation of frit seal oven at Pittsburgh Mfg. Center in Mt. Pleasant Township, **Westmoreland County**.

**PA-26-020A: Commercial Stone Co., Inc.** (2200 Springfield Pike, Connellsville, PA 15425), for installation of crusher and grizzly feeder at Rich Hill Quarry in Bullskin Township, **Fayette County**.

**PA-63-016A: West Penn Power Co.** (800 Cabin Hill Drive, Greensburg, PA 15601), for installation of lime unloading at Mitchell Station in Union Township, **Washington County**.

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

**PA-42-0176C: Allegheny Medium Density Fiberboard Limited Partnership** (Hutchins Road, R. R. 1 Box 268, Kane, PA 16375), for minor modification of plan approval PA-42-0176B to reevaluate the emissions from the sander dust system in Sergeant Township, McKean County.

**Keystone Cement Company**

**Operating Permit No. 48-309-109 and**

**Multipathway Risk Assessment and Draft Intent to Issue Permit Modification of the Hazardous Waste Storage Permit**

**Public Hearing Notice**

The Department of Environmental Protection (Department) will hold a public hearing for the Department to take testimony concerning the air quality permit for Keystone Cement Company's (Keystone) Nos. 1 and 2 cement kilns and associated risk assessment study. This modified permit application reflects Keystone's withdrawal of its request to increase the use of hazardous waste fuel and, thereby, restricts hazardous waste fuel usage to the total daily feed rate currently permitted at the facility. Additionally, the types of hazardous waste that Keystone will be permitted to accept and fire remain unchanged and are specified in the Department's Hazardous Waste Storage Permit PAD002389559 issued December 27, 1991. This permit application does allow hourly hazardous waste feed rate flexibility between the two cement kilns such that the hourly feed rate does not exceed those established in the risk assessment, and the daily combined total hazardous waste feed does not exceed the existing permitted level. In conjunction with the operating permit, Keystone conducted a risk assessment that was submitted in June 1998 on which the Department seeks comment.

In a separate action, the Department also intends to issue permit modification of the hazardous waste storage permit, PAD002389559. The Department is modifying this permit to account for significant site design, construction and operational changes which have occurred following the December 8, 1997, incident at the Keystone Cement facility. The modification identifies the types of hazardous waste that Keystone Cement Company will be allowed to accept and fire. A public meeting was held on April 8, 1998, to discuss the Department's scope of the investigation and the findings on the incident. As a result of the investigation, the public meeting and Keystone's proposal for modifying the facility design and operation, the Department entered into a Consent Order and Agreement with Keystone Cement Company. The Consent Order and Agreement allowed Keystone Cement Company to resume hazardous waste fuels storage operations. In addition, the modified permit contains new or modified requirements applicable to this facility which has resulted from revisions to the hazardous waste regulations (found in the May 1, 1999, *Pennsylvania Bulletin*, Volume 29, Number 18).

A public hearing will be held for the purpose of receiving comments on the proposed air quality operating permit, the risk assessment and intent to modify the hazardous waste storage permit. The hearing will be held on November 16, 1999, at 7 p.m. at the Northampton High School, Laubach Avenue, Northampton, PA. The public is invited to comment on the draft operating permit, risk assessment and modifications to the hazardous waste storage permit. The major provisions of the operating permit follow. Persons interested in commenting are invited to appear at the public hearing.

The pertinent documents are available for review at the Department's district office, 4530 Bath Pike, Bethlehem, PA 18017, between the hours of 8 a.m. and 4 p.m. Monday through Friday. Appointments for scheduling a review can be made by calling (610) 861-2070.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Thomas A. DiLazaro, Hearing Examiner, Department of Environmental Protection, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 10 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons with disabilities who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Richard Shudak of the Department at (570) 826-2060 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Persons unable to attend the hearing can submit written testimony to the Department through December 16, 1999.

To assure compliance with the applicable standards, the Department will place the following revised and/or additional conditions on the Operating Permit. These conditions will modify the existing conditions of the previously issued Operating Permit Nos. 48-309-040C and 48-309-041C which will be consolidated under the new Operating Permit No. 48-309-109.

A. Condition No. 4, relating to the hazardous waste fuel feed rate, shall be modified to read as follows:

The Permittee shall at no time exceed a total hazardous waste fuel feed rate of 14.2 gallons per minute in the No. 1 kiln or 43.5 gallons per minute in the No. 2 kiln, or the levels established for the two kilns in the most recent EPA BIF compliance certification test, whichever is lower. These feed rates apply on an hourly rolling average basis. Furthermore, the total hazardous waste fuel feed through both kilns shall at no time exceed 57,600 gallons on any calendar day (midnight to midnight).

B. Condition No. 5, relating to the monitoring and recording of the waste fuel feed rates, shall be modified to read as follows:

The feed rate of each waste fuel shall be separately and continuously monitored and recorded. The Permittee shall prepare a daily master record to indicate compliance with

the hazardous waste fuel feed rates established in Condition 4 of this Operating Permit.

C. Condition No. 8, relating to emission limits of the Nos. 1 and 2 cement kilns, shall be modified to read as follows:

The operation of the No. 1 cement kiln shall not result in the emission of hydrogen chloride at a rate exceeding 8.55 pounds per hour and the operation of the No. 2 cement kiln shall not result in the emission of hydrogen chloride at a rate exceeding 30.55 pounds per hour.

D. Condition No. 11, relating to a system of interlocks which will automatically stop and prevent any flow of waste fuel to each kiln, shall be modified to read as follows:

i. Maximum combustion chamber temperature greater than 1565° F (hourly rolling average) for the No. 1 cement kiln and 1723.3° F (hourly rolling average) for the No. 2 cement kiln, or as established by the most recent compliance certification test under 40 CFR 266 Subpart H and monitored by the U. S. EPA approved combustion chamber temperature monitor.

E. Condition No. 11, relating to the testing of the interlock system, shall be modified to read as follows:

The automatic waste fuel cut-off valve shall be tested weekly. Electronic simulation testing for each automatic waste fuel cut-off parameter shall be conducted one time per month.

F. Condition No. 33 (now Condition No. 30), relating to prior permits and plan approvals, shall be modified to read as follows:

This Operating Permit supersedes and consolidates all Plan Approvals, Temporary Operating Permits and Operating Permits bearing the Nos. 48-309-040, 48-309-040B, 48-309-040C, 48-309-041, 48-309-041B and 48-309-041C.

For additional information regarding the above, contact Thomas A. DiLazaro at (570) 825-2435 or write to the Department at the Wilkes-Barre address given previously.

#### **Notice of Intent to Issue**

#### **Plan Approval OP-18-0005A**

International Paper Co. (P. O. Box 268, Lock Haven, PA 17745) has submitted an application to the Department of Environmental Protection (Department) for approval to install flue gas recirculation systems on two bituminous coal and tire-derived fuel-fired spreader stoker-equipped boilers (identified as Boiler 1 and Boiler 2) at the Lock Haven Mill in Castanea Township, Clinton County. The information provided by International Paper Co. indicates that the installation of the flue gas recirculation systems are expected to reduce the boilers' nitrogen oxides emissions by as much as 40% from current levels (which are approximately .60 pound per million BTU of heat input) and that they are not expected to result in any increase in the emission of any other air contaminant. The Department consequently intends to approve the application and issue a plan approval to install the flue gas recirculation systems on Boiler 1 and Boiler 2.

To ensure compliance with all applicable standards, the Department proposes to place the following conditions in the respective plan approval:

1. The flue gas recirculation systems are to be installed in accordance with the plans submitted with the application (as approved herein).

2. This plan approval is issued for the installation of flue gas recirculation systems, as described in the applica-

tion and supplemental materials submitted for plan approval, on two bituminous coal and tire-derived fuel-fired spreader stoker-equipped Riley stoker Model VO-SP boilers (Boiler 1 and Boiler 2).

3. This plan approval does not authorize any increase in the emission of any air contaminant from either of the two respective boilers.

4. All conditions contained in Operating Permits OP-18-0005, 18-302-015B and 18-302-017A remain unchanged and in effect unless specifically modified or superseded by a condition contained herein or unless otherwise modified or amended by the Department.

5. International Paper shall comply with all applicable NOx allowance requirements specified in 25 Pa. Code §§ 123.101—123.120.

6. This plan approval authorizes temporary operation of the sources covered by this plan approval provided the following conditions are met.

a) The Department must receive written notice from the owner/operator of the completion of installation and the operator's intent to commence operation at least 5 working days prior to the completion of installation. The notice shall state when installation will be completed and when the operator expects to commence operation.

b) Operation is authorized only to facilitate the startup and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an operating permit, or to permit the evaluation of the sources for compliance with all applicable requirements and regulations.

c) This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the owner/operator under subpart (a) above.

d) The owner/operator may request an extension in compliance with all applicable regulations and plan approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance, and the reasons compliance has not been established.

e) The notice submitted by the owner/operator under subpart (a) prior to the expiration of this plan approval shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of commencement of operation.

7. Any notification required as a result of any condition contained herein should be directed to: Richard L. Maxwell, Jr., Chief, Engineering Services, Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3745.

The incorporation of the above-referenced conditions into the plan approval is intended to do one or more of the following:

1. Identify the source and location.
2. Establish appropriate operating requirements.
3. Ensure the use of appropriate monitoring, recordkeeping and reporting requirements.

A copy of the application and the Department's review are available for public inspection during normal business hours at the following address. All inspections must be scheduled in advance.



Persons wishing to protest the issuance of this plan approval or provide the Department with additional information which he or she believes should be considered prior to the issuance of the plan approval may submit the information in writing to the Department at the following address. Protests or comments must be received by the Department no later than 30 days after the publication of this notice. Each written protest or comment shall include the following: name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (OP-18-0005A) and concise statements regarding the relevancy of the comments or any protests to the issuance of the plan approval.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. Persons submitting protests or requesting a hearing will be notified of the decision to hold a hearing by publication in a newspaper of general circulation in Clinton County, by publication in the *Pennsylvania Bulletin*, by letter or by telephone, where the Department determines the notification by telephone is adequate. Requests for a hearing must be received by the Department no later than 30 days after publication of this notice.

Written protests, comments or requests for a public hearing should be directed to David W. Aldenderfer, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, Northcentral Region, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3745.

For additional information regarding the Department's review of the plan approval application, contact Richard L. Maxwell, Jr., Chief, Engineering Services, Air Quality Program, Department of Environmental Protection, Northcentral Region, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3745.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY

##### (RACT)

#### Proposed Revision to the State Implementation Plan (SIP) for Nitrogen Oxide (NO<sub>x</sub>) and Public Hearing

*Approval of Reasonably Available Control Technology (RACT) Plans for Keystone Cement Company, East Allen Township, Northampton County, PA*

The Department of Environmental Protection (Department) has made a preliminary determination to approve RACT plans and amendments to the State Implementation Plan (SIP) for the Keystone Cement Company.

The proposed SIP revisions do not adopt new regulations. They incorporate the provisions and requirements contained in the RACT approvals for this facility to comply with current regulations.

The preliminary RACT determinations, if finally approved, will be incorporated into Operating Permits for the facilities and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The main sources in the Keystone facility are the Nos. 1 and 2 cement kilns. The following is a summary of preliminary RACT determinations for this facility:

	<i>NO<sub>x</sub> RACT Limit 30-day Rolling Average</i>	<i>Control Device</i>
No. 1 Cement Kiln (Coal-fired)	200.0 lbs/hr	Not applicable
No. 2 Cement Kiln (Coal-fired)	600.0 lbs/hr	Not applicable

A public hearing will be held for the purpose of receiving comments on the proposed Operating Permit and the proposed SIP revisions. The hearing will be held on November 16, 1999, at 7 p.m. at the Northampton High School, Laubach Avenue, Northampton, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Thomas A. DiLazaro, Hearing Examiner at (570) 826-2511 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. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations, should do so by contacting Richard Shudak, (570) 826-2060, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to Thomas A. DiLazaro, Air Quality Program Manager, PA DEP, 2 Public Square, Wilkes-Barre, PA 18711-0790. Comments should be submitted within 30 days of this publication in the *Pennsylvania Bulletin*.

The pertinent documents are available for review from 8 a.m. to 4 p.m. in the DEP office, 4530 Bath Pike, Bethlehem, PA 18017. Appointments for scheduling a review must be made by calling (610) 861-2070.

#### MINING

#### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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



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

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

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

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

#### *Coal Applications Received*

**24990102. Tamburlin Brothers Coal Company, Inc.** (P. O. Box 1419, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface strip and auger operation in Fox Township, **Elk County**, affecting 136 acres. Receiving streams: Limestone Run and Little Toby Creek and Unnamed Tributary to Limestone Run. Application received September 29, 1999.

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

**17990118. Swisher Contracting, Inc.** (P. O. Box 1223, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine/auger permit in Lawrence Township, **Clearfield County** affecting 152 acres. Receiving streams: Three unnamed tributaries to Moose Creek, Moose Creek and Orr's Run. Application received September 23, 1999.

**17960110. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), revision to an existing bituminous surface mine permit to include the placement of coal ash for beneficial use. The permit is located in Bigler Township, **Clearfield County** and affects 70.5 acres. Receiving

streams: unnamed tributaries to Banian Run and unnamed tributary to Clearfield Creek. Application received September 16, 1999.

**17753050. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847), revision to an existing bituminous surface mine permit to include remining of areas with preexisting pollutional discharges and for a change in permit acreage from 642.8 to 687.6 acres. The permit is located in Karthaus Township, **Clearfield County**. Receiving streams: Saltlick Run and unnamed tributaries to Saltlick Run. Application received September 22, 1999.

**17910109. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), revision to an existing bituminous surface mine-auger permit in Bell Township, **Clearfield County** for a change in permit acreage from 67.2 to 83.6 acres. Receiving streams: unnamed tributaries to Whisky Run. Application received September 22, 1999.

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

**03940113R. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Renewal application received for continued reclamation of a bituminous surface auger mine located in Washington Township, **Armstrong County**, affecting 68.7 acres. Receiving streams: unnamed tributaries to Huling Run. Renewal application received: September 28, 1999.

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

**56990104. New SMP, Dunamis Resources, Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650), commencement, operation and restoration of bituminous-auger strip mine in Jenner Township, **Somerset County**, affecting 140 acres, receiving stream unnamed tributaries to Gum Run to Gum Run to Roaring Run to Quemahoning River to Stony Creek to the Conemaugh River. Application received September 20, 1999.

**56930114. Permit Renewal, Fieg Brothers** (3070 Stoystown Road, Stoystown, PA 15563-8164), for continued operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 28.8 acres, receiving stream unnamed tribs to Buffalo Creek and Buffalo Creek. Application received September 24, 1999.

**56940106. Permit Renewal, Fieg Brothers** (3070 Stoystown Road, Stoystown, PA 15563-8164), for continued operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 77.4 acres, receiving stream unnamed tributaries to/and Buffalo Creek. Application received September 24, 1999.

**56813104. Permit renewal for reclamation only, Finzel Coal** (12152 National Pike, Grantsville, MD 21536), for continued restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 344.7 acres, receiving stream to unnamed tributaries to Tubs Run and to Tubs Run. Application received September 27, 1999.

**56840111. Permit renewal for reclamation only, Godin & Goden Coal, Inc.** (138 Godin Drive, Boswell, PA 15531), for continued restoration of a bituminous strip mine in Jenner Township, **Somerset County**, affecting 108.4 acres, receiving stream unnamed tributaries of Quemahoning Creek. Application received September 30, 1999.

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

*Large Noncoal (Industrial Mineral) Applications Received*

**08860301. Terry Wayne Selleck** (R. D. 1, Box 241, New Albany, PA 18833), transfer of an existing large industrial mineral (sand and gravel) permit from Clifford Cross, Jr. This permit is located in Albany Township, **Bradford County** and affects 6.1 acres. Receiving streams: Towanda Creek. Application received September 20, 1999.

**APPLICATIONS RECEIVED UNDER  
SECTION 401: FEDERAL WATER  
POLLUTION CONTROL ACT  
ENCROACHMENTS**

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

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

**E15-628.** Encroachment. **PA DOT**, 200 Radnor-Chester Road, St. Davids, PA 19087. To remove an existing three span reinforced concrete T-beam bridge across Pickering Creek (HQ-TSF) and to construct and maintain, in its place, a twin span reinforced concrete box beam bridge. Each span of the new bridge will measure approximately 53.5 feet and the average vertical clearance will be about 6.75 feet. The new abutments and pier will be skewed 72 degrees to match the approximate direction of stream flow. Roadway improvements will include widening the curb-to-curb distance to 30 feet and reducing the vertical alignment in certain areas to improve sight distance. The site is located along State Road (S. R. 0029) approximately 1,000 feet northeast of its intersection with Pickering Dam Road (Malvern USGS Quadrangle N: 18.3 inches; W: 5.1 inches) in Charlestown Township, **Chester County**.

**E46-851.** Encroachment. **Abington Township**, 1176 Old York Road, Abington, PA 19001. To relocate and

maintain approximately 500 linear feet of an unnamed tributary to Sandy Run (TSF). This work is associated with the construction of an on-stream jurisdictional dam (Application No. D46-332). This site is located within the Ardsley Burial Park approximately 400 feet southeast of the intersection of Maple Ave. and Lincoln Ave. and is associated with the Susquehanna Woods Stormwater Management Control Project (Germantown USGS Quadrangle N: 22.2 inches, W: 3.6 inches) in Abington Township, **Montgomery County**.

*Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-5485.*

**E45-367.** Encroachment. **Gerald and Mary Gheraldi**, 4 Jamestowne Road, Manalatan, NJ 07726. To remove four grave land sediment deposits from an approximately 150-foot channel section of a tributary to Appenzell Creek (HQ-CWF), to improve recreational use and flood flow conveyance of the stream. The project is located approximately 0.25 mile west of the intersection of S. R. 3026 and S. R. 3021 (Saylorsburg, PA Quadrangle N: 19.5 inches; W: 15.1 inches), Jackson Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers). This application reopens the file for E45-367, originally submitted on December 17, 1998.

**EA58-001NE.** Encroachment. **Hop Bottom Borough**, Hop Bottom, PA. To restore a 1,700 linear foot section of Martins Creek. The purpose of the project is to restore and stabilize the stream to its original dimensions. The project will employ Rosgen techniques and is located at a point immediately upstream of the Main Street Bridge extending upstream approximately 1,700 feet. (Hop Bottom, PA Quadrangle N: 14.7 inches; W: 2.5 inches), in Hop Bottom Borough, **Susquehanna County** (Baltimore District, U. S. Army Corps of Engineers).

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

**E07-317.** Encroachment. **David Coppersmith**, 970 Puzzletown Road, Duncansville, PA 16635. To construct and maintain a single span bridge having a span of about 59.2 feet and an underclearance of 6.5 feet across Poplar Run for the purpose of providing access to private property located along the north side of SR 3003 about 0.75 mile northeast of its intersection with SR 3010 at Puzzletown (Hollidaysburg, PA Quadrangle N: 1.5 inches; W: 14.25 inches) in Freedom Township, **Blair County**.

**E07-318.** Encroachment. **Blair County Commission**, 423 Allegheny Street, Hollidaysburg, PA 16648. To remove the existing County Bridge No. 12 and to construct and maintain a single span prestressed concrete adjacent box beam bridge having a clear span of 25.0 feet and an average underclearance of 3.25 feet across Pine Run located on Township Road T-311 about 0.5 mile west of its intersection with SR 0220 (Roaring Springs, PA Quadrangle N: 7.0 inches; W: 12.0 inches) in Greenfield Township, **Blair County**.

**E07-319.** Encroachment. **Blair County Commission**, 423 Allegheny Street, Hollidaysburg, PA 16648. To remove the existing County Bridge No. 68 and to construct and maintain a prestressed adjacent concrete box beam bridge having a clear span of 38.52 feet and a minimum underclearance of 5.95 feet across Old Town Run located on Township Road T-378 about 3.0 miles southeast of its intersection with SR 2007 (Frankstown, PA Quadrangle N: 3.0 inches; W: 12.0 inches) in Frankstown Township, **Blair County**.

**E21-297.** Encroachment. **UGI Utilities, Inc.**, 1500 Paxton St., Harrisburg, PA 17105. To construct and maintain an 8-inch diameter gas line to be attached to the existing PA 34 Bridges and culverts across Yellow Breeches Creek and its unnamed tributary (HQ-CWF) and Letort Spring Run (EV) to supply adequate gas to customers (Carlisle, PA Quadrangle N: 2.0 inches; W: 9.88 inches and N: 7.9 inches; W: 9.68 inches) in South Middleton Township, **Cumberland County**.

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

**E14-358.** Encroachment. **Sea Oaks Company**, 2007 Windgate Drive, Durham, NC 27705. To extend an existing culvert crossing, two 58-inch by 36-inch arch pipes, by 5 feet in an unnamed tributary to Big Hollow located on Toftrees Avenue just east of Waddle Road (Julian, PA Quadrangle N: 13.0 inches; W: 3.6 inches) in Patton Township, **Centre County**. Estimated stream disturbance is 10 feet; stream classification is CWF.

**E53-334.** Encroachment. **Keith Horn, Inc.**, 133 Biddle Street, Kane, PA 16735. To construct and maintain a low flow crossing using two 58-inch by 36-inch steel pipe arches in Prouty Run located off Long Toe Road approximately 2.3 miles south of Route 44 (Ayers Hill, PA Quadrangle N: 9.1 inches; W: 5.6 inches) in Summit Township, **Potter County**. Estimated stream disturbance is 30 feet; stream classification is HQ-CWF.

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

**E02-233.** Encroachment. **Glennwillard Boat Club, Inc.**, P. O. Box 305, Crescent Township, PA 15046. To amend Permit E02-233 to operate and maintain an existing boat dock. To maintain fill in three locations that was placed to restore the shoreline after the 1996 flood along the left bank of the Ohio River (WWF) located at Mile Point 14.0 (Ambridge, PA Quadrangle N: 10.2 inches; W: 12.7 inches) in Crescent Township, **Allegheny County**.

**E04-238-A3.** Encroachment. **Olde Stonewall Golf Club LT**, 1495 Mercer Road, Ellwood City, PA 16117. To amend permit E04-238 to operate and maintain a 6-foot diameter stream enclosure in a tributary to the Connoquenessing Creek (WWF), (depressed 1 foot) for a distance of 180 feet for the purpose of providing stabilization for a slope failure on the right bank side of the stream. The project is located within the Olde Stonewall Golf Course at the 14th tee (Beaver, PA Quadrangle N: 15.1 inches, W: 4.1 inches) in North Sewickley Township, **Beaver County**.

**E02-1289.** Encroachment. **Duquesne Light Company**, 411 Seventh Avenue, P. O. Box 1930, Pittsburgh, PA 15230-1930. To construct and maintain an aerial distribution line across the Ohio River (WWF) located at the northwest end of Brunot Island near River Mile 2.95 (Pittsburgh West, PA Quadrangle N: 17.4 inches; W: 6.6 inches) in the City of Pittsburgh, **Allegheny County**.

**E65-739.** Encroachment. **Deryk R. Grain**, 5195 Mamont Road, Murrysville, PA 15668. To operate and maintain a 6 inch depressed 60-inch corrugated metal pipe culvert in Haymakers Run (HQ-CWF) authorized for construction under Emergency Permit No. EP 6599203. The project is located off of Mamont Road, approximately 1 mile from its intersection with Sardis Road (Murrysville, PA Quadrangle N: 15.8 inches; W: 3.35 inches) in the Municipality of Murrysville, **Westmoreland County**.

**E65-740.** Encroachment. **Albert J. Abels**, 5185 Mamont Road, Murrysville, PA 15668. To remove the existing structure and to construct and maintain a 32-foot long, 5-foot diameter aluminized steel pipe in Haymakers Run (HQ-CWF) located on a driveway off Mamont Road at a point approximately 1 mile east of the intersection of Mamont Road and Sardis Road (Murrysville, PA Quadrangle N: 16.00 inches; W: 3.5 inches) in Murrysville Borough, **Westmoreland County**. The work was authorized under Emergency Permit No. EP 6599204 issued on September 7, 1999.

**E65-700 A1.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. To amend Permit No. E65-700 to construct and maintain a 154 foot long, 58 inch x 91 inch elliptical concrete pipe culvert in an unnamed tributary to Beaver Run (HQ-CWF) for the purpose of constructing an access road. This project includes placement and maintenance of fill in 0.042 acre of palustrine emergent wetlands. The project is located off S. R. 0066 just north of the S. R. 0022/S. R. 0066 interchange (Slickville, PA Quadrangle N: 4.4 inches; W: 10.1 inches) in Salem Township, **Westmoreland County**. The replacement of 0.042 acre of palustrine emergent wetlands is included at the replacement site authorized by Permit No. E65-700.

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

**E62-352.** Encroachment. **Kinzua/Warren County Joint Authority**, P. O. Box 412, Clarendon, PA 16313. To place and maintain the following utility crossings and encroachments as part of the Kinzua/Warren County Joint Authority sewage collection and treatment system;

1. An 8-inch-diameter PVC treated effluent outfall, concrete headwall and rock rip rap above the low water elevation on the Allegheny River (WWF, 1-A Scenic River) (Clarendon, PA Quadrangle, North: 13.5 inches; West 14.8 inches) in Mead Township, **Warren County**.

2. An open cut placement of an 8-inch-diameter PVC treated effluent pipe (S. C. 1) across and under Mill Race (backwater channel of Allegheny River (WWF, 1-A Scenic River) (Clarendon, PA Quadrangle, North: 13.3 inches; West 14.9 inches) in Mead Township, Warren County.

3. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 2) across and under Browns Run (CWF) (Clarendon, PA Quadrangle, North: 13.3 inches; West: 15.0 inches) in Mead Township, Warren County.

4. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 3) across and under a tributary to Browns Run (CWF) (Clarendon, PA Quadrangle, North: 13.2 inches; West: 15.0 inches) in Mead Township, Warren County.

5. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 4) across and under Browns Run (CWF) (Clarendon, PA Quadrangle, North: 13.1 inches; West: 15.0 inches) in Mead Township, Warren County.

6. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 5) across and under Browns Run (CWF) (Clarendon, PA Quadrangle, North: 13.1 inches; West: 14.7 inches) in Mead Township, Warren County.

7. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 6) across and under Morrison Run (HQ-CWF, nominated EV) (Clarendon, PA Quadrangle, North: 13.0 inches; West: 14.8 inches) in Mead Township, Warren County.

8. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 7) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 12.3 inches; West: 14.2 inches) in Mead Township, Warren County.

9. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 8) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 11.3 inches; West: 13.9 inches) in Mead Township, Warren County.

10. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 9) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 11.1 inches; West: 13.6 inches) in Mead Township, Warren County.

11. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 10) across and under Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 10.9 inches; West: 13.2 inches) in Mead Township, Warren County.

12. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 11) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 10.4 inches; West: 12.7 inches) in Mead Township, Warren County.

13. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 12) across and under Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 10.0 inches; West: 12.7 inches) in Mead Township, Warren County.

14. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 13) across and under Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.4 inches; West: 13.1 inches) in Mead Township, Warren County.

15. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 14) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.3 inches; West: 13.3 inches) in Mead Township, Warren County.

16. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 15) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.2 inches; West: 13.3 inches) in Mead Township, Warren County.

17. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 16) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.1 inches; West: 13.3 inches) in Mead Township, Warren County.

18. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 17) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.0 inches; West: 13.3 inches) in Mead Township, Warren County.

19. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 18) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.0 inches; West: 13.3 inches) in Mead Township, Warren County.

20. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 19) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.1 inches; West: 13.1 inches) in Mead Township, Warren County.

21. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 20) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 9.0 inches; West: 13.4 inches) in Mead Township, Warren County.

22. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 21) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 8.5 inches; West: 12.9 inches) in Mead Township, Warren County.

23. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 22) across and under a tributary to Dutchman Run (CWF) (Clarendon, PA Quadrangle, North: 8.4 inches; West: 12.8 inches) in Mead Township, Warren County.

24. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 23) across and under a tributary to West Branch Tionesta Creek (HQ-CWF) (Clarendon, PA Quadrangle, North: 5.4 inches; West: 13.4 inches) in Clarendon Borough, Warren County.

25. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 24) across and under a tributary to West Branch Tionesta Creek (HQ-CWF) (Clarendon, PA Quadrangle, North: 5.1 inches; West: 13.1 inches) in Clarendon Borough, Warren County.

26. An open cut placement of a 2-inch-diameter PVC sanitary sewer (S. C. 25) across and under a tributary to West Branch Tionesta Creek (HQ-CWF) (Clarendon, PA Quadrangle, North: 5.1 inches; West: 13.1 inches) in Clarendon Borough, Warren County.

27. An open cut placement of a 10-inch-diameter PVC sanitary sewer (S. C. 26) across and under a tributary to West Branch Tionesta Creek (HQ-CWF) (Clarendon, PA Quadrangle, North: 5.0 inches; West: 13.0 inches) in Clarendon Borough, Warren County.

28. An open cut placement of a 4-inch-diameter PVC sanitary sewer (S. C. 27) across and under Pacard Run (CWF) (Clarendon, PA Quadrangle, North: 3.6 inches; West: 11.3 inches) in Mead Township, Warren County.

29. An open cut placement of an 8-inch-diameter PVC sanitary sewer (S. C. 28) across and under Six Mile Creek (HQ-CWF) (Sheffield, PA Quadrangle, North: 22.2 inches; West: 9.4 inches) in Mead Township, Warren County.

30. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 600 linear feet of Wetland No. 1 (Clarendon, PA Quadrangle, North: 12.9 inches; West: 15.0 inches) in Mead Township, Warren County.

31. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 230 linear feet of Wetland No. 2 (Clarendon, PA Quadrangle, North: 12.7 inches; West: 13.4 inches) in Mead Township, Warren County.

32. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 200 linear feet of Wetland No. 4 (Clarendon, PA Quadrangle, North: 11.1 inches; West: 13.5 inches) in Mead Township, Warren County.

33. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 300 linear feet of Wetland No. 4 (Clarendon, PA Quadrangle, North: 9.0 inches; West: 13.3 inches) in Mead Township, Warren County.

34. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 220 linear

feet of Wetland No. 6 (Clarendon, PA Quadrangle, North: 9.2 inches; West: 13.3 inches) in Mead Township, Warren County.

35. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 270 linear feet of Wetland No. 7 (Clarendon, PA Quadrangle, North: 8.8 inches; West: 13.5 inches) in Mead Township, Warren County.

36. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 35 linear feet of Wetland No. 8 (Clarendon, PA Quadrangle, North: 8.8 inches; West: 13.7 inches) in Mead Township, Warren County.

37. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 100 linear feet of Wetland No. 10 (Clarendon, PA Quadrangle, North: 7.2 inches; West: 14.4 inches) in Mead Township, Warren County.

38. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 120 linear feet of Wetland No. 11 (Clarendon, PA Quadrangle, North: 6.5 inches; West: 13.8 inches) in Clarendon Borough, Warren County.

39. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 160 linear feet of Wetland No. 12 (Clarendon, PA Quadrangle, North: 0.7 inch; West: 10.5 inches) in Mead Township, Warren County.

40. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 250 linear feet of Wetland No. 13 (Clarendon, PA Quadrangle, North: 0.45 inch; West: 10.2 inches) in Mead Township, Warren County.

41. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 410 linear feet of Wetland No. 14 (Clarendon, PA Quadrangle, North: 0.1 inch; West: 9.8 inches) in Mead Township, Warren County.

42. An open cut placement of an 8-inch-diameter PVC sanitary sewer across and under approximately 320 linear feet of Wetland No. 15 (Sheffield, PA Quadrangle, North: 22.2 inches; West: 9.6 inches) in Mead Township, Warren County.

#### DAM SAFETY

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

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

**D40-236. Dam. Pennsylvania Game Commission** (Bureau of Land Management, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797). To modify, operate and maintain Bowman's Marsh Dam across the North Branch of Bowman's Run (HQ-CWF), for the purpose of repairing an existing dam by replacing the deteriorated water control structure (Sweet Valley, PA Quadrangle N: 19.8 inches; W: 15.1 inches) in Ross Township, **Luzerne County**.

#### ENVIRONMENTAL ASSESSMENT

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

*Environmental Assessment and Request for 401 Certification*

**EA26-003SW. Environmental Assessment, Department of the Army, Pittsburgh District—Corps of Engineers, William S. Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186.** To construct and maintain riprap bank protection at two locations along the Monongahela River within the Borough of Point Marion, Fayette County. The bank protection will be installed in approximately 75 feet wide x 20—32 feet high sections for 1,130 linear feet at Site 1, from the boat launch ramp at River Mile (RM) 90.15 to the upstream end of the Point Marion Sewage Treatment Plant at RM 90.36 (Morgantown North WV-PA Quadrangle N: 19.8 inches; West: 4.35 inches), and for 380 linear feet at Site 2, along Water Street, between Broadway and Second Avenue, from RM 89.88 to RM 89.95 (Morgantown North WV-PA Quadrangle N: 20.5 inches; W: 4.05 inches) in the Borough of Point Marion, **Fayette County**.

#### ACTIONS

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

**[National Pollution Discharge Elimination System Program (NPDES)]**

**DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**

**(Part I Permits)**

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

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

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

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

**WQM Permit No. 0999416. Sewerage. Warrington Township, 852 Easton Road, Warrington, PA 18976.**

Approval for the construction and operation of a sewage pumping station to serve Bradford Green residential development located in Warrington Township, **Bucks County**.

**WQM Permit No. 4699419.** Sewerage. **Whitemarsh Township**, 616 Germantown Pike, Lafayette Hill, PA 19444-1821. Approval for the modifications to the Whitemarsh wastewater treatment plant to reduce/eliminate chlorine residual levels located in Whitemarsh Township, **Montgomery County**.

**WQM Permit No. 0999418.** Sewerage. **PA DCNR Delaware Canal State Park**, 11 Lodi Hill Road, Upper Black Eddy, PA 18972-9540. Approval for the construction and operation of a small flow stp to serve the Virginia Forest Picnic Area located in Solebury Township, **Bucks County**.

**NPDES Permit No. PA0011541.** Industrial waste. **Sunoco, Inc.**, 3144 Passyunk Avenue, Philadelphia, PA 19145, is authorized to discharge from a facility located at Darby Creek Tank Farm, Darby Township, **Delaware County** into Darby Creek.

**NPDES Permit No. PA0022586, Amendment No. 1.** Sewerage. **North Wales Borough**, 330 School Street, North Wales, PA 19454, is authorized to discharge from a facility located at North Wales WWTF in Upper Gwynedd Township, **Montgomery County** to an unnamed tributary to Wissahickon Creek.

**WQM Permit No. 1593413.** Sewerage. **Upper Uwchlan Township**, 140 Pottstown Pike, Chester Springs, PA 19425. Approval for the renewal of the Saybrooke Residential Subdivision STP with large volume onlot disposal system located in Upper Uwchlan Township, **Chester County**.

**WQM Permit No. 1599411.** Sewerage. **East Goshen Municipal Authority**, 1580 Paoli Pike, West Chester, PA 19380. Approval for the construction and operation of a sewage pump station and force main to serve Mill Valley residential community located in East Goshen Township, **Chester County**.

**NPDES Permit No. PA0057801.** Sewerage. **James Underkoffler, Jr.**, 811 Thousand Acre Road, Sellersville, PA 18960, is authorized to discharge from a facility located in West Rockhill Township, **Bucks County** to an unnamed Pond tributary to Ridge Valley Creek.

#### *Permits Issued*

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

**NPDES Permit No. PA-0033529.** Sewerage. **The Pennsylvania State University**, Physical Plant Building, University Park, PA 16802-1118, is authorized to discharge from a facility located in Lehman Township, **Luzerne County**.

**NPDES Permit No. PA-0063967.** Industrial waste. **Scranton Altoona Terminal Corporation**, P. O. Box 2621, Harrisburg, PA 17105, is authorized to discharge from a facility located in Pittston Township, **Luzerne County**.

**NPDES Permit No. PA-0063274.** Sewerage. **Brian Guinane**, RR 1, Box 1531, Hallstead, PA 18822, is authorized to discharge from a facility located in Liberty Township, **Susquehanna County**.

**Permit No. 1399405.** **Franklin Township**, 900 Fairylan Road, Lehighton, PA 18235. Permit to construct sanitary sewers within North Weissport, East Weissport and Union Hill, located in Franklin Township, **Carbon County**.

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

**Permit No. 0085863.** Industrial waste. **Waste Management of PA, Inc. (Harmony Grove Landfill)**, 420 Lincoln Highway, Fairless Hills, PA 19030, is authorized to discharge from a facility located in Dover Township, **York County** to the receiving waters named a stormwater retention pond.

**Permit No. PA 0088145.** Industrial waste. **Columbia Petroleum Corporation (West Manchester Terminal)**, 225 East Main Street, Richland, PA 17087, is authorized to discharge from a facility located in West Manchester Township, **York County** to the receiving waters named Codorus Creek.

**Permit No. PA 0083283.** Sewerage. **Arthur G. Bruaw, Jr. (Bruaw Mobile Home Park)**, P. O. Box 277, Saint Thomas, PA 17252, is authorized to discharge from a facility located in Watts Township, **Perry County** to the receiving waters to an unnamed tributary to the Susquehanna River.

**Permit No. PA 0083364.** Industrial waste. **Borough of Chambersburg (Water Treatment Plant)**, 100 S. Second Street, Chambersburg, PA 17201-0909, is authorized to discharge from a facility located in Greene Township, **Franklin County** to the receiving waters named Conococheaque Creek.

**Permit No. PA 0088170.** Industrial waste. **Columbia Petroleum Corporation—Richland Office (Richland Petroleum Distribution Facility)**, 225 East Main Street, Richland, PA 17087, is authorized to discharge from a facility located in Richland Borough, **Lebanon County** to the receiving waters named Mill Creek.

**Permit No. PA 0028088.** Sewerage. **Brown Township Municipal Authority**, 7748 SR 655, Reedsville, PA 17048, is authorized to discharge from a facility located in Brown Township, **Mifflin County** to the receiving waters named Kishacoquillas Creek.

**Permit No. PA 0008435.** Industrial waste. **PP&L, Inc. (Holtwood Hydroelectric Station)**, Two North Ninth Street, Allentown, PA 18101, is authorized to discharge from a facility located in Martic Township, **Lancaster County** to the receiving waters named Susquehanna River.

**Permit No. PA 0082708.** Sewerage. **Ronald Kiser (Calamus Estates)**, 2543 Olde Philadelphia Pike, Bird-In-Hand, PA 17505, is authorized to discharge from a facility located in Paradise Township, **Lancaster County** to the receiving waters named Calamus Run.

**Permit No. 6799201.** Industrial waste. **Waste Management of PA, Inc. (Harmony Grove Landfill)**, 420 Lincoln Highway, Fairless, PA 19030. This permit approves the construction of industrial waste treatment facilities in Dover Township, **York County**.

**Permit No. 3699406.** Sewerage. **Salisbury Township**, 5581 Old Philadelphia Pike, Gap, PA 17527. This permit approves the construction of sewage treatment facilities and sewers and appurtenances in Salisbury Township, **Lancaster County**.

**Permit No. 3699405.** Sewage. **East Earl Sewer Authority**, 4610 Division Highway, East Earl, PA 17519. This permit approves the construction of a pump station in East Earl Township, **Lancaster County**.

**Permit No. 3685201, Amendment 99-1.** Industrial waste. **Valley Protein Inc.**, P. O. Box 3588, Winchester, VA 22604-2586. This permit amendment approves the construction of land application facilities in East Earl Township, **Lancaster County**.

**Permit No. 3677401, Amendment 98-1.** Sewage. **Lititz Sewer Authority**, 50 Lititz Run Road, Lititz, PA 17543. This permit approves the modification to construct/operate sewage treatment facilities in Warwick Township, **Lancaster County**.

**Permit No. 3691410.** Industrial waste. **Turkey Hill Dairy, Inc.**, 2601 River Road, Conestoga, PA 17516. This permit approves the modification of construction of industrial waste treatment facilities in Manor Township, **Lancaster County**.

**Permit No. 2299405.** Sewage. **Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033. This permit approves the construction of a pump station in Derry Township, **Dauphin County**.

**Permit No. 2199401.** Sewage. **Monroe Township Municipal Authority**, 1220 Boiling Springs Road, Mechanicsburg, PA 17055. This permit approves the construction of a pump station in Monroe Township, **Cumberland County**.

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

**NPDES Permit No. PA 0228117.** Sewerage. **Mary Leonard Personal Care Home**, R. D. 1, Box 215, Grampian, PA 16838. Permission granted to discharge treated wastewater to unnamed tributary of Bilger Run, from their facility located at Bloom Township, **Clearfield County**.

**NPDES Permit No. PA 0114286.** Sewerage. **New Albany Borough**, P. O. Box 67, New Albany, PA 18833-0067. Renewal granted to discharge treated sewage to South Branch Towanda Creek, facility located at New Albany Borough, **Bradford County**.

**NPDES Permit No. PA 0100617.** Industrial waste. **GKN Sinter Metals Inc.**, R. R. 2, Box 47, Emporium, PA 15834-9740. Renewal granted applicant to discharge to West Creek, facility located at Emporium Borough, **Cameron County**.

**NPDES Permit No. PA 0009024.** Industrial waste. **Osram Sylvania Products Inc.**, Hawes Street, Towanda, PA 18848. Renewal granted to Osram facilities, manufacture chemical and refractory metal products. The facility is located at North Towanda Township, **Bradford County**.

**NPDES Permit No. PA 0010651.** Industrial waste. **GKN Sinter Metals Inc.**, R. R. 2, Box 47, Emporium, PA 15834-9797. Renewal granted to applicant, plant no. 1, noncontact cooling water. Facility located at Shippen Township, **Cameron County**.

**NPDES Permit No. PA 0114049.** Sewerage. **Municipal Authority of Lewis Township**, P. O. Box 51, Millmont, PA 17845. Applicant granted permission to discharge from Millmont/Swengle sewage treatment facility, located at Lewis Township, **Union County**.

**NPDES Permit No. PA 0009431.** Industrial waste. **Pennsylvania American Water Company**, 105 Sodom Road, Milton, PA 17847. Renewal granted to discharge

wastewater from the filter backwash system. Facility located at White Deer Township, **Union County**.

**WQM Permit No. 1799402.** Sewerage. **Mary Leonard Personal Care Home**, R. D. 1, Box 215, Grampian, PA 16838. Permission granted to construct a sewage treatment facility to serve Mary Leonard Personal Care Home, located at Bloom Township, **Clearfield County**.

**WQM Permit No. 1499406.** Sewerage. **Joseph Guenot**, 148 Ardery Hollow Rd., Port Matilda, PA 16870. Permission granted to construct a sewage treatment facility to serve single residence, located at Worth Township, **Centre County**.

**WQM Permit No. 1799403.** Sewerage. **Sandy Township**, P. O. Box 267, DuBois, PA 15801. Permission granted for sewer extension and collection system and pump station to serve Clear Run area of the Township. Facility located at Sandy Township, **Clearfield County**.

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

**NPDES Permit No. PA 0028410.** Sewage. **Municipal Authority of the Borough of Baden**, P. O. Box 134, Baden, PA 15005, is authorized to discharge from a facility located at Baden Sewage Treatment Plant, Borough of Baden, **Beaver County** to receiving waters named Ohio River.

**NPDES Permit No. PA 0030155.** Sewage. **Marion Center Area School District**, P. O. Box 156, Route 403, Marion Center, PA 15759, is authorized to discharge from a facility located at the Marion Center High School STP, East Mahoning Township, **Indiana County** to receiving waters named Pine Run.

**NPDES Permit No. PA 0030457.** Sewage. **Forbes Trail Mobile Home Park and Thorn Run Estates**, 100 Forbes Trail Drive, Export, PA 15632-9614, is authorized to discharge from a facility located at Forbes Trail Mobile Home Park and Thorn Run Estates Sewage Treatment Plant, Salem Township, **Westmoreland County** to receiving waters named Unnamed Tributary of Thorn Run.

**NPDES Permit No. PA 0095991.** Sewage. **Sunshine Estate**, 1526 Independence Avenue, Connellsville, PA 15425, is authorized to discharge from a facility located at the Sunshine Estate Personal Care Home STP, Dunbar Township, **Fayette County** to receiving waters named Opossum Run.

**NPDES Permit No. PA 0096091.** Sewage. **Aleppo Township Authority**, P. O. Box 81, Sewickley, PA 15143-0081, is authorized to discharge from a facility located at I-79 North Sewage Treatment Plant, Aleppo Township, **Allegheny County** to receiving waters named (culverted) Unnamed Tributary to Kilbuck Run.

**NPDES Permit No. PA 0096938.** Sewage. **Paul M. Golobic**, R. D. 1, Box 640, Greensburg, PA 15601, is authorized to discharge from a facility located at the Silver Dolphin Mobile Home Park STP, Hempfield Township, **Westmoreland County** to receiving waters named Tributary of Little Sewickley Creek.

**Permit No. 3299401.** Sewerage. **Dale Henry**, R. D. 2, Box 205, Clymer, PA 15728. Construction of treatment plant with land disposal on spray irrigation site located in Green Township, **Indiana County** to serve the Henry property.

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



**NPDES Permit No. PA 0002976.** Industrial waste. **Zippo Manufacturing Company**, 33 Barbour Street, Bradford, PA 16701, is authorized to discharge from a facility located in Bradford Township, **McKean County** to the East Branch of Tunungwant Creek.

**NPDES Permit No. PA 0000329.** Industrial waste. **PA American Water Company**, 800 Hershey Park Drive, Hershey, PA 17033, is authorized to discharge from a facility located in Wayne Township, **Lawrence County** to Slippery Rock Creek.

**WQM Permit No. 3799405.** Sewerage, **Mark Samsa SRSTP**, R. R. 1, Box 1028, Pulaski, PA 16143. Construction of Mark Samsa SRSTP located in Pulaski Township, **Lawrence County**.

**WQM Permit No. 1099409.** Sewerage, **Charles L. Wolfe SRSTP**, 320 Hall Road, Butler, PA 16004. Construction of Charles L. Wolfe SRSTP located in Clay Township, **Butler County**.

### INDIVIDUAL PERMITS

#### (PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10S074	Gerald Gay R. R. 5, Box 5138A Stroudsburg, PA 18360	Monroe County Stroud Township	Brodhead Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS100244	Level 3 Communications 14023 Denver West Parkway Golden, CO 80401-3107	<i>Beaver County</i> Ambridge Borough Baden Borough Beaver Falls Borough Big Beaver Borough	Big Sewickley Creek UNT Ohio River Legionville Run Tavebau Run Crow Run
	Kiewit Construction Company 2009 Warrentville Road Lisle, IL 60532	Conway Borough Darlington Township East Rochester Borough Freedom Borough Harmony Borough Homewood Borough New Brighton Borough New Galilee Borough Patterson Heights Borough Rochester Borough West Mayfield Borough	Walnut Bottom Run Wallace Run UNT Beaver River Clarks Run Dutchman Run Fasbug Run LaCock Run Beaver River McKinley Run Blockhouse Run Jordan Run UNT NF Little Beaver Creek Spruce Run
		<i>Lawrence County</i> Enon Valley Borough Little Beaver Township New Beaver Borough	Lorrius Run Toms Run Kilbuck Run Jacks Run Little Sewickley Creek
		<i>Allegheny County</i> Avalon Borough Bellevue Borough Ben Avon Borough Edgeworth Borough Emsworth Borough Glenfield Borough Haysville Borough Kilbuck Township Leet Township Lettsdale Borough Osborne Borough City of Pittsburgh Ross Township Sewickley Borough	



<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10L017	Null Land, Inc. P. O. Box 229 Mt. Braddock, PA 15465	Fayette County North Union Township Addison Township	UNT Jennings Run
PAS106109	Confluence Borough Municipal Authority P. O. Box 6 Confluence, PA 15424	Somerset County Addison Township Lower Turkeyfoot Township Confluence Borough	Casselman River Drake Run Youghiogheny River
PAS10W075	McGuffey School District P. O. Box 431 Claysville, PA 15323	Washington County Buffalo Township	UNT Buffalo Creek
PAS10W076	PA Turnpike Commission P. O. Box 76767 Harrisburg, PA 17106-6767	Washington County Carroll Township Nottingham Township	Pigeon Creek Dry Run Mingo Creek

### INDIVIDUAL PERMITS

(PAR)

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#### Approvals to Use NPDES and Other General Permits

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The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, 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 (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8 and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

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

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

The Department has acted on the following requests for coverage under the specified General Permit as follows:

*List of  
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*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Limerick Township Montgomery County	PAR10-T556	Venezia Transport Services 703 West Ridge Pike Limerick, PA 19468	Possum Hollow Run	Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Pennsburg Borough Montgomery County	PAR10-T337	Jeffery R. Brode, Sr. 404 Main Street Pennsburg, PA 18073	Macoby Creek	Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Horsham Township Montgomery County	PAR10-T564	Horsham Township 1025 Horsham Road Horsham, PA 19044	Park Creek	Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Gwynedd Township Montgomery County	PAR10-T561	Foulkeways at Gwynedd, Inc. 1120 Meetinghouse Road Gwynedd, PA	Tributary to the Trewellyn Creek	Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Gwynedd Township Montgomery County	PAR10-T562	ACTS, Inc. 375 Morris Road West Point, PA 19486	Unnamed Tributary of Wissahickon Creek	Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Norriton Township Montgomery County	PAR10-T565	Gambone Brothers 1030 West Germantown Pike Fairview Village, PA 19409	Stoney Creek	Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Quarryville Borough Lancaster County	PAR-10-O-397	M V Partners 1271 Lititz Pike Lancaster, PA 17601	South Fork of Beaver Creek	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
Carroll Township Perry County	PAR-10-5129	Cupp Cherry Lane Subdivision 5062 Spring Road Shermansdale, PA	Unt to Shermans Creek	Perry County CD P. O. Box 36 (31 W. Main St.) New Bloomfield, PA 17068 (717) 582-8988
Lycoming County Armstrong Township and S. Williamsport Borough	PAR103931	Little League Baseball Exp. P. O. Box 3485 Williamsport, PA 17701	W. Br. Susquehanna River	Lycoming County CD 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Loyalsock Township	PAR103932	Glenn O. Hawbaker Plant 8 120 South Arch St. Montoursville, PA 17754	Loyalsock Creek and W. Br. Susquehanna River	Lycoming County CD 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Allegheny County Moon Township	PAR10A380	U S Army Corps of Eng. 600 Martin Luther King Way Louisville, KY 40202-0059	Montour Run	Allegheny County CD (412) 241-7645
Allegheny County Hampton Township	PAR10A383	Spagnolo Builders Inc. 109 Gateway Avenue Suite 202 Wexford, PA 15090	Montour Run	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township	PAR10A384	Elmhurst Corporation One Bigelow Square Ste. 630 Pittsburgh, PA 15219	Brush Creek	Allegheny County CD (412) 241-7645

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Allegheny County Richland Township	PAR10A385	CBK Enterprises 6079 Morrow Road Gibsonia, PA 15044	Deer Creek	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township	PAR10A386	Mar Wood Land Company 939 Sheraton Drive Mars, PA 16046-9431	Pine Creek	Allegheny County CD (412) 241-7645
Allegheny County Hampton Township	PAR10A391	John R. Miller 2902 Autumnwood Drive Glenshaw, PA 15116	Crouse Run	Allegheny County CD (412) 241-7645
Cambria County Clearfield Township	PAR101059	Cambria Heights School District 506 Beech Avenue Patton, PA 16668-1310	UNT to Chest Creek	Cambria County CD (724) 472-2120
Fayette County South Union Township	PAR10L046	H. Moss Realty Inc. 607 West Main Street Uniontown, PA 15401	Coal Run Creek	SW Regional Office (412) 442-4315
Fayette County Saltlick Township	PAR10L051	Menallen Coke Company of New Salem P. O. Box 458 New Salem, PA 15468	Indian Creek	SW Regional Office (412) 442-4315
Westmoreland County Murrysville	PAR10X183	W. W. & C. A. Bush 447 Manor Road Delmont, PA 15668	Turtle Creek	Westmoreland County CD (724) 837-5271
Westmoreland County South Huntingdon Township	PAR10X184	Pannattoni Development 8401 Jackson Road Sacramento, CA 95826	Youghiogheny River	Westmoreland County CD (724) 837-5271
Westmoreland County Murrysville	PAR10X185	Bar Development Co. 772 Pine Valley Pittsburgh, PA 15239	UNT to Turtle Creek	Westmoreland County CD (724) 837-5271
Westmoreland County Mount Pleasant Township	PAR10X186	God's Country Acme Dairy Barn Complex County Line Road Acme, PA 15610	Champion Run Jacob's Creek	Westmoreland County CD (724) 837-5271
Westmoreland County Hempfield Township	PAR10X187	Millstein Industries P. O. Box K Youngwood, PA 15697	UNT to Sewickley Creek	Westmoreland County CD (724) 837-5271
Westmoreland County Hempfield Township	PAR10X188	PA Turnpike Comm. P. O. Box 67676 Harrisburg, PA 17106	Sewickley Creek Wilson Run	Westmoreland County CD (724) 837-5271
Westmoreland County Salem Township	PAR10X189	Texas Eastern Transmission 5444 Westheimer St. Houston, TX 77056	Loyalhanna Creek	Westmoreland County CD (724) 837-5271
Westmoreland County Rostraver Township	PAR10X190	Rostraver Township Sewer 202 Port Royal Road Rostraver, PA 15012	Tributary to Youghiogheny River	Westmoreland County CD (724) 837-5271
Westmoreland County Hempfield Township	PAR10X191	Lindwood Farm, Inc. 460 Glenmeade Greensburg, PA 15601	UNT to Jack's Run	Westmoreland County CD (724) 837-5271
Westmoreland County North Huntingdon Township	PAR10X192	RWS Development R. R. 1, Box 61 Rillton, PA 15678	UNT to Sewickley Creek	Westmoreland County CD (724) 837-5271
Westmoreland County Rostraver Township	PAR10X193	Stonegate Development 73 Rubles Drive Uniontown, PA 15401	Pollock Run	Westmoreland County CD (724) 837-5271
Westmoreland County Donegal Township	PAR10X194	Christian Family & Conf Center 2166 Indian Head Champion, PA 15622	Minnow Run	Westmoreland County CD (724) 837-5271

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Westmoreland County East Huntingdon Township	PAR10X195	Cole Development P. O. Box 306 West Newton, PA 15089	UNT to Buffalo Run	Westmoreland County CD (724) 837-5271
Westmoreland County Rostraver Township	PAR10X196	Vesley Brothers Vesley Brothers Prop. Rt. 201, South P. O. Box 455 Fayette City, PA 15438	Speers Run Watershed	Westmoreland County CD (724) 837-5271
Westmoreland County Unity Township	PAR10X197	Westmoreland County Industrial Development Co. 2 North Main Street Greensburg, PA 15601	UNT to Ninemile Run	Westmoreland County CD (724) 837-5271
Westmoreland County Burrell Township	PAR10X198	Redevelopment Authority of Westmoreland County 2 North Main Street Greensburg, PA 15601	Tributary to Pucketa Creek	Westmoreland County CD (724) 837-5271
Westmoreland County New Alexandria Borough	PAR10X199	PA Department of Transportation P. O. Box 459 Uniontown, PA 15401	Loyalhanna Creek	Westmoreland County CD (724) 837-5271
Westmoreland County Scottdale Borough	PAR10X200	Southmoreland School Dist. 609 Parker Avenue Scottdale, PA 15683	UNN Tributaries	Westmoreland County CD (724) 837-5271
Westmoreland County Allegheny Township	PAR10X201	Four Boys Supermarket 3220 Leechburg St. Lower Burrell, PA 15068	UNT to Pine Run	Westmoreland County CD (724) 837-5271
Westmoreland County North Huntingdon Township	PAR10X202	J. J. Gumberg Co. 1051 Brinton Road Pittsburgh, PA 15221	Tinkers Run	Westmoreland County CD (724) 837-5271
Westmoreland County South Huntingdon Township	PAR10X203	Kirkland Land Co. P. O. Box 9808 Pittsburgh, PA 15227	UNT to Youghiogheny River	Westmoreland County CD (724) 837-5271
Westmoreland County Jeannette Hempfield Township Madison Borough Sewickley Township	PAR10X205	CNG Transmission P. O. Box 2450 Clarksburg, WV 26302	Trib. to Little Sewickley Creek	Westmoreland County CD (724) 837-5271
Westmoreland County East Huntingdon Township	PAR10X206	PA Department of Transportation P. O. Box 459 Uniontown, PA 15401	Wilson Creek	Westmoreland County CD (724) 837-5271

*General Permit Type—PAG-3*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Northampton County City of Bethlehem Lower Saucon Township	PAR202236	Bethlehem Commerce Ctr. 1170 Eighth Avenue Bethlehem, PA 18016-7699	Lehigh River Saucon Creek Laubach Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
Northampton County City of Bethlehem	PAR202237	Bethlehem Works 1170 Eighth Avenue Bethlehem, PA 18016-7699	Lehigh River Saucon Creek Laubach Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (507) 826-2511

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Luzerne County City of Wilkes-Barre	PAR202238	InterMetro Industries Corp. 651 North Washington St. Wilkes-Barre, PA 18705	Mill Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
Luzerne County Plains Township	PAR202239	InterMetro Industries Corp. 651 North Washington St. Wilkes-Barre, PA 18705	Mill Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
Cumberland County Hampden Township	PAR123503	The Quaker Oats Company P. O. Box 3040 St. John's Road Shiremanstown, PA 17011-3040	Cedar Run	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fulton County Ayr Township	PAR113514	Jeffrey S. Reider JLG Industries, Inc. 1 JLG Drive McConnellsburg, PA 17233	UNT Big Cove Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Birdsboro Borough	PAR123529	F. M. Brown's Sons, Inc. P. O. Box 67 Furnace Street Birdsboro, PA 19508	Hay Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Kutztown Borough	PAR213506	Berks Products Corporation Kutztown Plant P. O. Box 421 Reading, PA 19603	Saucony Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Derry Township	PAR123520	Hershey Foods Corporation Hershey Chocolate Pretreatment Plant 25 West Chocolate Avenue Hershey, PA 17033	Spring Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Somerset County Jenner Township	PAR606146	Roy Hemminger 6288 Penn Avenue Friedens, PA 15541	UNT to North Branch of Quemahoning Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Centre County Worth Township	PAG045071	Joseph Guenot 148 Ardery Hollow Rd. Port Matilda, PA 16870	Ardery Hollow	Northcentral 208 W. Third St. Williamsport, PA 17701 (570) 327-3664
Conneaut Township Erie County	PAG048622	Scot A. Chiffon 1135 Crouch Road Albion, PA 16401	Unnamed Tributary to Conneaut Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lackawannock Township Mercer County	PAG048318	Brian R. Luba 1088 Greenfield Road Hermitage, PA 16148	Tributary to Magargee Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Clay Township Butler County	PAG048619	Charles L. Wolfe 320 Hall Road Butler, PA 16004	Unnamed Tributary of Big Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pulaski Township Lawrence County	PAG048621	Mark Samsa R. R. 1, Box 1028 Pulaski, PA 16143	Tributary to Deer Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Oley Township Berks County	PAG-08-0001 PAG-08-0002 PAG-08-0003 PAG-08-0008 PAG-08-0009 PAG-08-2201 PAG-08-2203 PAG-08-3501 PAG-08-3515 PAG-08-3517 PAG-08-3522	CDR Mid Atlantic 59 S. 3rd Street P. O. Box 70 Oxford, PA 19363	Paul Leehner Farm Oley Township	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-9*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Peters Township Franklin County	PAG-09-3522	Carl Gipe, Jr. 8014 Corner Road Mercersburg, PA 17236	Stoner Brothers Farm 8014 Corner Road Mercersburg, PA 17236	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Peters Township Franklin County	PAG-09-3524	Harold Rosenberry 1781 Hade Road Chambersburg, PA 17201	Wit-Lane Farm Peters Township Franklin County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

**SEWAGE FACILITIES ACT  
PLAN APPROVAL**

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, 400 Market Street Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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.

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 Services at (800) 654-5984.

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

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

**Banks Township, Carbon County**

The Department has completed its review of Banks Township's Act 537 Plan (Plan), dated March 1998, revised January 1999, revised July 1999, with additional supporting documentation dated August 2, 1999, and August 23, 1999. The Plan was prepared by Spotts, Stevens & McCoy, Inc.

The Department has found that the Plan is acceptable and hereby grants planning approval. This review has also not identified any significant environmental impacts resulting from this proposal.

The Plan calls for Banks Township to rehabilitate existing sewers and construct new sanitary sewage collection and conveyance facilities to serve the Villages of Tresckow and Audenreid, and to join with the Borough of McAdoo, Schuylkill County and Kline Township, Schuylkill County, to form a Regional Authority and construct a regional wastewater treatment facility at a site in Banks Township. The treatment facility service area will include the areas identified above in Banks Township, the Borough of McAdoo, and portions of Kline Township, including the Villages of Kelayres and McAdoo Heights.

In accordance with the Pennsylvania Sewage Facilities Act and 25 Pa. Code Chapter 71, the Department will hold Banks Township responsible for the complete and timely implementation of the Plan. Implementation of the Plan shall conform with the deadlines established in the Commonwealth Court Order, dated March 3, 1999, as amended.

**Kline Township, Schuylkill County**

The Department has completed its review of Kline Township's Official Sewage Facilities Plan Update (Plan), dated February 1999, revised September 1999, with additional supporting documentation, dated August 31, 1999. The Plan was prepared by Michael J. Pasonick, Jr., Inc.

The Department has found that the Plan is acceptable and hereby grants planning approval. This review has also not identified any significant environmental impacts resulting from this proposal.

The Plan calls for Kline Township to construct a new sanitary sewage collection and conveyance system to serve the Villages of Kelayres and McAdoo Heights, and to join with the Borough of McAdoo, Schuylkill County and Banks Township, Carbon County, to form a Regional Authority and construct a regional wastewater treatment facility at a site in Banks Township. The treatment facility service area will include the areas noted above in Kline Township, the Borough of McAdoo, and portions of Banks Township, including the Villages of Tresckow and Audenreid.

In accordance with the Pennsylvania Sewage Facilities Act and 25 Pa. Code Chapter 71, the Department will

hold Kline Township responsible for the complete and timely implementation of the Plan. Implementation of the Plan shall conform with the deadlines established in the Commonwealth Court Order, dated March 3, 1999, as amended.

**Ross Township, Luzerne County**

The Department has completed its review of the Act 537 Sewage Facility Plan/Special Study for the North Lake Area, Ross Township (Plan). The Department has found that the Plan is now acceptable and hereby grants planning approval.

The chosen alternative consists of: the repair, replacement and upgrading of existing malfunctioning onlot systems in suitable areas and the use of retaining tanks elsewhere. The Ross Township Supervisors and their SEO are confident that established methods of dealing with malfunctioning sewage systems are sufficient to discharge the Township's responsibilities to the Pennsylvania Sewage Facilities Act.

**Borough of McAdoo, Schuylkill County**

The Department has completed its review of the McAdoo Borough Act 537 Plan Amendment (Plan), dated February 1998, revised September 1998, revised January 1999, and revised July 1999, with additional supporting documentation dated August 2, 1999, and August 23, 1999. The Plan was prepared by Spotts, Stevens & McCoy, Inc.

The Department has found that the Plan is acceptable and hereby grants planning approval. This review has also not identified any significant environmental impacts resulting from this proposal.

The Plan calls for the Borough of McAdoo to construct a new sanitary sewage collection and conveyance system and to join with Kline Township, Schuylkill County, and Banks Township, Carbon County, to form a Regional Authority and construct a regional wastewater treatment facility at a site in Banks Township. The treatment facility service area will include the Borough of McAdoo; portions of Kline Township, including the Villages of Kelayres and McAdoo Heights; and portions of Banks Township, including the Villages of Tresckow and Audenreid.

In accordance with the Pennsylvania Sewage Facilities Act and 25 Pa. Code Chapter 71, the Department will hold the Borough of McAdoo responsible for the complete and timely implementation of the Plan. Implementation of the Plan shall conform with the deadlines established in the Commonwealth Court Order, dated March 3, 1999, as amended.

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

**Spartansburg Borough, Crawford County**

*Spartansburg Borough, P. O. Box 222, Spartansburg, PA 16434.*

The purpose of this update is to change the location of the proposed sewage treatment facility to a site approximately 2,000 feet south of the site previously approved under the March 1998 Official Plan Update. The proposed receiving stream remains East Branch of Oil Creek.

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

## SAFE DRINKING WATER

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

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

**Permit No. 6799501. West Manchester Township Authority, West Manchester Township, York County.** *Responsible Official:* Samuel Null, Chairperson. *Type of Facility:* Well No. 8 at a rate of 150 gpm. Treatment will consist of disinfection with chlorine gas. *Consulting Engineer:* Thomas S. Ladue, P.E., Goodkind & O'dea, Inc., 101 Noble Boulevard, P. O. Box 340, Carlisle, PA 17013. Permit to Construct: August 11, 1999.

**Permit No. 0199502.** Public water supply, **Bonneauville Borough Municipal Authority, Bonneauville Borough, Adams County.** *Responsible Official:* Bernard Shanebrook. *Type of Facility:* Construction Permit for the Meadows Wells A and B. Wells to be operated at rates up to 30 gpm each. Treatment will be limited to disinfection with sodium hypochlorite which will take place in a newly constructed pump house. *Consulting Engineer:* Diana Young, P.E., Project Engineer, Buchart-Horn, Inc., P. O. Box 15040, York, PA 17405-7040. Permit to Construct: September 21, 1999.

**Permit No. 3499501.** Public water supply, **Mifflintown Municipal Authority, Fermanagh Township, Juniata County.** *Responsible Official:* Stanley T. Worrall, Manager, Mifflintown Municipal Authority, Route 333, Box 36, Mifflintown, PA 17059. *Type of Facility:* Construction of a new well building which will accommodate the treatment facilities, mechanical piping, electrical and instrumentation for the proposed use of two wells at 40 gpm and 35 gpm. Also for the installation of all related piping to connect the well to the existing system. *Consulting Engineer:* Allen B. Mason, P.E., Uni-Tec Consulting Engineers, Inc., 2007 Cato Avenue, State College, PA 16801. Permit to Construct Issued: August 3, 1999.

**Permit No. 3699503.** Public water supply, **East Petersburg Borough, East Petersburg Borough, Lancaster County.** *Responsible Official:* Herbert E. Matern, Jr., Water Department Manager, 6040 Main Street, East Petersburg, PA 17520-0026. *Type of Facility:* Application to replace the existing Vaughn Road Well with a new well located approximately 100 feet northeast of the existing well. *Consulting Engineer:* Scott R. Mundell, Acer Engineers & Consultants, Inc., 270 Granite Run Drive, Lancaster, PA 17601-6822. Permit to Construct Issued: August 16, 1999.

**Permit No. 3699504.** Public water supply, **Crestwood Estates MHP, Salisbury Township, Lancaster County.** *Responsible Official:* Ramesh Bhatia, P. O. Box 74, East Petersburg, PA 17520-0074. *Type of Facility:* Application is for the addition of Well No. 2 at a proposed rate of 50 gpm. The well will be used to augment Well No. 1. A manganese greensand filtration system for iron and manganese removal is proposed. *Consulting Engineer:* Rettew Assoc., Inc., George H. Wagner, Jr., Project Mgr., 3020 Columbia Ave., Lancaster, PA 17603. Permit to Construct Issued: August 10, 1999.

**Permit No. 7366003.** Public water supply, **McKesson Water Products Company, West Earl Township, Lancaster County.** *Responsible Official:* Michael Riley, 1140 S. State Street, Ephrata, PA 17522-0788. *Type of Facility:* Application is for the relocation of the former Ephrata Diamond Spring Water company to a new facil-

ity. The existing equipment will be installed at the new building along with new equipment. This will be a water bottling operation to sell bottled water from 5 gallon sizes and smaller. Application was processed under No. 3699505. *Consulting Engineer:* John N. Ward, III, Sr. Project Manager, Alliance Environmental Services, Inc., 117 S. West End Ave., Suite 15, Lancaster, PA 17603. Permit to Construct Issued: August 19, 1999.

**Permit No. 3699506.** Public water supply, **East Cocalico Township Authority, East Cocalico Township, Lancaster County.** *Responsible Official:* Ray Redcay, Superintendent, 100 Hill Rd., P. O. Box 402, Reamstown, PA 17567. *Type of Facility:* Application is for the construction of a new 10-inch well adjacent to existing Well 2. This well is to replace existing Well No. 2. The capacity of the new well is 400 gpm while the old well was 100 gpm. *Consulting Engineer:* Randall L. Henne, Authority Engineer, Camp Dresser & McKee, 227 Granite Run Drive, STE 206, Lancaster, PA 17601. Permit to Construct Issued: July 28, 1999.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### Under Act 2, 1995

#### Preamble 2

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

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

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

The Department has received the following final reports:

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

**Hyman Korman, Co.,** City of Philadelphia, **Philadelphia County.** Carl J. Bones, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, has submitted a Final Report concerning remediation of site soil



contaminated with lead and BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

**Brinkers Fuels Facility**, Doylestown Township, **Bucks County**. Matthew H. Jones, WIK Associates, Inc., P. O. Box 287, New Castle, DE 19720, has submitted a Final Report concerning remediation of site soil contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

**Major Oil Co.**, City of Philadelphia, **Philadelphia County**. Mary Bilicic, Cody Ehlers Group, 140 Sherman Street, Fairfield, CT 06430, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

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

**Arco Chemical Company, Beaver Valley Plant (West End Quarry Area)**, Potter Township, **Beaver County**. Thomas J. Walsh, Arco Chemical Company, 3801 West Chester Pike, Newtown Square, PA 19073 and Beazer East, Inc., One Oxford Centre, Suite 3000, Pittsburgh, PA 15219, have submitted a Final Report concerning remediation of site soil, groundwater and sediment contaminated with heavy metals, BTEX, PHCs, PAHs and C8+HC. The report is intended to document remediation of the site to meet the site-specific standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of Act 2 for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresiden-

tial exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has acted upon the following plans and reports:

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

**Stroehmann Bakeries Roll Plant**, Old Lycoming Township, **Lycoming County**. Converse Consultants on behalf of their client Stroehmann Bakeries, P. O. Box 976, Horsham, PA 19044, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with solvents, BTEX and PHCs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on August 5, 1999. This is a corrected *Pennsylvania Bulletin* notice to an earlier notice in the September 11, 1999, *Pennsylvania Bulletin*.

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

**Columbia Gas Transmission/Washington Operation Center**, South Strabane Township, **Washington County**. Joe P. Ferry, Columbia Gas Transmission, 1700 MacCorkle Avenue SE, Charleston, WV 25325-1273, has submitted a final report concerning remediation of site soil contaminated with PAHs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on September 27, 1999.

**Microbac Laboratories, Inc.**, McCandless Township, **Allegheny County**. A. Warren Boyce and Doreen E. Boyce, 300 Fox Chapel Road, Pittsburgh, PA 15238, Microbac Laboratories and Property Owner, 100 Marshall Drive, Warrendale, PA 15086 and David Olson, 4 Triangle Lane, Suite 200, Export, PA 15632-9255, have submitted a Final Report concerning remediation of site soil and groundwater contaminated with heavy metals, solvents, BTEX and PAHs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 22, 1999.

**Ford Leasing Development Company (former Mon Valley Lincoln Mercury dealership)**, City of Monongahela, **Washington County**. Ford Leasing Development, One Parklane Boulevard, Suite 1500, East Dearborn, MI 48126, Petroclean Environmental Services, P. O. Box 92, Carnegie, PA 15106 and Gregory P. Smoot, NPH Consultants, Ltd., 860 Springdale Drive, Exton, PA 19341, have submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX and PHCs. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on September 22, 1999.

## SOLID AND HAZARDOUS WASTE LICENSE TO TRANSPORT HAZARDOUS WASTE

**Licenses expired under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management: Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**7-7, Inc.**, 607 Freedlander Road, Wooster, OH 44691; License No. **PA-AH 0238**; license expired on August 31, 1999.

**Canal Sanitation, Inc.**, 99 Chapel Street, Newark, NJ 07105; License No. **PA-AH 0492**; license expired on August 31, 1999.

**P&F Trucking, Inc.**, P. O. Box 897, Hebron, OH 43025; License No. **PA-AH 0362**; license expired on August 31, 1999.

**RGM Liquid Waste Removal Corp.**, 972 Nicolls Road, Deer Park, NY 11729; License No. **PA-AH S005**; license expired on August 31, 1999.

**Safeway Chemical Transportation, Inc.**, P. O. Box 8781, Wilmington, DE 19899; License No. **PA-AH 0495**; license expired on August 31, 1999.

**Teledyne Environmental, Inc.**, 50 Van Buren Avenue, Westwood, NJ 07675; License No. **PA-AH S162**; license expired on August 31, 1999.

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management: Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Clean Streams, Inc.**, P. O. Box 3059, Munster, IN 46321; License No. **PA-AH 0441** renewal license issued September 29, 1999.

**Gloucester Iron and Metal Inc.**, Brick and Stinsman Streets, Gloucester City, NJ 08030; License No. **PA-AH S222**; renewal license issued September 13, 1999.

**Midwest Environmental Transport, Inc.**, 10163 Cincinnati-Dayton Road, Cincinnati, OH 45241; License No. **PA-AH 0368**; renewal license issued September 28, 1999.

**Philip Transportation and Remediation, Inc.**, P. O. Box 150, San Martin, CA 95046; License No. **PA-AH 0395**; renewal license issued September 23, 1999.

**Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management: Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Bechem Transport, Inc.**, P. O. Box 120380, East Haven, CT 06512; License No. **PA-AH 0414**; license terminated August 7, 1999.

**Robert Cummings Enterprises, Inc., dba Wellington Ltd.**, P. O. Box 1286, Voorhees, NJ 08043; License No. **PA-AH 0383**; license terminated September 9, 1999.

## RESIDUAL WASTE PROCESSING FACILITIES

**General Permit under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and the residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

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

**General Permit No. WMGR061. Thermo-Depolymerization Process LLC**, Building 772, Philadelphia Navy Yard, Philadelphia, PA 19102. General Permit No. WMGR061 for the processing of the following food processing wastes from North American Industry Classification System (NAICS) Subsector 311 (SIC Major Group 20): solid and liquid rendering waste, offal, animal parts, animal feed waste, potato and grain mill processing waste and materials used to pack the waste (cardboard and polyethylene) and the following agricultural waste: spent mushroom substrate, prior to beneficial use as fuel, fuel feedstock or as an ingredient in fertilizer. The approved processing is limited to pulping, slurring and thermal and pressure treatment. General Permit No. WMGR061 was issued by Central Office on October 4, 1999.

**General Permit No. WMGR040. Safety-Kleen Systems, Inc.**, 1140 Greenhill Road, West Chester, PA 19380. General Permit No. WMGR040 for processing prior to beneficial use of waste oil (including waste oil mixed with hazardous waste regulated under 40 CFR 261.5 incorporated by reference at 25 Pa. Code § 261a.1 and modified at § 261a.5), spent antifreeze and waste oil/water mixtures was issued by Central Office on October 1, 1999. The approved processing is limited to the transfer of waste oil, waste oil/water mixtures and spent antifreeze from motor vehicles to rail cars for transport (rail transloading) at the Safety-Kleen facility on Baumer Street in Johnstown, PA. The original general permit application was accepted and published for public comment on December 30, 1995.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 100148. Waste Management Disposal Services of PA, Inc.**, 1121 Bordentown Road, Morrisville, PA 19067. A renewal permit was issued for the continued operation of the existing Eastern Expansion area of the GROWS Landfill located in Falls Township, Bucks County. Based on expected continued life of disposal operations in the Eastern Expansion area, the permittee asked for a renewed permit term of 5 years

rather than a full 10-year renewal term. No modifications are included in this permit action. Renewal permit was issued by the Southeast Regional Office on September 29, 1999.

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

**Permit No. 101165. Mifflin County (Barner) Landfill, Mifflin County Solid Waste Authority,** (P. O. Box 190, Lewistown, PA 17044-0390). The Department is renewing the permit for Mifflin County SWA Landfill until May 9, 2009. This approval was granted in the Southcentral Regional Office on September 27, 1999.

**PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE  
INFECTIOUS OR CHEMOTHERAPEUTIC WASTE**

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.**

*Bureau of Land Recycling and Waste Management: Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Sanford Motors, Inc.,** 1307 South Pennsylvania Avenue, Morrisville, PA 19067; License No. **PA-HC 0122**; renewal license issued September 29, 1999.

**Amended license issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.**

*Bureau of Land Recycling and Waste Management: Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Incendere, Inc.,** P. O. Box 385, Marcus Hook, PA 19061; License No. **PA-HC 0058**; amended license issued September 14, 1999.

**AIR QUALITY  
OPERATING PERMITS**

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

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

**35-310-036GP: Dunmore Materials (Division of Haines and Kibblehouse, Inc.)** (3 Dunham Drive, Dunmore, PA 18512), for construction and operation of a portable stone crushing operation at the Keystone Quarry and Landfill, Dunmore Borough, **Lackawanna County.**

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

**GP-43-301: Atlas Resources, Inc.** (103 Hosack Road, Jackson Center, PA 16133), on September 25, 1999, for

modification and operation of a natural gas fired compressor engine and dehydrator in Jackson Center Township, **Mercer County.**

**GP-43-300: Atlas Resources, Inc.** (57 Drake Road, New Wilmington, PA 16142), on September 25, 1999, for modification and operation of two natural gas fired compressor engines and dehydrator in New Wilmington, **Mercer County.**

**GP-10-027: Penreco** (138 Petrolia Street, Karns City, PA 16041), on October 7, 1999, for installation of two storage tanks in Karns City Borough, **Butler 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.**

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

**21-02026A: Carlisle Syntec, Inc.** (P. O. Box 7000, Carlisle, PA 17013), on September 29, 1999, for operation of a natural gas-fired IC engine/compressor set in Carlisle Borough, **Cumberland County.**

**22-301-062: Humane Society of Harrisburg Area, Inc.** (7790 Grayson Road, Harrisburg, PA 17111), on September 29, 1999, for operation of an animal crematory incinerator with afterburner at the East Shore Shelter in Swatara Township, **Dauphin County.**

**36-03084: Lancaster Aluminum Co., Inc.** (Ten Wynfield Drive, Lititz, PA 17543), on September 22, 1999, for operation of a secondary aluminum production facility in Warwick Township, **Lancaster County.**

**38-318-015B: Alcoa, Inc.** (3000 State Drive, Lebanon, PA 17042), on September 22, 1999, for operation of an aluminum coil/foil coating line controlled by a catalytic incinerator in South Lebanon Township, **Lebanon County.**

**67-02001A: J. E. Baker Co.** (P. O. Box 1189, York, PA 17405-1189), on September 22, 1999, for operation of a refractory production facility at 222 East Market Street in West Manchester Township, **York County.**

**67-310-006D: York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405), on September 24, 1999, for operation of a stone crushing plant controlled by baghouses at the Lincoln Stone Quarry in Jackson Township, **York County.** This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**21-02011: The Frog Switch & Manufacturing Co.** (P. O. Box 70, Carlisle, PA 17013), for RACT at the manganese steel castings foundry in Carlisle Borough, **Cumberland County.**

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

**PA-10-028D: Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023), on September 30, 1999, for operation of a primary crusher in West Winfield, **Butler County.**

**PA-10-028E: Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023), on October 30, 1999, for operation of cement storage silos in West Winfield, **Butler County.**

**PA-10-042A: Keystone Aluminum, Inc.** (126 Myoma Road, P. O. Box 807, Mars, PA 16046), on August 30, 1999, for operation of a scrap shredder in Adams Township, **Butler County**.

**PA-10-267A: Three Rivers Aluminum Co., Inc.** (71 Progress Avenue, Cranberry, PA 16066), on August 31, 1999, for operation of surface coating in Cranberry Township, **Butler County**.

**PA-10-293A: Quality Aggregates Co.** (200 Neville Road, Neville Island, PA 15225), on August 31, 1999, for a limestone crushing and washing operation in Marion Township, **Butler County**.

**TVOP-25-00920: Waste Management of PA—Lakeview Landfill** (851 Robison Road East, Erie, PA 16509), for a Title V Operating Permit on September 25, 1999, for operation of a landfill in Summit Township, **Erie County**.

**PA-37-300A: North American Forgemasters Co.** (700 Moravia Street, P. O. Box 31, Ellwood City, PA 16117), on September 30, 1999, for operation of steel forging in New Castle, **Lawrence County**.

**PA-61-187B: A. G. Industries, Inc.** (671 Colbert Avenue, P. O. Box 1107, Oil City, PA 16301), on August 31, 1999, for operation of an hvof powder coat system in Oil City, **Venango County**.

#### PLAN APPROVALS

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

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

**06-03106: Behringer Saws, Inc.** (721 Hemlock Road, Morgantown, PA 19543), on September 24, 1999, for construction of a paint spray booth at the Morgantown Plant in Caernarvon Township, **Berks County**.

**06-301-095A: Joseph D. Giles Funeral Home, Inc.** (21 Chestnut Street, Mohnton, PA 19540-1925), on September 22, 1999, for construction of a crematory in Mohnton Borough, **Berks County**.

**36-03008B: Tyson Foods, Inc.** (P. O. Box 1156, New Holland, PA 17557-0901), on September 29, 1999, for installation of a boiler fired by a low NOx burner in Earl Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Industrial Boilers.

**36-05103A: Dana Corp.** (2919 Old Tree Drive, Lancaster, PA 17603), on September 29, 1999, for modification of a chassis paint spray booth utilizing manual electrostatic and airless atomized spraying controlled by a dry filter in East Hempfield Township, **Lancaster County**.

**67-03054A: York Mold, Inc.** (3865 North George Street, Manchester, PA 17345), on September 24, 1999, for modification of a battery terminal manufacturing plant in East Manchester Township, **York County**.

**67-304-034D: R. H. Sheppard Co., Inc.** (101 Philadelphia Street, Hanover, PA 17331), on September 30, 1999, for construction of a cold core box and gas vaporizer at Plant 8 in Hanover Borough, **York County**.

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

**PA-32-055D: EME Homer City Generation Station LP** (1750 Power Plant Road, Homer City, PA 15748), on September 29, 1999, for operation of anhydrous ammonia handling at Homer City Station in Center Township, **Indiana County**.

**PA-03-212A: Parkwood Resources, Inc.** (P. O. Box 552, Somerset, PA 15501), on September 27, 1999, for operation of coal processing plant at Parkwood Mine in South Bend Township, **Armstrong County**.

**PA-65-181A: Chestnut Ridge Foam, Inc.** (P. O. Box 781, Latrobe, PA 15650), on September 27, 1999, for operation of polyurethane foam molding manufacturing at Latrobe Plant in Derry Township, **Westmoreland County**.

**PA-63-096A: Union Electric Steel Corp.** (P. O. Box 465, Carnegie, PA 15106), on September 27, 1999, for operation of one forging/two annealing furnaces at Harmon Creek Plant in Smith Township, **Washington County**.

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

**PA-10-079A: BNZ Materials, Inc.** (191 Front Street, Zelienople, PA 16063), on September 14, 1999, for construction and reactivation of no. 2 kiln in Zelienople, **Butler County**.

**PA-10-300B: Magnetics Division, Spang & Co.** (796 East Butler Road, Butler, PA 16003), on September 20, 1999, for construction of an automated powder core paint line and dryer in East Butler Borough, **Butler County**.

**PA-37-008A: Ellwood City Forge** (800 Commercial Avenue, Ellwood City, PA 16117), on September 28, 1999, for operation of 11 natural gas fired forge furnaces in Ellwood City, **Lawrence County**.

**PA-25-920C: Waste Management, Inc., Lake View Landfill** (851 Robison Road, Erie, PA 16509), on September 30, 1999, for modification of Plan Approval PA-25-920B (Landfill Gas to Electric Generation) in Summit Township, **Erie County**.

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

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

**21-323-014A: L. B. Smith, Inc.** (2001 State Road, Camp Hill, PA 17011), on September 13, 1999, to authorize temporary operation of chrome plating tanks controlled by a fume suppressant and three-stage mist eliminator, covered under this Plan Approval until January 10, 2000, in Lower Allen Township, **Cumberland County**. This source is subject to 40 CFR Part 63, Subpart N of the National Emission Standards for Hazardous Air Pollutants.

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

**41-329-001A: Lycoming County Resource Management Services** (P. O. Box 187, Montgomery, PA 17752),

on September 23, 1999, to extend the deadline for the performance of stack testing on two landfill gas-fired engines to November 11, 1999, in Brady Township, **Lycoming County**.

**TVOP-49-00011A: Butter Krust Baking Co., Inc.** (249 North Eleventh Street, Sunbury, PA 17801), on September 21, 1999, to extend the deadline for the performance of stack testing on bread baking ovens and an associated air cleaning device (a catalytic oxidation system) to October 31, 1999, and to extend the plan approval to January 19, 2000, in the City of Sunbury, **Northumberland County**.

**OP-60-0001A: Bucknell University** (Lewisburg, PA 17837), on September 24, 1999, to extend the plan approval for a natural gas-fired turbine and several associated boilers to January 22, 2000, in Lewisburg Borough, **Union County**.

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

**PA-63-002A: Twilight Industries** (212 State Street, Belle Vernon, PA 15012), on September 27, 1999, for installation of coal staging/processing at I-70 Surface Mine in Somerset Township, **Washington County**.

**PA-32-040A: Sithe Pennsylvania Holdings LLC** (1001 Broad Street, Johnstown, PA 15907), on September 27, 1999, for installation of Boiler 15 at Seward Station in East Wheatfield Township, **Indiana County**.

**PA-04-688A: Nova Metals, L.P.** (2301 Duss Avenue, Suite 14, Ambridge, PA 15003), on September 27, 1999, for installation of metals reprocessing at Ambridge Regional Center in Ambridge Borough, **Beaver County**.

**04-307-073C: Koppel Steel Corp.** (P. O. Box 750, Beaver Falls, PA 15010), on September 27, 1999, for installation of multilance manipulator at Koppel Plant in Koppel Borough, **Beaver County**.

**26-310-018: Pioneer Mid-Atlantic, Inc.** (400 Industrial Blvd., New Kensington, PA 15068), on September 27, 1999, for installation of limestone crushing at Connellsville II Quarry in Bullsken Township, **Fayette County**.

**56-305-043: Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650), on September 27, 1999, for installation of coal refuse reclaiming/screen at Mine 36 in Winber Borough, **Somerset County**.

**PA-26-451A: Consol Docks, Inc.** (1800 Washington Road, Pittsburgh, PA 15241), on September 27, 1999, for installation of coal stockpiling at Alicia Dock in Luzerne Township, **Fayette County**.

**04-313-053B: Envirotrol, Inc.** (P. O. Box 61, 432 Green Street, Sewickley, PA 15143), on September 27, 1999, for operation of rotary kiln carbon regenerator at Darlington Plant in Darlington Township, **Beaver County**.

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

**PA-25-980A: Menasha Corp. Packaging Division** (5800 Bundy Drive, Erie, PA 16509), on September 30, 1999, for a cyclone classifier and baler in Erie, **Erie County**.

## MINING

### APPROVALS 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). 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 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).

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

#### Coal Permits Issued

**24890107. Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650). Renewal of an existing bituminous strip, auger and coal ash placement operation in Horton Township, **Elk County** affecting 38.0 acres. Receiving streams: Johnson Run. Application received: July 23, 1999. Permit issued: September 23, 1999.

**33940108. Thomas J. Smith, Inc.** (R. D. 1, Box 260-D, Shelocta, PA 15774). Renewal of an existing bituminous strip and auger operation in McCalmont Township, **Jefferson County** affecting 177.6 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributaries of Camp Run to Camp Run to Sandy Lick Creek to Redbank Creek to the Allegheny River. Application received: August 4, 1999. Permit issued: September 24, 1999.

**33940102. Mahoning Mining, Inc.** (P. O. Box 44, New Bethlehem, PA 16242). Renewal of an existing bituminous strip and auger operation in Knox Township, **Jefferson County** affecting 101.0 acres. This renewal is for reclamation only. Receiving streams: Two unnamed tributaries of Lick Run to Lick Run to Little Sandy Creek to Redbank Creek to the Allegheny River. Application received: August 2, 1999. Permit issued: September 23, 1999.

**24980105. Tamburlin Bros. Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830-1419). Commencement, operation and restoration of a bituminous strip and auger operation in Horton Township, **Elk County** affecting 139.0 acres. Receiving streams: Karnes Run, Johnson Run, and an unnamed tributary to Brandy Camp Creek to Little Toby Creek to the Clarion River to the Allegheny River. Application received: September 21, 1998. Permit issued: September 24, 1999.

**24980102. Tamburlin Bros. Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830-1419). Commencement, operation and restoration of a bituminous strip and auger operation in Fox Township, **Elk County** affecting 196.0 acres. Receiving streams: Limestone Run and Little Toby Creek to the Clarion River to the Allegheny River. Application received July 29, 1998. Permit issued: September 24, 1999.

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

**18840101. Ed Hanslovan Coal Company** (R. D. 2, Box 230, Morrisdale, PA 16858), renewal of an existing bituminous surface mine permit in West Keating Township, **Clinton County** affecting 77.3 acres. Receiving streams: Birch Island Run to West Branch Susquehanna River. Application received August 2, 1999. Permit issued September 27, 1999.

**17930130. Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine/auger permit in Brady Township, **Clearfield County** affecting 38 acres. Receiving streams: unnamed tributary to Little Anderson Creek. Application received June 24, 1999. Permit issued September 27, 1999.

**17930125. EnerCorp., Inc.** (R. D., Box 241, Morrisdale, PA 16858), renewal of an existing bituminous surface mine/auger permit in Morris Township, **Clearfield County** affecting 130.0 acres. Receiving streams: unnamed tributary to Moshannon Creek to West Branch Susquehanna River. Application received July 29, 1999. Permit issued September 27, 1999.

**17743165. Roy Coal Company, Inc.** (Box 12, Olanta, PA 16863), renewal of an existing bituminous surface mine permit in Boggs Township, **Clearfield County** affecting 164.4 acres. Receiving streams: Little Clearfield Creek to Clearfield Creek and Clearfield Creek to West Branch Susquehanna River to Susquehanna River. Application received June 10, 1999. Permit issued September 23, 1999.

**17900143. Al Hamilton Contracting Company** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Penn and Brady Townships, **Clearfield County** affecting 342.5 acres. Receiving streams: Irish Run and unnamed tributaries of Irish Run to Irish Run; Irish Run to Curry Run; Curry Run to West Branch Susquehanna River; West Branch Susquehanna River to Susquehanna River. Application received June 24, 1999. Permit issued September 27, 1999.

**17990902. Johnson Bros. Coal Company, Inc.** (R. R. 1, Box 580, Mahaffey, PA 15757), commencement, operation and restoration of an incidental coal extraction permit in Penn Township, **Clearfield County** affecting 1.3 acres. Receiving streams: Kratzer Run. Application received June 7, 1999. Permit issued September 23, 1999.

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

**56890110.** Permit Renewal, **Three S Coal Company** (P. O. Box 337, Stoystown, PA 15563), for continued operation and restoration of bituminous strip mine in Shade Township, **Somerset County**, affecting 67.6 acres, receiving stream Whiskey Run to Dark Shade Creek. Application received July 14, 1999; issued September 27, 1999.

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

**54840207R3. CLS Coal Company** (P. O. Box 81, Port Carbon, PA 17965), renewal of an existing coal refuse reprocessing and disposal operation in Branch and Reilly Townships, **Schuylkill County** affecting 90.0 acres, receiving stream—Muddy Branch Creek. Renewal issued September 28, 1999.

**54860206T. CinCap VI, LLC** (1100 Louisiana Street, Suite 4950, Houston, TX 77002), transfer of an existing coal refuse reprocessing operation in Frailey and Porter

Townships, **Schuylkill County** affecting 441.4 acres, receiving stream—Lower Rausch Creek. Transfer issued October 1, 1999.

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

*Small Noncoal (Industrial Mineral) Permits Issued*

**08992801. Walter Flagstone, Inc.** (R. R. 1, Box 40, Sugar Run, PA 18846), commencement, operation and restoration of a small industrial minerals (flagstone) permit in Wilmot Township, **Bradford County** affecting 3 acres. Receiving streams: unnamed tributary to Sugar Run, tributary to North Branch Susquehanna River. Application received February 26, 1999. Permit issued September 27, 1999.

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

**58990819. Gordon E. Williams** (P. O. Box AA, Route 11, Hallstead, PA 18822), commencement, operation and restoration of a bluestone quarry operation in Great Bend Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued September 27, 1999.

**58992802. William M. Ruark** (P. O. Box 311, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued September 27, 1999.

**58990812. R&M Stone** (R. R. 5, Box 206, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Rush Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued September 28, 1999.

**58990824. David A. Hinkley** (P. O. Box 901, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation in Great Bend Township, **Susquehanna County** affecting 2.0 acres, receiving stream—none. Permit issued September 28, 1999.

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

**302732-25280301-E-1 Frank Tucci** (25000 PA Rt. 99, Cambridge Springs, PA 16403). Application for a stream encroachment to mine within 100 feet of unnamed tributary to Elk Creek in Greene Township, **Erie County**. Receiving streams: Unnamed tributary to Elk Creek. Application received: April 21, 1999. Permit issued: September 24, 1999.

## **ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT**

### **ENCROACHMENTS**

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2,

P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of the written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**E35-301.** Encroachment. **Kane Properties**, P. O. Box 931, Scranton, PA 18501. To place fill in 0.24 acre of wetlands for the construction of the Kane T6 warehouse facility (Scranton, PA Quadrangle N: 5.7 inches; W: 9.9 inches); to remove the existing structure and to construct and maintain a 36-foot x 11-foot, 8-inch precast concrete arch culvert in Keyser Creek to provide railroad access to the Kane T5 warehouse facility (Scranton, PA Quadrangle N: 6.8 inches; W: 10.2 inches). The project is located in Stauffer Industrial Park, approximately 0.5 mile south of the intersection of S. R. 3011 and S. R. 3014 in Taylor Borough, City of Scranton, **Lackawanna County**. The permittee is required to provide for 0.24 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project.

**E39-344.** Encroachment. **Anna H. Tercha**, 1919 Tercha Road, Fogelsville, PA 18051. To perform activities associated with the development of an industrial complex known as the Haaf-Tercha Industrial Park as follows: to place fill in 0.15 acre of wetlands for the development of Lot No. 3; to relocate approximately 2,450 linear feet of Iron Run to its original alignment with the construction of approximately 3,400 linear feet of trapezoidal channel having a bottom width of 10 feet, with 3H:1V side slopes having grass lining and a total of approximately 340 linear feet of R-3 riprap bank protection at two separate locations to facilitate the development of Lot No. 2; to construct and maintain a 15-inch diameter R.C.P. stormwater outfall structure and associated R-3 riprap discharge apron along the left bank of Iron Run; to construct and maintain a 6-foot wide stormwater outfall channel along the left bank of Iron Run and associated R-3 riprap bank protection in Iron Run; to remove the existing structure and to construct and maintain a road crossing consisting of two 12-foot x 6-foot, 6-inch and one 14-foot x 7-foot, 6-inch concrete box culvert in Iron Run for the extension of Nestle Way. The project is located immediately east of the intersection of S. R. 3015 and T-523 (Topton, PA Quadrangle N: 13.0 inches; W: 4.0 inches) in Upper Macungie Township, **Lehigh County**.

**E40-515.** Encroachment. **David Flaim**, c/o Computer Visionaries, Inc., 1258 Route 315, Wilkes-Barre, PA 18702-7012. To construct and maintain a private bridge

spanning bank to bank, having a single span of 42 feet and an underclearance of 5 feet across Gardner Creek for the purpose of providing access to a proposed single-family dwelling. The project also includes two minor road crossings of wetlands impacting a de minimis area of wetlands equal to 0.03 acre and is located on the east side of S. R. 2039 (Westminster Road), approximately 0.4 mile southeast of S.R. 0081 (Pittston, PA Quadrangle N: 6.0 inches; W: 4.1 inches) in Jenkins Township, **Luzerne County**.

**E64-202.** Encroachment. **Highhouse Oil Company**, 333 Erie Street, Honesdale, PA 18431. To maintain fill, including a stone retaining wall, within the floodway along approximately 130 linear feet of the left bank of Holbert Creek. The fill was placed for the construction of a 3-bay car wash. The project is located immediately upstream of S. R. 0006 (White Mills, PA Quadrangle N: 9.8 inches; W: 13.5 inches), in Texas Township, **Wayne County**.

**E64-203.** Encroachment. **Fred and Barbara Pringel**, R. R. 2, Box 2373, Beach Lake, PA 18405. To fill a 0.25 acre spring fed artificial pond for the purpose of eliminating a potential child safety hazard; and to construct and maintain a 12-inch outfall to a tributary of the Delaware River. The project is located on the north side of T-519, approximately 300 feet west of the intersection of T-519 and T-626. (Narrowsburg, NY-PA Quadrangle N: 22.3 inches; W: 10.3 inches) in Damascus Township, **Wayne County**.

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

**E05-276.** Encroachment. **Bedford Boro Municipal Authority**, 244 W. Penn Street, Bedford, PA 15522. To construct and maintain an effluent pumping station and associated sewer line along the left bank floodway and floodplain of Shobers Run (HW-CWF) located just upstream of U. S. Route 30 Bridge (Everett West, PA Quadrangle N: 3.0 inches; W: 16.18 inches) in Bedford Borough, **Bedford County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E06-525.** Encroachment. **Lehigh Valley Amateur Astronomical Society**, 620 E. Rock Rd., Allentown, PA 18103. To remove an existing structure and to construct and maintain a 14-foot x 3.5-foot concrete box culvert in the channel of Furnace Creek (TSF) at a point approximately 900 feet downstream of the Hamburg Reservoir (Hamburg, PA Quadrangle N: 16.3 inches; W: 9.55 inches) in Windsor Township, **Berks County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E21-291.** Encroachment. **Penn Township**, 1301 Centerville Rd., Newville, PA 17241. To construct and maintain a composite steel rolled I-beam bridge having a clear span of 48 feet with an underclearance of 9.62 feet over Yellow Breeches Creek (CWF) on T-344 (Farm Road) located in Hockersville Village (Dickinson, PA Quadrangle N: 18.1 inches; W: 14.2 inches) in Penn Township, **Cumberland County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E36-676.** Encroachment. **PA Dept. of Transportation**, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17102. To remove the existing bridge superstructure, construct and maintain a 30 foot reinforced concrete



extension onto the downstream end of each bridge abutment and the center pier to set new reinforced concrete box beams for a 140 foot width bridge deck. Rock for scour protection will be placed at each abutment and around the pier. The bridge has two clear spans of 61.2 feet each on a 42 degree 30 minute skew with a minimum underclearance of 6.7 feet over the Little Conestoga Creek (WWF) on SR 30, Section 010. The permit authorizes construction of 35 feet extension onto the upstream and a 33 feet downstream extension of 6-foot diameter reinforced concrete pipe (RCP) culvert onto the existing 100 foot culvert length enclosing in a tributary channel to the Little Conestoga Creek under SR 741 (Rohrerstown Road) at Station 335. A 140 foot length of existing 6-foot RCP culvert located under US 30 at Station 441+85 is authorized to be extended with 6-foot diameter RC pipe for an additional 16 feet upstream and 28 feet downstream.

The Route 30 and Route 283 improvements projects are located (Lancaster, PA Quadrangle East End: N: 12.5 inches; W: 11.2 inches and West End: N: 10.9 inches; W: 15.8 inches) in East Hempfield and Manheim Townships, and the City of Lancaster, **Lancaster County**. The Route 30 highway embankment will impact 0.024 wetland acre and bridge construction will impact 0.064 wetland acre, for a total permanent wetland impact of 0.088 acre.

The permit applicant has met the wetland replacement requirement by participating in the PA Wetland Replacement Project. This permit also includes 401 Water Quality Certification.

**E50-197.** Encroachment. **PA Department of Conservation and Natural Resources**, P. O. Box 8451, Harrisburg, PA 17105. To remove an existing structure and to construct and maintain a bridge having a span of 36 feet, 4.5 inches; and an underclearance of 8.5 feet and to construct a temporary crossing across the channel of Laurel Run (HQ-CWF) at a point at Laurel Run Road (Andersonburg, PA Quadrangle N: 3.9 inches; W: 14 inches) in Jackson Township, **Perry County**. This permit also includes 401 Water Quality Certification.

**E67-651.** Encroachment. **Bill and Nick Nichols**, 114 Bridge Street, New Cumberland, PA 17070. To construct and maintain a 122.6 inch by 81.2 inch corrugated metal pipe arch culvert 33 feet long in Fishing Creek (TSF) to construct a private drive to an existing hunting camp located north of SR 0392 (Potts Road) directly across from Ramblewood Drive north of Exit 14 off Interstate 83 (Steelton, PA Quadrangle N: 4.8 inches; W: 11.0 inches) in Newberry Township, **York County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E12-117.** Encroachment. **Pennsylvania Department of Transportation**, District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830. To remove the existing structure and to construct and maintain a four-span thru-girder bridge with a span along the center line of 317.04 feet, an average skew of 43 degrees, and an average underclearance of 17 feet over the Driftwood Branch of Sinnemahoning Creek on SR 120 about 70 feet upstream of the confluence of Hunts Run (Cameron, PA Quadrangle N: 13.9 inches; W: 7.0 inches) in Lumber Township, **Cameron County**.

**E14-348.** Encroachment. **Columbia Gas Transmission**, 950 Manifold Road, Washington, PA 15301. To

repair, operate and maintain a 16-inch diameter pipeline beneath Moshannon Creek to convey natural gas; repair, operate and maintain minor road crossings of Red Lick Run, West Branch-Spruce Run and Eddy Lick Run to provide access to pipeline right-of-way; and to repair, operate and maintain a ford crossing of Fields Run to provide access to pipeline right-of-way. The pipeline repair work shall consist of installing two 5-linear feet of cathodic protection beneath the channel of Moshannon Creek. The repair work to the minor road crossing shall consist of regrading approaches and installing new culverts. The repair work to the ford crossing shall consist of regrading to stabilizing approaches. The project is located along the eastern and western right-of-way of SR 0879 approximately 4,000 feet east of Pine Glen Avenue and SR 0879 intersection (Karthaus, PA Quadrangle N: 19.1 inches; W: 0.01 inch) in Burnside Township, **Centre County**.

**E17-330.** Encroachment. **Michael Joseph Development Corporation**, c/o Guy J. Dirienzo, P. O. Box 1198, 2500 Brooktree Road, Suite 300, Wexford, PA 15090-1198. To place and maintain fill in 0.62 acre of palustrine emergent/palustrine scrub shrub wetlands to build a 293,205 square foot retail shopping mall and associated parking and access drives. The total area to be disturbed is approximately 37.8 acres. The site is in Sandy Township, **Clearfield County** at the intersection of First Avenue and Schaffer Road off SR 255 (Luthersburg, PA Quadrangle N: 22.7 inches; W: 14.6 inches). The filled wetland will be replaced by contribution of \$5,000 to the Pennsylvania Wetland Replacement Project (fund) and construction of 0.62 acre of wetlands on site.

**E18-271.** Encroachment. **City of Lock Haven**, 20 East Church Street, Lock Haven, PA 17745-2599. To install and maintain on an annual basis a 42 foot by 20 foot floating stage between the dates of May 15 through November 1 in the West Branch of the Susquehanna River located at the intersection of Jay and Water Streets at the J. Doyle Corman Amphitheater (Lock Haven, PA Quadrangle N: 2.4 inches; W: 9.06 inches) in the City of Lock Haven, **Clinton County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E60-139.** Encroachment. **James W. Stauffer**, RR 2, Box 287, Lewisburg, PA 17837. To place and maintain fill in the floodway measuring 95 feet long by 50 feet wide by 2 feet deep. The fill will consist of clean shale and topsoil and is located on Spruce Run 2 miles north on Johnson Mill Road from the intersection with Buffalo Cross Roads (Lewisburg, PA Quadrangle, N: 19.5 inches, W: 15.5 inches) in Buffalo Township, **Union County**. This permit was issued under § 105.13(e) "Small Projects."



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

**E63-473.** Encroachment. **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To remove existing structures, to construct and maintain a 10.5' x 5' box culvert (depressed 1') 100' long and a 10' x 7' box culvert (depressed 1') 528' long in Dry Run (WWF), to permanently place and maintain fill within 0.43 acre of palustrine forested, scrub/shrub and emergent wetlands, and to temporarily place and maintain fill within 0.03 acre of palustrine emergent wetlands. This work is being done in conjunction with Mon/Fayette Expressway (S. R. 0043) construction Section 52F2, consisting of a four lane limited access divided toll highway (project starts at Monongahela, PA Quadrangle N: 10.3 inches; W: 13.7 inches, and ends at Monongahela, PA Quadrangle N: 15.1 inches; W: 16.0 inches). The wetland replacements were constructed under PA DEP Permit No. E02-1132 for this project.

*Permits Issued and Actions on 401 Certification*

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

**E20-463.** Encroachment. **City of Titusville**, 107 North Franklin Street, Titusville, PA 16354. To conduct the following activities within the 100-year flood plain of Oil Creek associated with expansion and improvements to the existing 80 acre Ed Meyer Recreation Complex east of Allen Street approximately 4,000 feet east of S. R. 8 (Franklin Street) (Titusville South, PA Quadrangle N: 22.0 inches; W: 4.5 inches) located in City of Titusville, **Crawford County**:

1. Renovate, regrade and maintain three existing baseball/softball fields.
2. To construct and maintain four new baseball/softball/soccer fields.
3. To construct and maintain a 400-meter all-weather track, including placing fill within a 1.0 acre wetland.
4. To construct and maintain volleyball, shot put, javelin, hockey and playground facilities.
5. To construct and maintain a comfort facility building.
6. To construct, modify and maintain parking areas and roadways.
7. To maintain the existing trails, building and BMX track.

This project includes the construction of a 1.21 acre replacement wetland adjacent to existing wetlands adjoining the channel and within the 100-year floodplain of Oil Creek.

#### DAM SAFETY

**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)).**

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

**D09-235.** Dam. **Buckingham Township** (4613 Hughesian Drive, P. O. Box 413, Buckingham, PA 18912). To operate and maintain a dam across a tributary to Pine Run in Buckingham Township, **Bucks County**. This structure provides stormwater detention to the Buckingham Estates subdivision.

**D10-0644A.** Dam. **Treesdale Golf & Country Club** (One Arnold Palmer Drive, Gibsonia, PA 15044). To modify, operate and maintain Impoundment No. 1 Dam located across a tributary to Breakneck Creek in Adams Township, **Butler County**. The dam will provide an aesthetic amenity for the golf course and will also provide stormwater detention for the remaining phases of the Four Lakes Development.

#### ENVIRONMENTAL ASSESSMENT

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

**EA46-005SE.** Environmental Assessment. **Emmanuel Demutis**, Synder Avenue, R. D. 1, Phoenixville, PA 19460. To construct, operate and maintain a nonjurisdictional dam across an unnamed tributary to the Schoolhouse Run (TSF). This dam is located at the proposed Pennapacker Road residential subdivision at a point approximately 2,000 feet northwest of the intersection of Ridge Pike and Linfield-Trappe Road (Collegeville PA, Quadrangle N: 14.5 inches; W: 16.50 inches) in Upper Providence Township, **Montgomery County**. This permit also includes 401 Water Quality Certification.

#### SPECIAL NOTICES

##### Draft Hazardous Waste Permit

*Public Hearing and Notice of Intent to Modify an Existing Hazardous Waste Storage Permit*

**Permit I. D. No. PAD002389559. Keystone Cement Company**, P. O. Box A, Bath, PA 18014-0058, East Allen Township, **Northampton County**.

The Department of Environmental Protection (Department) proposes to modify the hazardous waste storage permit for the Keystone Cement Company. This existing permit was originally issued under the Solid Waste Management Act (SWMA) (35 P. S. §§ 6018.101—6018.1003). This permit will be modified under 25 Pa. Code § 270a.41 and 40 CFR 270.41—270.43 as incorporated by reference at 25 Pa. Code § 270a.1. The permit modification has been written to update the permit in terms of changed site design, construction, operations and revised Commonwealth hazardous waste regulations.

The Department has scheduled a November 16, 1999, 7 p.m. public hearing at the Northampton High School, on Laubach Avenue, Northampton, PA to accept testimony regarding this draft permit modification. For convenience of the public, this hearing will also accept testimony regarding Air Quality issues involving the site Air Quality Permits (48-309-040C & 48-309-041C), the RACT (Reasonably Available Control Technologies) Plan submittal, the Multi-Pathway Risk Assessment and an increase in fuel hourly feed rate for the cement kilns. These changes will not include an increase in the total daily feed rate of nonhazardous and hazardous wastes.

Copies of the draft hazardous waste storage permit modification and draft fact sheet will be available for review at the following offices of the Department of Environmental Protection:

Bethlehem Office  
4530 Bath Pike  
Bethlehem, PA 18017  
(610) 861-2070  
Contact: Thomas DiLazaro  
Program Manager  
Air Quality Program

North East Regional Office  
2 Public Square  
Wilkes-Barre, PA 18711-0790  
(570) 826-2511  
Contact: Robert C. Wallace, Chief  
Engineering and Facilities Section  
Waste Management Program

Those interested in reviewing the draft permit and fact sheet should call to schedule a date to review the files. Additional information regarding the Keystone Cement Company facility is available at the Northeast (Wilkes-Barre) Regional Office. Please call Records Management at (570) 826-5472 to set up any file review at the Wilkes-Barre Regional Office.

The Department in completing its review and prior to taking final action concerning the permit modification will consider comments received. The public comment period ends December 16, 1999.

Persons intending to make a presentation at the hearing should submit written notice to the Regional Air Quality Program Manager or the Regional Waste Management Program Manager at 2 Public Square, Wilkes-Barre, PA 18711-0790. The notice should include your name, address and phone number, and a brief statement about your presentation. Comments should be kept brief and, depending upon the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns.

Persons may present oral or written statements or data concerning the draft permit modification directly to the Department before, during or after the public hearing as

long as the Department receives the statement and data before December 16, 1999. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department regarding the exact basis of any comment and relevant fact on which it is based.

Following the public comment period, the Regional Waste Management Program Manager will make a final determination regarding the draft hazardous waste permit modification. 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 Department will provide a written response to public comment received and justification for changes to the draft hazardous waste permit modification to persons providing comment to the Department.

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 Mark Carmon at (570) 826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### **Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of September 1999, 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.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Joseph Baicker	P. O. Box 900 Rocky Hill, NJ 08553	Laboratory
Stephen Beloyan	P. O. Box L-201 Langhorne, PA 19047	Testing
Terrance Best Best Building Inspection Service, Inc.	10 South Main Street Pittston, PA 18640	Testing
Bill Brodhead WPB Enterprises, Inc.	2844 Slifer Valley Road Riegelsville, PA 18077	Laboratory Mitigation
George Basista	1515 County Line Road Mineral Ridge, OH 44440	Testing
Michael Israel	165 Red Haven Drive North Wales, PA 19454	Testing
David Kapturowski Environmental Services Group, Ltd.	11 Awl Street Medway, MA 02053	Laboratory
Fred Klein	702 Manchester Drive Maple Glen, PA 19002	Testing
William Kolash, Jr.	R. D. 2, Box 203 DuBois, PA 15801	Testing Mitigation
Timothy Musser Timothy A. Musser Co., Inc.	213 North 14th Street Allentown, PA 18102	Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Thomas O'Hara	104 Spring Street Wilkes-Barre, PA 18702	Testing
James Pavlichko AmeriSpec	1061 Easton Road Roslyn, PA 19001	Testing
Robert Payne	500 Carothers Avenue Carnegie, PA 15106	Testing
Snyder Porter, Jr.	125 Argyle Road Ardmore, PA 19003	Testing
George Prosser, Jr. Prosser Laboratories, Inc.	P. O. Box 118 Effort, PA 18330	Laboratory
Radon Technology & Environmental	84 Longcross Road Limerick, PA 19468	Mitigation
Real Estate Radon Services	1850 Hampstead Road Huntingdon Valley, PA 19006	Testing
Brian Reuss Radon Control Services, LLC	20300 Route 19, Suite 138 Cranberry Township, PA 16066	Mitigation
Lance Schweizer	101 Locust Knoll Road Downingtown, PA 19335	Testing
James Wandless	1424 West 30th Street Erie, PA 16508	Mitigation
Roger Wood	1053 High Meadows Drive Gibsonia, PA 15044	Testing Laboratory

[Pa.B. Doc. No. 99-1749. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Alternate Technology Review Subcommittee of the Sewage Advisory Committee

The Alternate Technology Review Subcommittee of the Sewage Advisory Committee is holding a special meeting on October 27, 1999, convening at 10:30 a.m., at the Rachel Carson State Office Building 10th Floor Conference Room, 10th Floor, 400 Market Street, Harrisburg, PA. The purpose of the meeting is review of proposed changes to a DEP document providing onlot sewage disposal related Alternate and Experimental Technology Guidance. The subcommittee may also consider an additional technology proposed for approval to become an alternate or experimental sewage disposal technology.

Persons with a disability who desire to attend the meeting and require auxiliary aid, service or other accommodation to do so should contact John McHale at (717) 783-2290 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-1750. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center. The "January 1999 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various

DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

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

#### *Ordering Paper Copies of DEP Technical Guidance*

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

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

#### *Changes to Technical Guidance Documents*

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

#### *Draft Guidance—Substantive Revision—Extension of Open Comment Period*

DEP ID: 274-0300-001 Title: Continuous Source Monitoring Manual (Revision Number 7) Description: The purpose of revising this guidance is to update requirements relative to monitoring system design and performance, testing, record keeping, reporting, and quality assurance for affected industrial and utility sources which are required to continuously monitor emissions of pollutants or operational parameters. Deadline for Comments:

Extended until November 15, 1999 Anticipated Effective Date: November 30, 1999 Contact: Joseph Nazzaro at (717) 783-9247.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-1751. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Environmental Justice Work Group Meeting

The Department of Environmental Protection's Environmental Justice Work Group is holding a meeting on October 17 and 18, 1999, from 7 p.m. to 9 p.m. on the 17th and from 8 a.m. to 4 p.m. on the 18th, at the Holiday Inn East, 4751 Lindle Road, Harrisburg, PA. The work group is assisting the agency in developing an environmental justice policy and program. Anyone wishing to attend the meeting or who has questions regarding the meeting should contact Alisa Harris, Environmental Equity Coordinator, at (717) 787-4449.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodations to do so should contact Alisa Harris at (717) 787-4449.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-1752. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Sewage Advisory Committee Notice of Meeting Change

The November 10, 1999 meeting of the Sewage Advisory Committee [SAC] has been rescheduled to October 29, 1999. The meeting will be held in Room 105, First Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting and its agenda topics can be directed to John McHale, Bureau of Water Quality Protection, at (717)783-2290, or by email at McHale.John@dep.state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us> approximately 2 weeks prior to the meeting.

Persons with a disability who desire to attend the meeting and require auxiliary aid, service or other accommodation to do so should contact John McHale at (717)-787-8184 or through the Pennsylvania AT&T Relay Service at (800)-654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-1753. Filed for public inspection October 15, 1999, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Renal Advisory Committee Meeting

The Renal 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 October 29, 1999.

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 Helen Kissinger, Administrative Officer of the Chronic Renal Disease Program, Division of Special Health Care Programs 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].

ROBERT S. ZIMMERMAN,  
*Secretary*

[Pa.B. Doc. No. 99-1754. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Second Public Stakeholders' Meeting Concerning WIC Program

Under the Governor's Executive Order 1996-1, the Department of Health (Department) is conducting a review of State regulations governing retail store management and administrative appeals for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program). The regulations under review may be found at 28 Pa. Code Part VIII, Chapters 1101—1113.

The Department is committed to considering the ideas and comments of all interested parties in the revision of these regulations. The Department will hold a second public stakeholders' meeting to discuss and consider, not only comments made at the first meeting on September 23, 1999, and changes made to the existing regulations as a result of the meeting, but will entertain additional comments from stakeholders.

The meeting will be held on Friday, November 5, 1999, from 10 a.m. to 3 p.m., in Room 105 of the Rachel Carson State Office Building, located at 400 Market Street, Harrisburg, PA. Persons who wish to give testimony at the public meeting are requested to preregister with Robert Handly of the State WIC Program office by calling (717) 783-1289. Persons unable to attend the meeting may submit written comments to the Department.

To be considered, written comments must be received no later than 5 p.m., November 5, 1999. Written comments may be directed to Pennsylvania Department of Health, Division of Women, Infants and Children (WIC), Attention: Retail Store Management Unit, P. O. Box 90, Harrisburg, PA 17108.

Persons who require reasonable accommodations in accordance with the Americans with Disabilities Act (ADA) of 1990 should contact Robert Handly at (717) 783-1289 for assistance.

ROBERT S. ZIMMERMAN,  
*Secretary*

[Pa.B. Doc. No. 99-1755. Filed for public inspection October 15, 1999, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Increases in Allowances for a Community Spouse and Dependent Living with the Spouse when the Other Spouse is Institutionalized and is Eligible for Medical Assistance

The Department of Public Welfare (Department) announces an increase in the community maintenance need allowances for the family of an individual who is aged, blind or disabled, is eligible for Medical Assistance and is institutionalized. The allowances affected are the monthly standard community spouse maintenance need allowance, the excess monthly shelter standard for the community spouse and the standard monthly family member maintenance allowance for a dependent living with the community spouse.

The Spousal Impoverishment Provisions of the Medicare Catastrophic Coverage Act of 1988 (Section 303(a) of P. L. 100-360) (42 U.S.C.A. § 1396r-5) require the Department to make changes to the allowances on July 1st of each year based on the Federal Poverty Income Guidelines (FPIGs) issued by the Federal Department of Health and Human Services. The current FPIGs were published at 64 FR 13428 on March 18, 1999.

The State requirements are at 55 Pa. Code § 181.452 (relating to posteligibility determination of income available from an MA eligible person toward the cost of care). The requirements provide that revisions be published as a notice in the *Pennsylvania Bulletin* and made available upon request at the county assistance offices.

The increases, effective July 1, 1999, are as follows:

Excess Monthly Shelter Standard	\$ 415
Community Spouse Maintenance Allowance	\$1,383
Dependent Living with Community Spouse Allowance	\$1,383

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-220. (1) General Fund; (2) Implementing Year 1999-00 is \$565,000; (3) 1st Succeeding Year 2000-01 is \$678,000; 2nd Succeeding Year 2001-02 is \$693,000; 3rd Succeeding Year 2002-03 is \$708,000; 4th Succeeding Year 2003-04 is \$724,000; 5th Succeeding Year 2004-05 is \$740,000; (4) 1998-99 Program—\$721.631 Million; 1997-98 Program—\$617.252 Million; 1996-97 Program—\$591.910 Million; (7) Medical Assistance—Long Term Care; (8) recommends adoption.

There are funds available in the Department's budget to cover the cost of this increase.

[Pa.B. Doc. No. 99-1756. Filed for public inspection October 15, 1999, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cold Cash 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 Cold Cash.

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

3. *Play Symbols:* Each Pennsylvania Cold Cash instant lottery game ticket will contain one "Your Temp" area and one "Winning Temp" area. The play symbols and their captions located in the "Your Temp" area and the "Winning Temp" area are: 15° (FIFTN), 16° (SIXTN), 17° (SVNTN), 18° (EGTN), 19° (NINTN), 20° (TWENTY), 21° (TWYONE), 22° (TWY TWO), 23° (TWYTHR), 24° (TWYFOR), 25° (TWYFIV), 26° (TWYSIX), 27° (TWYSVN), 28° (TWYEGT), 29° (TWYNIN), 30° (THIRTY), 31° (THYONE), 32° (THYTWO), 33° (THYTHR), 34° (THYFOR), 35° (THYFIV), 36° (THYSIX), 37° (THYSVN), 38° (THYEGT), 39° (THYNIN) and 40° (FORTY).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$6.<sup>00</sup> (SIX DOL), \$8.<sup>00</sup> (EGT DOL), \$12.<sup>00</sup> (TWELVE), \$24\$ (TWY FOR), \$36\$ (TRY SIX), \$48\$ (FRY EGT), \$240 (TWOHUNFRY), \$3,000 (THR THO) and \$24,000 (TWYFORTHO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$6, \$8, \$12, \$24, \$36, \$48, \$240, \$3,000 and \$24,000. The player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,040,000 tickets will be printed for the Pennsylvania Cold Cash instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$24,000 (TWYFORTHO) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$24,000.

(b) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$3,000 (THR THO) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$240 (TWOHUNFRY) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$240.

(d) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$48\$ (FRY EGT) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$48.

(e) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$36\$ (TRY SIX) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$36.

(f) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$24\$ (TWY FOR) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(g) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$12<sup>00</sup> (TWELVE) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(h) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a

prize play symbol of \$8<sup>00</sup> (EGT DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(i) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$6<sup>00</sup> (SIX DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(j) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$4<sup>00</sup> (FOR DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets where any of "Your Temp" play symbols match the "Winning Temp" play symbol, and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$2.

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

<i>Match "Your Temp" To The "Winning Temp" With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 5,040,000 Tickets</i>
\$2	\$2	1:6.52	772,800
\$2 x 2	\$4	1:20	252,000
\$4	\$4	1:33.33	151,200
\$4 x 2	\$8	1:250	20,160
\$2 x 4	\$8	1:75	67,200
\$8	\$8	1:375	13,440
\$2 x 6	\$12	1:250	20,160
\$4 x 3	\$12	1:500	10,080
\$12	\$12	1:1,500	3,360
\$2 x 6 + \$4 x \$8	\$24	1:750	6,720
\$4 x 6	\$24	1:750	6,720
\$12 x 2	\$24	1:750	6,720
\$4 x 4 + \$8	\$24	1:750	6,720
\$24	\$24	1:750	6,720
\$4 x 6 + \$12	\$36	1:1,500	3,360
\$12 x 3	\$36	1:1,500	3,360
\$4 x 6 + \$6 x 2	\$36	1:1,000	5,040
\$6 x 6	\$36	1:1,500	3,360
\$36	\$36	1:3,000	1,680
\$8 x 6	\$48	1:5,000	1,008
\$12 x 4	\$48	1:5,000	1,008
\$24 + \$24	\$48	1:5,000	1,008
\$8 x 3 + \$24	\$48	1:5,000	1,008
\$48	\$48	1:30,000	168
\$48 x 5	\$240	1:100,800	50
\$240	\$240	1:504,000	10
\$3,000	\$3,000	1:252,000	20
\$3,000 x 8	\$24,000	1:840,000	6
\$24,000	\$24,000	1:1,680,000	3

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Cold Cash 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 Cold Cash, prize money from winning Pennsylvania Cold Cash 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 Cold Cash 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 Cold Cash or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 99-1757. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Pennsylvania Hog Wild Doubler Instant Lottery Game**

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

1. *Name:* The name of the game is Pennsylvania Hog Wild Doubler.

2. *Price:* The price of a Pennsylvania Hog Wild Doubler instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Hog Wild Doubler 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), \$500 (FIV HUN), \$5,000 (FIV THO) and a Pig Symbol (PIG).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$80, \$500 and \$5,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 8,160,000 tickets will be printed for the Pennsylvania Hog Wild Doubler 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 three matching play symbols of \$500 (FIV HUN) 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 \$80\$ (EIGHTY) in the play area on a single ticket, shall be entitled to a prize of \$80.

(d) Holders of tickets with two matching play symbols of \$40\$ (FORTY), and a Pig play symbol (PIG) in the play area on a single ticket, shall be entitled to a prize of \$80.

(e) 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.

(f) Holders of tickets with two matching play symbols of \$20\$ (TWENTY), and a Pig play symbol (PIG) in the play area on a single ticket, shall be entitled to a prize of \$40.

(g) 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.

(h) Holders of tickets with two matching play symbols of \$10<sup>00</sup> (TEN DOL), and a Pig play symbol (PIG) in the play area on a single ticket, shall be entitled to a prize of \$20.

(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 Pig play symbol (PIG) 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 Pig play symbol (PIG) 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 Pig play symbol (PIG) 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 two matching play symbols of \$1<sup>00</sup> (ONE DOL), and a Pig play symbol (PIG) in the play area on a single ticket, shall be entitled to a prize of \$2.

(r) 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.

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:

Get	Win	Approximate Odds	Approximate No. of Winners Per 8,160,000 Tickets
3-\$1	\$1	1:9.38	870,400
2-\$1 + PIG	\$2	1:21.43	380,800
3-\$2	\$2	1:37.50	217,600

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,160,000 Tickets</i>
2-\$2 + PIG	\$4	1:50	163,200
3-\$4	\$4	1:100	81,600
3-\$5	\$5	1:150	54,400
2-\$4 + PIG	\$8	1:200	40,800
3-\$8	\$8	1:600	13,600
2-\$5 + PIG	\$10	1:300	27,200
3-\$10	\$10	1:600	13,600
2-\$10 + PIG	\$20	1:600	13,600
3-\$20	\$20	1:1,500	5,440
2-\$20 + PIG	\$40	1:3,200	2,550
3-\$40	\$40	1:9,600	850
2-\$40 + PIG	\$80	1:8,000	1,020
3-\$80	\$80	1:30,000	272
3-\$500	\$500	1:120,000	68
3-\$5,000	\$5,000	1:544,000	15
PIG = Double			

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

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

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

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

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 99-1758. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Pennsylvania Holiday Cash For Life '99 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 Holiday Cash For Life '99.

2. *Price:* The price of a Pennsylvania Holiday Cash For Life '99 instant lottery game ticket is \$10.00.

3. *Play Symbols:* Each Pennsylvania Holiday Cash For Life '99 instant lottery game ticket will contain 12 play areas known as Game 1, Game 2, Game 3, Game 4, Game 5, Game 6, Game 7, Game 8, Game 9, Game 10, Game 11 and Game 12, respectively. Each game is played separately. The play symbols and their captions located in the 12 play areas are: Bell Symbol (BELL), Candle Symbol (CANDLE), Horn Symbol (HORN), Ornament Symbol (ORNMENT), Sled Symbol (SLED), Snowflake Symbol (SNOWFLK), Snowman Symbol (SNOMAN), Stocking Symbol (SOCK), Dove Symbol (DOVE), Wreath Symbol (WREATH), Candy Cane Symbol (CANDY), Deer Symbol (DEER), Star Symbol (STAR), Glove Symbol (GLOVE), Hat Symbol (HAT), Drum Symbol (DRUM), Fire Symbol (FIRE), Gingerbread Man Symbol (BREAD), Holly Symbol (HOLLY), Present Symbol (PRESENT) and Light Symbol (LIGHT).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the twelve "Prize" areas are: \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$30\$ (THIRTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$60\$ (SIXTY), \$80\$ (EIGHTY), \$100 (ONE HUN), \$120 (HUN TWY), \$1,000 (ONE THO), \$12,000 (TWLV THO) and LIFE (\$10,000/MO/LIFE).

5. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$20, \$30, \$40, \$50, \$60, \$80, \$100, \$120, \$1,000, \$12,000 and \$10,000 a month for life (\$2.4 million guaranteed). The player can win up to twelve times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 720,000 tickets will be printed for the Pennsylvania Holiday Cash For Life '99 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of LIFE (\$10,000/MO/LIFE) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$10,000 a month for life (\$2.4 million guaranteed) which will be paid by an initial cash payment of \$120,000 plus equal annual payments of \$120,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$2.4 million minimum has been



paid to the estate of the deceased. If the winner of the Pennsylvania Holiday Cash For Life '99 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(b) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$12,000 (TWLV THO) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$12,000.

(c) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$1,000 (ONE THO) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$120 (HUN TWY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$120.

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

(f) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$80 (EIGHTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$80.

(g) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$60 (SIXTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$60.

(h) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$50 (FIFTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$40 (FORTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$30 (THIRTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$20 (TWENTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$10 (TEN DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets with two matching play symbols in the same game, and a prize play symbol of \$5 (FIV DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$5.

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>In Any Game, Get Two Like Symbols Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 720,000 Tickets</i>
\$10	\$10	1:10	72,000
\$5 x 2	\$10	1:6.98	103,200
\$20	\$20	1:50	14,400
\$10 x 2	\$20	1:75	9,600
\$5 x 4	\$20	1:30	24,000
\$30	\$30	1:300	2,400
\$10 x 3	\$30	1:150	4,800
\$5 x 6	\$30	1:150	4,800
\$40	\$40	1:300	2,400
\$30 + \$10	\$40	1:300	2,400
\$5 x 8	\$40	1:300	2,400
\$50	\$50	1:1,200	600
\$10 x 5	\$50	1:800	900
\$20 x 2 + \$10	\$50	1:800	900
\$5 x 10	\$50	1:480	1,500
\$60	\$60	1:4,000	180
\$5 x 12	\$60	1:4,000	180
\$10 x 6	\$60	1:6,000	120
\$20 x 3	\$60	1:3,000	240
\$30 x 2	\$60	1:3,000	240
\$80	\$80	1:12,000	60
\$20 x 4	\$80	1:12,000	60
\$10 x 8	\$80	1:12,000	60
\$40 x 2	\$80	1:6,000	120
\$100	\$100	1:6,000	120
\$20 x 5	\$100	1:6,000	120
\$10 x 10	\$100	1:4,000	180
\$120	\$120	1:12,000	60
\$20 x 6	\$120	1:8,000	90
\$10 x 12	\$120	1:8,000	90
\$1,000	\$1,000	1:120,000	6
\$100 x 10	\$1,000	1:120,000	6
\$12,000	\$12,000	1:720,000	1

*In Any Game,  
Get Two Like Symbols  
Win With Prize(s) Of:*

	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 720,000 Tickets</i>
\$1,000 x 12	\$12,000	1:360,000	2
LIFE	\$10,000/Mo./Life	1:720,000	1

9. *Claiming of Prizes:* For purposes of claiming the \$10,000 a month for life prize under the Pennsylvania Holiday Cash For Life '99 game, "lifetime" for legal entities shall be defined as 20 years beginning the date the prize is claimed. Only one claimant per ticket is allowed for the \$10,000 a month for life prize.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Holiday Cash For Life '99 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Holiday Cash For Life '99, prize money from winning Pennsylvania Holiday Cash For Life '99 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 Holiday Cash For Life '99 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.

12. *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.

13. *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 Holiday Cash For Life '99 or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 99-1759. Filed for public inspection October 15, 1999, 9:00 a.m.]

## Pennsylvania Jingle Bucks 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 Jingle Bucks.

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

3. *Play Symbols:* Each Pennsylvania Jingle Bucks 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), \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTEEN), \$20\$ (TWENTY), \$30\$ (THIRTY), \$50\$ (FIFTY), \$100 (ONE HUN) and \$500 (FIV HUN).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$10, \$15, \$20, \$30, \$50, \$100 and \$500.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 10,080,000 tickets will be printed for the Pennsylvania Jingle Bucks 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 three matching play symbols of \$50\$ (FIFTY) in the play area, on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets with three matching play symbols of \$30\$ (THIRTY) in the play area, on a single ticket, shall be entitled to a prize of \$30.

(e) 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.

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

(g) 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.

(h) 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.

(i) 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.

(j) 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.

(k) 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.

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 10,080,000 Tickets</i>
3-\$1	\$1	1:6.25	1,612,800
3-\$2	\$2	1:18.75	537,600
3-\$3	\$3	1:42.86	235,200
3-\$5	\$5	1:60	168,000
3-\$10	\$10	1:300	33,600
3-\$15	\$15	1:300	33,600
3-\$20	\$20	1:600	16,800
3-\$30	\$30	1:1,200	8,400
3-\$50	\$50	1:4,000	2,520
3-\$100	\$100	1:6,000	1,680
3-\$500	\$500	1:48,000	210

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Jingle Bucks 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 Jingle Bucks, prize money from winning Pennsylvania Jingle Bucks 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 Jingle Bucks 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 Jingle Bucks or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 99-1760. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Pennsylvania \$1 Million Holiday Gift 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 \$1 Million Holiday Gift.

2. *Price:* The price of a Pennsylvania \$1 Million Holiday Gift instant lottery game ticket is \$5.00.

3. *Play Symbols:* Each Pennsylvania \$1 Million Holiday Gift instant lottery game ticket will contain one play area featuring one "Winning Numbers" area and one "Your Numbers" area. The play symbols and their captions

located in the "Winning Numbers" area and the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), 11 (ELEVN), 12 (TWELV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENTY).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15\$ (FIFTEEN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$75\$ (SVY FIV), \$100 (ONE HUN), \$500 (FIV HUN), \$5,000 (FIV THO) and MILLION (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$15, \$20, \$25, \$50, \$75, \$100, \$500, \$5,000 and \$1,000,000. The player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 2,160,000 tickets will be printed for the Pennsylvania \$1 Million Holiday Gift 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 "Winning Numbers" play symbols and a prize play symbol of MILLION (ONE MIL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$5,000 (FIV THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$500 (FIV HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

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

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning

Numbers” play symbols and a prize play symbol of \$75\$ (SVY FIV) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$75.

(f) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$50\$ (FIFTY) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(h) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$15\$ (FIFTEEN) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$5.

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 Any Of Your Numbers To Either Of The Winning Numbers With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 2,160,000 Tickets</i>
\$5	\$5	1:4.80	450,000
\$5 x 2	\$10	1:37.50	57,600
\$10	\$10	1:150	14,400
\$5 x 3	\$15	1:150	14,400
\$5 + \$10	\$15	1:150	14,400
\$15	\$15	1:300	7,200
\$5 x 4	\$20	1:300	7,200
\$5 x 2 + \$10	\$20	1:300	7,200
\$10 x 2	\$20	1:300	7,200
\$15 + \$5	\$20	1:300	7,200
\$20	\$20	1:300	7,200
\$5 x 5	\$25	1:600	3,600
\$5 x 2 + \$15	\$25	1:600	3,600
\$10 x 2 + \$5	\$25	1:600	3,600
\$15 + \$10	\$25	1:600	3,600
\$25	\$25	1:600	3,600
\$5 x 10	\$50	1:1,500	1,440
\$5 x 2 + \$20 x 2	\$50	1:1,333	1,620
\$5 x 8 + \$10	\$50	1:1,500	1,440
\$5 x 5 + \$10 x \$15	\$50	1:1,333	1,620
\$25 x 2	\$50	1:4,000	540
\$50	\$50	1:4,000	540
\$25 x 3	\$75	1:20,000	108
\$15 x 5	\$75	1:20,000	108
\$20 x 3 + \$15	\$75	1:24,000	90
\$5 x 5 + \$25 x 2	\$75	1:40,000	54
\$15 x 4 + \$5 x 3	\$75	1:40,000	54
\$75	\$75	1:120,000	18
\$5 x 8 + \$10 x \$50	\$100	1:24,000	90
\$10 x 10	\$100	1:24,000	90
\$10 x 8 + \$20	\$100	1:30,000	72
\$50 x 2	\$100	1:40,000	54
\$25 x 4	\$100	1:40,000	54
\$20 x 5	\$100	1:40,000	54
\$100	\$100	1:120,000	18
\$50 x 10	\$500	1:86,400	25

*Match Any Of Your Numbers  
To Either Of The Winning Numbers  
With Prize(s) Of:*

\$100 x 5  
\$500  
\$5,000  
\$1,000,000

*Win*  
\$500  
\$500  
\$5,000  
\$1,000,000

<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 2,160,000 Tickets</i>
1:108,000	20
1:432,000	5
1:432,000	5
1:1,080,000	2

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$1 Million Holiday Gift 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 \$1 Million Holiday Gift, prize money from winning Pennsylvania \$1 Million Holiday Gift 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 \$1 Million Holiday Gift 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 \$1 Million Holiday Gift or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 99-1761. Filed for public inspection October 15, 1999, 9:00 a.m.]

## Pennsylvania Sizzling 7's Instant Lottery Game

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

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

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

3. *Play Symbols:* Each Pennsylvania Sizzling 7's instant lottery game ticket will contain one play area. The play symbols, printed in either red or black ink, and their captions, printed in black ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIVE), 6 (SIX), 7 (SVN), 8 (EGT) and 9 (NINE).

4. *Prize Play Symbols:* The prize play symbols and their captions, printed in black ink, located in the "Prize" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup>

(FOUR DOL), \$7<sup>00</sup> (SVN DOL), \$14\$ (FOURTEEN), \$21\$ (TWY ONE), \$77\$ (SVTYSN) and \$7,777 (STSHSVSN).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$7, \$14, \$21, \$77 and \$7,777. The player can win up to four times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Sizzling 7's instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in black ink, and a prize play symbol of \$7,777 (STSHSVSN) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$7,777.

(b) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in black ink, and a prize play symbol of \$77\$ (SVTYSN) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$77.

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

(d) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in black ink, and a prize play symbol of \$14\$ (FOURTEEN) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$14.

(e) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in red ink, and a prize play symbol of \$7<sup>00</sup> (SVN DOL) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$14.

(f) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in black ink, and a prize play symbol of \$7<sup>00</sup> (SVN DOL) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$7.

(g) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in black ink, and a prize play symbol of \$4<sup>00</sup> (FOUR DOL) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in red ink, and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(i) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in black ink, and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in red ink, and a prize play symbol of \$1<sup>00</sup> (ONE DOL) appearing in the "Prize" area under the 7 (SVN) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets with a play symbol of 7 (SVN), with the symbol printed in black ink, and a prize play

symbol of \$1<sup>00</sup> (ONE DOL) appearing in the "Prize" area under the 7 (SVN) 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:

*Find A 7 Or A Red 7  
To Double With  
Prize(s) Of:*

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 12,000,000 Tickets</i>
\$1	\$1	1:9.68	1,240,000
\$2	\$2	1:37.50	320,000
\$1 x 2	\$2	1:75	160,000
\$1(D)	\$2	1:37.50	320,000
\$1 x 4	\$4	1:375	32,000
\$1 x 2 + \$2	\$4	1:375	32,000
\$1(D) + \$2	\$4	1:1,500	8,000
\$4	\$4	1:1,500	8,000
\$2(D)	\$4	1:300	40,000
\$2 x 3 + \$1	\$7	1:300	40,000
\$4 + \$2 + \$1	\$7	1:300	40,000
\$7	\$7	1:300	40,000
\$2(D) + \$1 x 3	\$7	1:150	80,000
\$4 x 3 + \$2	\$14	1:300	40,000
\$7 x 2	\$14	1:500	24,000
\$7 + \$4 + \$2 + \$1	\$14	1:600	20,000
\$7(D)	\$14	1:500	24,000
\$14	\$14	1:1,000	12,000
\$14 + \$7	\$21	1:1,500	8,000
\$7 x 3	\$21	1:1,500	8,000
\$7(D) + \$7	\$21	1:600	20,000
\$21	\$21	1:3,000	4,000
\$77	\$77	1:6,000	2,000
\$7,777	\$7,777	1:1,000,000	12

(D) = A Red 7 Doubles Prize

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

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

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

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

Pennsylvania Sizzling 7's or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 99-1762. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Pennsylvania Surprise Package Doubler Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Surprise Package Doubler.

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

3. *Play Symbols:* Each Pennsylvania Surprise Package Doubler 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 are: 1 (ONE), 2

(TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SNTN), 18 (EGTN) and 19 (NINTN). The play symbols and their captions located in 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 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SNTN), 18 (EGTN), 19 (NINTN) and a Candy Cane Symbol (CANE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$200 (TWO HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$40, \$200, \$400, \$1,000, and \$20,000. The player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Surprise Package Doubler 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 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 \$1,000 (ONE THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$200 (TWO HUN) appears under the Candy Cane Symbol (CANE) play symbol, on a single ticket, shall be entitled to a prize of \$400.

(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 \$200 (TWO HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$20\$ (TWENTY) appears under the Candy Cane Symbol (CANE) play symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$40\$ (FORTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$10.<sup>00</sup> (TEN DOL) appears under the Candy Cane Symbol (CANE) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$20\$ (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$5.<sup>00</sup> (FIV DOL) appears under the Candy Cane Symbol (CANE) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$10.<sup>00</sup> (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) 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 under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears under the Candy Cane Symbol (CANE) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(m) 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 \$4.<sup>00</sup> (FOR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) 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 under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

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

*Match Any Of Your Numbers To Either Lucky Number Or Get (Cane) To Double With*

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,800,000 Tickets</i>
\$2	\$2	1:5.60	857,600
\$4	\$4	1:62.50	76,800
\$2 x 2	\$4	1:35.71	134,400
\$2 (CANE)	\$4	1:33.33	144,000
\$5	\$5	1:75	64,000

Match Any Of Your Numbers To  
Either Lucky Number Or Get  
(Cane) To Double With  
Prize(s) Of:

Prize(s) Of:	Win	Approximate Odds	Approximate No. of Winners Per 4,800,000 Tickets
\$10	\$10	1:500	9,600
\$5 x 2	\$10	1:375	12,800
\$5 (CANE)	\$10	1:375	12,800
\$2 x 5	\$10	1:166.67	28,800
\$20	\$20	1:750	6,400
\$5 x 4	\$20	1:750	6,400
\$4 x 5	\$20	1:187.50	25,600
\$10 (CANE)	\$20	1:500	9,600
\$40	\$40	1:2,400	2,000
\$5 x 8	\$40	1:1,200	4,000
\$10 x 4	\$40	1:1,500	3,200
\$20 (CANE)	\$40	1:1,846	2,600
\$200	\$200	1:24,000	200
\$40 x 5	\$200	1:12,000	400
\$40 x 4 + \$20 x 2	\$200	1:12,000	400
\$1,000	\$1,000	1:120,000	40
\$200 x 5	\$1,000	1:120,000	40
\$200 (CANE) + \$200 x 3	\$1,000	1:60,000	80
\$20,000 CANE = Doubler	\$20,000	1:600,000	8

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

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

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 Surprize Package Doubler or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 99-1763. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Realty Transfer Tax; Revised Common Level Ratio Real Estate Valuation Factors**

Due to a change to the Lawrence County assessment ratio which became effective January 1, 1999, the 1997 Common Level Ratio for Realty Transfer Tax which was published at 28 Pa.B. 2622 (June 6, 1998) has been revised. The 1998 factor which was published at 29 Pa.B. 2928 (June 5, 1999) has also been revised to reflect the assessment ratio change. For Pennsylvania Realty Transfer Tax purposes, the following factors are applicable for documents accepted during the periods shown. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102).

County	Applicable Period	Adjusted Common Level Ratio Factor
Lawrence	January 1, 1999 to June 30, 1999	5.10
	July 1, 1999 to June 30, 2000	5.06

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 99-1764. Filed for public inspection October 15, 1999, 9:00 a.m.]



# DEPARTMENT OF TRANSPORTATION

## Application for Lease of Right-of-Way

### District 9-0

The Department of Transportation, pursuant to the authority contained in Section 2002(c) of the Administrative Code (71 P. S. § 512(c)) and in 67 Pa. Code § 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by Sheetz, Inc. of 5700 6th Ave., Altoona, PA 16602 seeking to lease highway right-of-way located at 403 East 25th Avenue, Altoona, Blair County, 742.36 square meters ±, adjacent to SR 4017, Section(s) 001, for purposes of parking.

Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Earl L. Neiderhiser, P.E., District Engineer, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

Questions regarding this application or the proposed use may be directed to Barry Clancy, Real Estate Specialist, 1620 N. Juniata Street, Hollidaysburg, PA 16648, (814) 696-7211.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-1765. Filed for public inspection October 15, 1999, 9:00 a.m.]

## 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 it.

The following is the property for sale by the Department.

Summit Township, Somerset County. The parcel contains 0.29 acres of landlocked, unimproved land situated at RD #3, Box 199B, Meyersdale, PA.

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 Earl L. Neiderhiser, P.E., District Engineer, PA Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-1766. Filed for public inspection October 15, 1999, 9:00 a.m.]

## Finding

### Carbon County

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

The Department of Transportation plans to remove County Bridge #6, a concrete arch structure that carries T-354 over Lizard Creek, providing access to a small residential area in the Village of Kittatinny. The bridge has been determined to be eligible for listing on the National Register of Historic Places. The project also includes the realignment of a small segment of T-354 onto an existing County-owned railroad bed and the rehabilitation of an existing railroad bridge that is on the proposed alignment. This realignment will replace access to the Village of Kittatinny.

The effect of this project on County Bridge #6 has been mitigated through a HAER documentation package as a permanent record of the bridge's existence. This documentation was completed and submitted to the PA State Historic Preservation Officer.

No adverse environmental effect is likely to result from the removal of County Bridge #6.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-1767. Filed for public inspection October 5, 1999, 9:00 a.m.]

## Notice to all Consultants; Anticipated Consultants Solicitations

The Department of Transportation anticipates soliciting Letters of Interest from Consultant firms interested in providing work and services for the following specific project agreements or open-end contracts between the date of this advertisement and December 31, 1999:

### Engineering District 1-0

1. S.R. 4026, Section A00  
Erie County  
Preliminary Engineering and  
Environmental Assessment  
South Hills Road

### Engineering District 2-0

1. S.R. 6220, Section E10  
Centre County  
Construction Inspection  
I-99
2. S.R. 6220, Section C10  
Centre County  
Construction Inspection  
I-99
3. S.R. 6220, Section A10  
Centre County  
Construction Inspection  
I-99
4. S.R. 6220, Section C11  
Centre County  
Construction Inspection  
I-99
5. S.R. 6220, Section A11  
Centre County  
Construction Inspection  
I-99
6. S.R. 0080, Section B21  
Clinton County  
Construction Inspection  
Lamar Inter.

7. S.R. 0022, Section C02  
Mifflin County  
Construction Inspection  
Lewistown Bypass

8. S.R. 0022, Section A02  
Mifflin County  
Construction Inspection  
Lewistown Bypass

Engineering District 3-0

1. S.R. 0220, Section 075  
Lycoming County  
Preliminary Engineering

2. S.R. 0405, Section 063  
Lycoming County  
Preliminary Engineering and Final Design

Engineering District 4-0

1. S.R. 0029, Section 770  
Wyoming County  
Bridge Replacement  
Preliminary Engineering and Final Design

2. S.R. 2001, Sections 401 and 402  
Pike County  
Highway Rehabilitation  
Preliminary Engineering and Final Design

3. S.R. 0434, Section 470  
Pike County  
Bridge Replacement  
Preliminary Engineering and Final Design

4. S.R. Souci, Section 000  
(LCCC Connector Road)  
Luzerne County  
New Highway on New Location  
Preliminary Engineering and Final Design

5. Three (3) Open-End Contracts  
Engineering and Environmental Services

6. S.R. 0115, Section 303  
Luzerne County  
New Highway on New Location  
Preliminary Engineering and Environmental Studies

Engineering District 5-0

1. S.R. 0183, Section 15S  
Berks County, Bern Township  
Interchange Reconstruction, S.R. 0183/"New 222"  
Interchange (formerly the S.R. 0183/3055 inter-  
change)  
Preliminary Engineering, Final Design and Services  
During Construction

2. S.R. 0611, Section 09S  
Monroe County, Mount Pocono Borough  
Intersection Improvement of the "Five Points Inter-  
section" of S.R. 0611, S.R. 0940 and S.R. 0196  
Preliminary Engineering, Final Design and Services  
During Construction

3. S.R. 4002, Section 01B  
Monroe County, Tobyhanna Township  
Emerald Lake Bridge Replacement  
Preliminary Engineering, Final Design and Services  
During Construction

4. S.R. 2027, Section 01B  
S.R. 2031, Section 05B  
Lehigh County, Lower Milford Township  
Hosensack Bridge and Spinnerstown Bridge

Replacements  
Preliminary Engineering, Final Design and Services  
During Construction

5. S.R. 2045, Section 01B  
S.R. 2045, Section 02B  
Lehigh County, Upper Saucon Township  
Saucon Creek Bridge and Center Valley  
Bridge Replacements  
Preliminary Engineering, Final Design and Services  
During Construction

6. Open-End Contract  
Preliminary Engineering, Final Design and Environ-  
mental Tasks

7. S.R. 0412, Section DLY  
Northampton County, City of Bethlehem  
Fourth and Daly Bridge Replacement  
Approximately five (5) inspectors for Construction  
Inspection

8. S.R. 0061, Sections 13S and 09M  
Schuylkill County, Dusselink Area  
S.R. 0061 Safety Rehabilitation and Overlay  
Approximately eight (8) inspectors for Construction  
Inspection

9. S.R. 0987, Sections 001 and 002  
S.R. 3017, Section 002  
Lehigh County, Hanover Township  
Widening, Relocation, Rehabilitation of Race Street,  
Airport Road, and Schoenersville Road  
Approximately eight (8) inspectors for Construction  
Inspection

10. S.R. 0033, Section 001  
Northampton County, Bethlehem and Lower  
Saucon Townships  
Southern Section of new construction of S.R. 0033,  
including the bridge over the Lehigh River  
Approximately ten (10) inspectors for Construction  
Inspection

11. Two (2) District-Wide Open-End Contracts for Con-  
struction Inspection  
Approximately twenty (20) inspectors for each  
Open-End Contract

Engineering District 6-0

1. S.R. 0001, Section H05  
Delaware County Construction Inspection

2. S.R. 0095, Section CON  
Delaware and Philadelphia Counties Construction  
Inspection

3. S.R. 0095, Section NW2  
Delaware County Construction Inspection

4. S.R. 0001, Section NW1  
Delaware County Construction Inspection

5. S.R. 0095, Section RS2  
Philadelphia County Construction Inspection

6. S.R. 0202, Section 300  
Chester County  
Preliminary Engineering and Final Design

7. S.R. 0202, Section 610  
Montgomery County  
Preliminary Engineering and Final Design

8. S.R. 0476, Section PM7  
Montgomery County  
Environmental Studies, Preliminary Engineering  
and Final Design

- |   |             |             |   |             |             |
|---|-------------|-------------|---|-------------|-------------|
| 9. S.R. 0095, Section BRI<br>Philadelphia County<br>Environmental Studies,<br>and Final Design  | Preliminary | Engineering | 25. S.R. 3049, Section 47M<br>Chester County<br>Environmental Studies,<br>and Final Design      | Preliminary | Engineering |
| 10. S.R. 0095, Section BSI<br>Philadelphia County<br>Environmental Studies,<br>and Final Design | Preliminary | Engineering | 26. S.R. 0013, Section 03S<br>Delaware County<br>Environmental Studies,<br>and Final Design     | Preliminary | Engineering |
| 11. S.R. 0095, Section AFC<br>Philadelphia County<br>Environmental Studies,<br>and Final Design | Preliminary | Engineering | 27. S.R. 0100, Section 67S<br>Delaware County<br>Environmental Studies,<br>and Final Design     | Preliminary | Engineering |
| 12. S.R. 0113, Section 08B<br>Chester County<br>Environmental Studies,<br>and Final Design      | Preliminary | Engineering | 28. S.R. 0476, Section TIM<br>Delaware County<br>Environmental Studies,<br>and Final Design     | Preliminary | Engineering |
| 13. S.R. 0202, Section 83S<br>Delaware County<br>Environmental Studies,<br>and Final Design     | Preliminary | Engineering | 29. S.R. 0095, Section TIM<br>Delaware County<br>Environmental Studies,<br>and Final Design     | Preliminary | Engineering |
| 14. S.R. 4027, Section 13B<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | 30. S.R. 0076, Section TIM<br>Montgomery County<br>Environmental Studies,<br>and Final Design   | Preliminary | Engineering |
| 15. S.R. 2103, Section 01B<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | 31. S.R. 0076, Section TM2<br>Montgomery County<br>Environmental Studies,<br>and Final Design   | Preliminary | Engineering |
| 16. S.R. 1009, Section 04B<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | 32. S.R. 1015, Section 01B<br>Montgomery County<br>Environmental Studies,<br>and Final Design   | Preliminary | Engineering |
| 17. S.R. 2047, Section 01B<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | 33. S.R. 4003, Section 13B<br>Philadelphia County<br>Environmental Studies,<br>and Final Design | Preliminary | Engineering |
| 18. S.R. 0013<br>Bucks County<br>Environmental Studies,<br>and Final Design                     | Preliminary | Engineering | 34. S.R. 0076, Section TM3<br>Philadelphia County<br>Environmental Studies,<br>and Final Design | Preliminary | Engineering |
| 19. S.R. 2002, Section 01S<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | Engineering District 8-0<br>None  |             |             |
| 20. S.R. 1003, Section 59M<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | Engineering District 9-0<br>None  |             |             |
| 21. S.R. 4019, Section 57M<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | Engineering District 10-0   |             |             |
| 22. S.R. 4019, Section 58M<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | 1. Open-End Contract<br>Engineering and Environmental   |             |             |
| 23. S.R. 4109, Section 59M<br>Bucks County<br>Environmental Studies,<br>and Final Design        | Preliminary | Engineering | 2. Open-End Contract<br>Construction Inspection   |             |             |
| 24. S.R. 4012, Section 42M<br>Chester County<br>Environmental Studies,<br>and Final Design      | Preliminary | Engineering | 3. Open-End Contract<br>Traffic/Permits   |             |             |
|   |             |             | 4. Open-End Contract<br>Geotechnical  |             |             |
|   |             |             | 5. Open-End Contract<br>Utilities   |             |             |
|   |             |             | 6. Open-End Contract<br>Design Review   |             |             |
|   |             |             | 7. Open-End Contract<br>Design Management   |             |             |

8. S.R. 0080, Section 552  
Butler, Clarion, and Jefferson Counties  
Feasibility Study  
High Level Bridge Widening Study
9. S.R. 0022, Section 480  
Indiana County  
Blairsville Interchange  
Construction Inspection
10. S.R. 0079, Section 290  
Butler County  
Turnpike Connector  
Construction Inspection
- Engineering District 11-0
1. S.R. 0279, Section A52  
Allegheny County  
Construction Inspection
2. S.R. 0279, Section A53  
Allegheny County  
Construction Inspection
3. S.R. 2004, Section B05  
Beaver County  
Construction Inspection
4. S.R. 2004, Section 006  
Beaver County  
Construction Inspection
5. S.R. 0079, Section A23  
Allegheny County  
Development of missing ramps between I-376/279  
and I-79  
Environmental Studies and Preliminary Engineering
6. S.R. 1042, Section A01  
Allegheny and Westmoreland Counties  
Alli-Kiski connection over the Allegheny River  
Environmental Studies and Preliminary Engineering
- Engineering District 12-0
1. S.R. 0079  
Washington County  
Chartiers Township  
Preliminary and Final Design  
Add Ramps Meadowlands Interchange  
Project Manager: Ron Deems at (724) 439-7322
2. S.R. 0119  
Westmoreland County  
Hempfield Township  
Preliminary and Final Design  
New Interchange at SONY  
Project Manager: Ron Deems at (724) 439-7322
3. S.R. 0119/0819  
Westmoreland County  
Mount Pleasant/Scottdale Interchange  
East Huntingdon Township  
Rehab Existing Interchange  
Preliminary and Final Design  
Project Manager: Ron Deems at (724) 439-7322
4. S.R. 0119  
Fayette County  
Connellsville  
Preliminary and Final Design  
Rehab Memorial Bridge  
Project Manager: Steve Hoyer at (724) 439-7266
5. S.R. 0021  
Fayette and Greene Counties  
Masontown Boro  
Preliminary and Final Design  
Mon River Crossing  
Project Manager: James French at (724) 439-7157
6. S.R. 0021  
Fayette and Greene Counties  
Uniontown to Waynesburg  
Preliminary Design  
Corridor Upgrade  
Project Manager: James French at (724) 439-7157
7. S.R. 0070  
Westmoreland County  
Smithton  
Preliminary and Final Design  
Interchange Rehab and Upgrade  
Project Manager: Jerry Bendo at (724) 439-7377
8. S.R. 0070, Section W20  
Washington County  
S. Strabane Township  
Preliminary and Final Design  
Bridge Replacements  
Project Manager: Jerry Bendo at (724) 439-7377
9. S.R. 0070, Section N20  
Westmoreland County  
Hempfield Township  
Preliminary and Final Design  
Bridge Replacements  
Project Manager: Jerry Bendo at (724) 439-7377
10. S.R. 0070, Section 10Q  
Westmoreland County  
Rostraver Township  
Preliminary and Final Design  
Bridge Replacements over Norfolk and Western  
Railroad  
Project Manager: Jerry Bendo at (724) 439-7377
11. S.R. 0022, Section B09  
Westmoreland County  
Derry Township  
Preliminary and Final Design  
Upgrade Route 22 to 48'  
Project Manager: Greg Bednar at (724) 439-7243
12. S.R. 0022, Section B10  
Westmoreland County  
Derry Township  
Preliminary and Final Design  
Upgrade Route 22 to 48'  
Project Manager: Greg Bednar at (724) 439-7243
13. S.R. 0070/S.R. 0079  
Washington County  
S. Strabane Township  
Upgrade Existing Interchange  
Preliminary and Final Design  
Project Manager: Greg Bednar at (724) 439-7243
14. S.R. 0201  
Fayette County  
Franklin Township  
Bridge Replacement Furnace Run  
Preliminary and Final Design  
Project Manager: Mike Wedl at (724) 439-7257
15. S.R. 0281  
Fayette County  
Henry Clay Township  
Bridge Replacement Tub Run  
Preliminary and Final Design  
Project Manager: Mike Wedl at (724) 439-7257

16. S.R. 0136, Section L01  
Westmoreland County  
Hempfield Township  
Bridge Replacement  
Preliminary and Final Design  
Sewickley Creek
17. S.R. 3007  
Fayette County  
Georges Township  
Preliminary and Final Design  
Bridge Replacement Georges Creek  
Project Manager: Bill Beaumariage at (724) 439-7264
18. S.R. 4027  
Fayette County  
Luzerne Township  
Preliminary and Final Design  
Bridge Replacement Little Redstone Creek  
Project Manger: Bill Beaumariage at (724) 439-7264
19. S.R. 3075  
Westmoreland County  
Hempfield Township  
Preliminary and Final Design  
Bridge Replacement  
Project Manager: Bill Beaumariage at (724) 439-7264
20. S.R. 0130, Section 10H  
Westmoreland County  
Trafford Boro  
Preliminary and Final Design  
Bridge Replacement Trafford Bridge  
Project Manager: Sean Sepe at (724) 439-7323
21. S.R. 0088  
Fayette and Greene Counties  
Point Merion Boro  
Preliminary and Final Design  
Bridge Replacement  
Project Manager: Steve Huzda at (724) 439-7264
22. S.R. 0021, Section Q01  
Greene County  
Centre Township  
Ten Mile Creek  
Preliminary and Final Design  
Bridge Replacement  
Project Manager: Gerry Galida at (724) 439-7156
23. Brown Avenue Bridge  
Westmoreland County  
Jeannette  
Preliminary and Final Design  
Bridge Replacement  
Project Manger: Gerry Galida at (724) 439-7156
24. S.R. 0980, Section B03  
Washington County  
Canonsburg  
Preliminary and Final Design  
Bridge Replacement  
Project Manager: Gerry Galida at (724) 439-7156
- Bureau of Environmental Quality
1. Statewide Open-End Contract  
Planning and Project Needs
  2. Statewide  
Two (2) Open-End Contracts  
GIS Services

This advance notification is being provided by the Department of Transportation to allow the Consultants to begin building their team prior to the actual advertisement in the *Pennsylvania Bulletin*. The response time to submit a letter of interest on the above projects/open-end contracts will be 6 calendar days.

Letters of interest are not requested at this time. Specific advertisements will appear in future issues of the *Pennsylvania Bulletin*.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-1768. Filed for public inspection October 15, 1999, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Public Hearing Concerning 2000 Low-Income Housing Tax Credit Program

The Housing Finance Agency (Agency) will conduct a public hearing in accordance with the Internal Revenue Code of 1986, as amended, at the following location:

<i>Location</i>	<i>Date</i>	<i>Time</i>
Harrisburg Pennsylvania Housing Finance Agency 2101 North Front Street	October 28, 1999	9 a.m.

#### *Purpose:*

To solicit public comments concerning the proposed Pennsylvania 2000 Low-Income Housing Tax Credit Allocation Plan (Allocation Plan) for the Statewide distribution of the Federal low-income rental housing tax credits for projects to be placed-in-service after December 31, 1999.

The year 2000 Allocation Plan contains changes and program amendments. A copy of the Allocation Plan is available upon written request as noted. A full text of the proposed Allocation Plan is available at [www.phfa.org](http://www.phfa.org). Interested persons are invited to submit written comments before or at the public hearing or to present oral comments at the public hearing regarding the Allocation Plan. Individuals desiring to comment on the Allocation Plan, but unable to attend the public hearing, should provide written comments to the addressee shown below prior to or at the public hearing. Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation, should contact the Tax Credit Program at (717) 780-3948. Oral comments will only be accepted at the public hearing. A copy of the proposed Allocation Plan is available upon written request to: Manager, Tax Credit Program, Pennsylvania Housing Finance Agency, P. O. Box 8029, Harrisburg, PA 17105-8029, (717) 780-3948, TDD for Hearing Impaired: (717) 780-1869, PHFA Homepage: [www.phfa.org](http://www.phfa.org).

WILLIAM C. BOSTIC,  
*Executive Director*

[Pa.B. Doc. No. 99-1769. Filed for public inspection October 15, 1999, 9:00 a.m.]

# HUMAN RELATIONS COMMISSION

## Public Hearing Opinion

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (P. L. 744, No. 222) (act) hereby announces the publication of the admissions, 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 case:

*James A. Sposito v. Fell Township Zoning Board*; Doc. No. H5486; (Pennsylvania Human Relations Commission, September 28, 1999); Disability-based discrimination in the conditions or terms of sale, rental occupancy or in services or facilities; Ruling for Respondent, 8-0 decision; 19 pages

The final order in the above-listed case is subject to appeal to Commonwealth Court, and if appealed are subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinion 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, Harrisburg, 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. 99-1770. Filed for public inspection October 15, 1999, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

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

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

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Deadline</i>
11-195	Insurance Department Quality Health Care Accountability and Protection 29 Pa.B. 4064 (July 31, 1999)	9/30/99	8/30/01

### Insurance Department Regulation No. 11-195 Quality Health Care Accountability and Protection September 30, 1999

We have reviewed this proposed regulation from the Insurance Department (Department) and submit for consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to consistency with the statute and existing regulations, fiscal and economic impact, nature of reports and cost of preparation, need, reasonableness and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

#### 1. *Section 154.1. Applicability and purpose.—Clarity.*

##### *Subsection (c)*

Section 154.1 addresses the applicability and purpose of Act 68 of 1998 (act). Subsection (c) of this section states:

An entity subcontracting with a managed care plan to provide services to enrollees which issues subscriber contracts covering enrollees shall meet the requirements of the act and this chapter for services provided to those enrollees.

There are several concerns with subsection (c). First, what is included in the term "entity?" Second, does the phrase "which issues subscriber contracts covering enrollees" refer to the managed care plan (Plan) or to the entity? Finally, if services are subcontracted for an exempt entity, but the subcontract is with a Plan, are these regulations applicable to the subcontracted services? We request the Department respond to these questions and revise subsection (c) for clarity.

##### *Subsection (d)*

Subsection (d) provides that "cost plus products" or their equivalent must meet the requirements of the act if they are issued by a Plan. What are "cost plus products?" We recommend the Department define or explain the term.

#### 2. *Section 154.2. Definitions.—Consistency with the statute, Need and Clarity.*

This subsection contains 19 definitions, 13 of which come from the act. We object to the reiteration of the statutory definitions. Instead, the Department should reference the definitions in section 2102 of the Act.

##### *Emergency service*

The regulation's definition of "emergency service" mirrors the statutory definition in section 2102 of the act except that it adds the phrase "including a chronic condition." The reference to chronic condition refines the intent, and is consistent with the act. However, the regulation should reference the statutory definition. Rather than revising the statutory definition, the Department could add a provision to § 154.14 (relating to emergency services). That provision would clarify that the

sudden onset of a chronic condition is included as one of the conditions requiring emergency service if the symptoms are severe and meet the "prudent layperson" test set forth in the act.

#### *Gatekeeper*

Several commentators questioned, or had different interpretations of, this definition. The definition reads:

*Gatekeeper*—A primary care provider *selected by an enrollee* or appointed by a managed care plan, or the plan or an agent of the plan serving as the primary care provider, from whom an enrollee shall obtain covered health care services, a referral, or approval for covered, nonemergency health services as a precondition to receiving the highest level of coverage available under the managed care plan [emphasis added].

It is unclear whether this regulation will apply to Plans using a "passive" or "multiple-choice" gatekeeper structure. The Department should explain its intent. In addition, there are two related concerns. First, it is unclear whether the enrollee must select a primary care provider from a list approved by the Plan. Second, what is the purpose of the phrase "or the plan or an agent of the plan serving as the primary care provider?" The Department should clarify these portions of the definition.

#### *Managed care plan and Plan*

Both of these definitions match the statutory definitions of the act. The definition of "managed care plan" provides a detailed description of the types of plans covered by the act. A "plan" is defined as "a managed care plan." However, both terms are used frequently throughout the regulation. "Plan" is not always used to replace the longer term. "Plan" should be used consistently in place of "Managed Care Plan."

#### *Ongoing course of treatment*

This definition reads:

Continuous health care treatment *which arises out of a single diagnosis* provided to an enrollee by a health care provider [emphasis added].

Commentators question the meaning and purpose of the phrase "which arises out of a single diagnosis." The term "ongoing course of treatment" is used in § 154.15 (relating to continuity of care). The application of the "single diagnosis" phrase to § 154.15 is unclear and may place needless limits on the applicability of this section.

Continuity of care is already limited to a 60-day transition period. In addition, continuity of care applies only to treatments started before the date the current enrollee was notified of the provider's termination or before the new enrollee's effective date of enrollment. If a treatment is based on a diagnosis made after these dates, then the continuity of care provisions of the act do not apply. Therefore, the phrase "which arises out of a single diagnosis" is unclear and may be unnecessary.

#### *Terms used in the regulation—"Ancillary service plans" and "Referral"*

Section 2102 of the act contains definitions for "ancillary service plans" and "referral." The first term is used in the definition of "managed care plan." The second term, "referral," is also in other definitions and in other provisions of the regulation. The regulation does not define either of these terms, nor does it reference their statutory definitions. This section of the regulation should include references to the definitions of these two terms in section 2102 of the act.

#### 3. *"Enrollee," parent and legal representative.—Reasonableness, Consistency with the statute and Clarity.*

The act defines "enrollee" as "Any policyholder, subscriber, covered person or other individual who is entitled to receive health care services under a managed care plan." In addition, subsection 2136(a)(8)(iii) of the act requires that the Plans notify enrollees of "[t]he enrollee's right to designate a representative to participate in the complaint or grievance process as set forth in this article." It is unclear, however, who represents enrollees in contacting their Plans or for other procedures established by the act. A minor or an incapacitated adult may have a parent, relative or legal representative act in the enrollee's behalf. The Department should explain how and when others, regardless of whether they are enrollees, may represent enrollees under the act.

#### 4. *Section 154.11. Managed care plan requirements.—Reasonableness and Clarity.*

##### *Subsection (b)*

In subsection (b)(1), the Department introduces the phrase "approved treatment plans." This phrase is unclear. Section 2111(6) of the act describes the process whereby a treatment plan is approved by a Plan. For clarity, the Department should cross-reference section 2111(6) of the act in this subsection of the regulation.

Subsection (b)(3) requires that specialists notify the enrollee's primary care provider of all care provided to an enrollee. However, no time frame is given for that notification. For clarity, we ask the Department to consider adding a maximum time period within which the specialists must notify the enrollee's primary care provider.

#### 5. *Section 154.12. Direct enrollee access to obstetrical and gynecological services.—Clarity.*

##### *Subsection (a)*

Subsection (a) states "Managed care plans shall permit enrollees direct access to obstetrical and gynecological services for maternity and gynecological care, including medically necessary and appropriate follow-up care and referrals. . . ." Commentators questioned whether there is a time limit on these services, as well as who can utilize them. Representative Patricia H. Vance also stated that clarification is needed regarding direct access to OB/GYN providers.

For clarity, the Department should state that these services are provided for enrollees, regardless of whether they are pregnant. Do enrollees have direct access as long as services are needed? If so, the Department should clarify that there are no time restrictions that apply to direct access to these services.

##### *Subsection (d)*

Subsection (d) states "Managed care plans with enrollee self-referral options shall cover benefits provided by participating health care providers at the benefit level applicable to referred services." Does this mean that self-referrals would be paid at the same rate as referred services?

#### 6. *Section 154.13. Managed care reporting of complaints and grievances.—Nature of Reports and Cost of Preparation, Reasonableness and Need.*

##### *Information format*

Section 2111(13) of the act requires Plans to report certain information to the Department of Health and the Insurance Department. The nature of the reports and the resulting cost of their preparation will be determined

through regulation. Our concern is that Plans could be required to produce two separate reports with essentially the same content. We recognize that the Department of Health regulations implementing the act have not yet been proposed. However, the Insurance Department and the Department of Health should coordinate the reporting requirements so that managed care organizations would be required to produce a single report that is sent to the two State agencies. When this final regulation is submitted, the Insurance Department should explain the nature of the reports, the expected cost of preparation, the reasonableness of and need for the format requirements in § 154.13.

*Subsection (a)*

Subsection (a) repeats the statutory requirement for information which includes the number, type and disposition of all complaints and grievances filed with the Plan. The requirement in the regulation for the “number, type and disposition” of complaints and grievances is vague. For example, does “type” refer to complaint or grievance, or does it differentiate between the “type” of services, such as access to obstetrical and gynecological services, emergency services, and continuity of care? The Department should provide guidance in the regulation regarding what information it will require.

The last sentence of subsection (a) is a format requirement. It should be moved to subsection (b) along with the possible amendments or changes to format requirements.

*7. Section 154.14. Emergency Services.—Clarity.*

*Subsection (a)*

The citation to section 2101 of the act in this section is incorrect. The correct citation is to section 2102 of the act. The Department should correct this citation in the final-form regulation.

*Subsection (b)*

Subsection (b) does not state when the “period of the emergency” ends. Does it end when the attending physician stabilizes the patient’s condition? This should be clarified.

The same subsection states, “Plans are required to pay all reasonably necessary costs associated with the emergency services . . .” The Department should specify the criteria it will use to determine what it will consider to be “reasonably necessary costs.” Greater clarity would be achieved if the Department specified what is intended by the term “reasonably necessary.” For example, does it include all services provided during “the period of the emergency?”

*Subsection (d)*

Subsection (d)(1) states “If the enrollee is admitted to a hospital or other health care facility, the emergency health care provider shall notify the enrollee’s managed care plan of the emergency services delivered within 48 hours or on the next business day, whichever is later.”

Commentators questioned what happens if this provision cannot be met due to extraordinary circumstances. If extraordinary circumstances prevail, will claims filed for the emergency services rendered be paid by the Plan? We ask the Department to clarify this subsection to allow for further review of the claim to protect the patient from expenses and additional charges.

*8. Section 154.15. Continuity of care.—Consistency with the statute, Reasonableness and Clarity.*

*Subsections (a)(1) and (b)*

These subsections reference termination “other than for cause.” Section 2117(b) of the act lists examples of for cause terminations. To improve clarity, we suggest the Department include a reference to section 2117(b) of the act.

*Subsection (e)*

Subsections (e) and (e)(1) state that nonparticipating and terminated providers shall agree to the Plan’s terms and conditions. However, section 2117(e) of the act states that a Plan may require a nonparticipating provider to meet the same terms and conditions as a participating provider. The use of “shall” in the proposed regulation is inconsistent with the statute and negates the flexibility provided by the act. For consistency with the act, these subsections should be revised to reflect that providers shall be required to agree to the same terms and conditions as the Plan’s participating providers if the Plan specifically imposes such a requirement.

Subsection (e)(2) requires providers who accept the Plan’s terms and conditions to utilize participating providers for all other health services provided to the enrollees. Section 2117(e) of the act permits a Plan to require nonparticipating providers to meet the same terms and conditions as participating providers. The regulation is inconsistent with the act because it imposes this requirement in every instance. The regulation should be revised to reflect that a Plan may impose the requirement contained in subsection (e)(2).

*Subsection (i)*

This subsection requires written disclosure of continuity of care benefit requirements in subscriber and master group contracts and in “all other appropriate documents.” It is unclear if “all other appropriate documents” refers to Plan marketing materials distributed to enrollees or to documents distributed to providers. The Department should clarify this phrase in the final regulation.

This subsection also requires certain information to be provided to terminated or terminating and nonparticipating providers within 10 days after an enrollee requests continuity of care benefits. The Department should clarify if “10 days” refers to business or calendar days.

*9. Section 154.16. Information for enrollees.—Fiscal impact, Reasonableness, Consistency with existing regulations and the statute and Clarity.*

There is a concern with the completeness and clarity of § 154.16. With few exceptions, the section merely references or paraphrases the requirements in section 2136 of the act. It does not provide any additional guidance or details concerning the implementation of the required information disclosures. One example is subparagraph 2136(a)(8)(i) of the act. That section of the act requires the Plans to give enrollees a summary of the procedures for filing a complaint or grievance as set forth in the act. Nothing in this section addresses this summary’s content. Allowing each Plan to write its own summary without further regulatory requirements will lead to unnecessary confusion. Other examples of the need for detail are discussed as follows. The regulation should provide more direction concerning this summary and other requirements in section 2136 of the act.

*Subsection (a)*

There are three concerns with subsection 154.16(a). First, it states that Plans “shall provide the written information in section 2136(a) of the act (40 P. S.



§ 2136(a). . .” This same directive is repeated later in subsection 154.16(c)(1), which requires that the written disclosure include the information specified in section 2136(a). This repetition is unnecessary. The Department should explain the need for this repetition or delete one of the subsections.

Second, subsection 154.16(a) allows the Plans to determine the format for disclosure of the required information. However, some guidance would be useful for proper implementation of the act. The use of common formats would assist consumers in comparing the more than 14 different types of detailed information required by the act. This regulation should include basic standards for the format and content of the disclosure documents required by the act and provide for Departmental review. This process could be similar to existing regulations for advertising at 31 Pa. Code Chapter 51.

Third, the last sentence of subsection 154.16(a) discusses the disclosure of the required information “through materials such as subscriber contracts, schedules of benefits and enrollee handbooks.” It states that “the information *should* be easily identifiable within the materials provided” [emphasis added]. As written, this provision is not a mandate. It is unenforceable and should not be in the regulation. If the provision is intended to be advisory, it may be more appropriate to a guidance document. If it is intended to be a requirement, the word “should” needs to be replaced with “shall.”

#### *Subsection (b)*

Subsection 2136(a) of the act states that the required information “shall be easily understandable by the layperson.” Subsection 154.16(b) repeats this standard in the regulation. The standard is similar to existing regulations at 31 Pa. Code § 51.21. Unlike existing provisions, there is no indication in the proposed regulation that the Department will review the information disclosures. The regulation should provide for Departmental review.

#### *Subsection (c)*

Elements of subsections 154.16(c)(1) and (2) duplicate subsection 154.16(a). This repetition is unnecessary. The Department should delete the portions of these subsections that duplicate subsection 154.16(a).

In addition, several commentators have expressed concern with the disclosure requirement imposed by subsection 154.16(c)(2). It is virtually identical to subsection 2136(a)(14) of the act. It requires the Plans to provide an annual listing of “all participating health care providers.” The statutory definition of health care providers is inclusive. It reads:

A licensed hospital or health care facility, medical equipment supplier or person who is licensed, certified or otherwise regulated to provide health care services under the laws of this Commonwealth, including a physician, podiatrist, optometrist, psychologist, physical therapist, certified nurse practitioner, registered nurse, nurse midwife, physician’s assistant, chiropractor, dentist, pharmacist or an individual accredited or certified to provide behavioral health services.

The Plans and others have expressed concerns over the costs of compiling lists of every participating provider in a Plan that covers several counties or is Statewide. In addition, they question whether the list should include all the personnel, such as nurses, pharmacists and other professionals, at a Plan’s participating facilities.

Because the disclosure requirement is intended for the enrollees’ benefit, the Department should explain how it intends to implement this requirement. Directives on what and who must be in the lists of participating providers should be set forth in this regulation.

Finally, the second sentence in subsection 154.16(c)(3) requires a disclosure to be included in specific documents including “subscriber contracts, schedule of benefits and other appropriate material.” This provision is out of place in subsection 154.16(c), which is a list of items to be included in a document described as the “written disclosure of information.” Therefore, the second sentence of subsection 154.16(c)(3) should be moved to a new, separate subsection.

#### *Subsection (d)*

Subsection (d) identifies specific types of contractual documents that do not constitute “marketing materials” for the purposes of subsection 2136(a)(1) of the act. The regulation does not define “marketing materials.” Existing provisions in the Department’s regulations at 31 Pa. Code § 51.1 include comprehensive definitions of “advertisement” and “publication.” This proposed regulation could use similar language to define “marketing materials.”

#### *Subsection (g)(2)*

This subsection states that the required disclosure information “*should* be provided to enrollees within 30 days of the effective date of the contract or policy, renewal date of coverage...” [emphasis added]. As discussed in subsection (a) above, this provision is not written as a mandate. Thus, it is unenforceable. However, section 2136 of the act requires that Plans disclose this information to enrollees. Therefore, the word “should” needs to be replaced with “shall.”

#### *Subsection (h)*

The main paragraph ends with the words “and all other appropriate documents.” What documents are covered by this term?

In addition, subparagraph 154.16(h)(2) uses the phrase “consistent with the act.” The same phrase in subsection 2136(a)(9)(i) of the act reads: “A definition of emergency services as set forth in this article.” Hence, the phrase “consistent with” should be replaced with “as set forth in.”

#### *Special provisions for the disabled*

Subsection 2136(a)(13) requires that a Plan’s disclosure information include a description of the procedures that an enrollee with a life-threatening, degenerative or disabling disease or condition must follow and satisfy to be eligible for referral to a specialist or designation of a specialist to provide and coordinate treatment. In addition, subsection 2111(11) of the act requires the Plans to “ensure that there are participating health care providers that are physically accessible to people with disabilities and can communicate with individuals with sensory disabilities in accordance with Title III of the Americans with Disabilities Act of 1990.”

The act requires that information and services be provided for people with disabilities. The regulation should require that the information be provided in formats or by communication systems that are accessible to people with disabilities including people with sensory disabilities.

10. *Section 154.17. Complaints.—Consistency with the statute, Economic Impact, Need and Clarity*

*Enrollee's right to designate a representative*

Section 2136(a)(8)(iii) of the act requires the Plan to disclose "the enrollee's right to designate a representative to participate in the complaint or grievance process as set forth in this article." Section 2142(c) of the act regarding the appeal process states "the enrollee may be represented by an attorney or other individual before the appropriate department." The right to designate a representative is an important one, particularly for minors or when an enrollee is encumbered by health problems. The Department should add a subsection to § 154.17 that explains the enrollee's right to designate a representative.

*Separation of responsibilities*

The act has separate requirements for the Plan's internal complaint process located in section 2141 of the act, and the Department's responsibilities for appeal of a complaint in section 2142 of the act, and complaint resolution in section 2143 of the act. However, the regulation combines these requirements into one section. This diminishes the clarity of the regulation. The Department should consider separate subsections for the Department's responsibilities and for the Plans' responsibilities.

*Subsection (a)*

We have three concerns with subsection (a). First, subsection (a) begins with the phrase "Under the complaint process established by the act. . . ." For clarity, the Department should cite the specific sections in the act.

Second, this section states "the Department will consider complaints. . ." and later provides examples of "the types of complaints which may be filed with the Department. . ." This may cause confusion with the Plan's internal complaint process. The Department can consider an appeal of a decision from the internal complaint process, or can facilitate resolution of a complaint. The Department should rewrite these provisions to more clearly state its responsibilities.

Finally, the scope of subsection (a) is narrower than the definition of "complaint" in the act and § 154.2. One commentator questioned whether complaints could also include problems relating to submission requirements. The Department should expand subsection (a) to provide further guidance on the coverage, operations and management policies that are within the scope of complaints.

*Subsection (c)*

Subsection (c) states "inquiries regarding premium rate increases do not constitute appeals" and may be filed directly with the Department. We have two questions on this subsection. First, is the term "inquiries" the appropriate term, or does this subsection pertain to complaints?

Second, it is unclear why the phrase "do not constitute appeals" is needed. The Department should explain what it means by this language.

*Subsection (d)*

Subsection (d) states Plans may establish time frames of at least 30 days for the filing of complaints and grievances. The intent of subsection (d) is unclear. Does the Plan have an option to establish time frames? Is the intent to give the enrollee a minimum of 30 days to file a complaint or grievance?

Additionally, when would the 30-day time period start? The Department should clarify these points in its final submission.

*Subsection (f)*

Section 2141(c)(2) of the act requires a written notification to the enrollee of the right to appear before the second level review committee. Subsection (f) does not include this requirement. The Department should add it.

Subsection (f) ends with the phrase "or the Department of Health." It is unclear why this phrase is needed in the Insurance Department's regulations.

*Subsection (g)*

Subsection (g) requires an enrollee to complete the internal complaint process before filing an appeal of the Plan's decision with the Department. Section 2143 of the act allows the Department to assist in the resolution of a complaint any time during the complaint process. There may be circumstances where an enrollee would legitimately contact the Department before a decision was issued. For example, if a Plan is not responsive within the time frames of subsections (e) and (f), it would appear appropriate for an enrollee to contact the Department. The Department should explain the need for subsection (g). If it is retained, the Department should include or reference the provisions of section 2143 of the act.

*Subsection (i)*

We have four concerns with subsection (i). First, subsection (i) states "Appeals of complaints to the Department shall include information such as. . ." The phrase "information such as" implies the information listed in paragraphs (1) to (5) is optional. The Department should delete the phrase "information such as" and replace it with "the following information. . ."

Second, section 2142(b) of the act requires all records from the initial review and second level review to be transmitted to the Department "in the manner prescribed." The regulation does not prescribe how these records are to be transmitted to the Department. It should.

Third, the Plan would have conducted the reviews and kept the records. Why, then, does paragraph (i)(5) require the enrollee to provide correspondence and decisions from the Plan regarding the complaint? The enrollee would presumably have to get the documents from the Plan and then duplicate them. The Department should explain why it is appropriate to require this information from the enrollee rather than from the Plan.

Finally, section 2142(c) of the act allows an enrollee to be represented by an attorney or other individual. If the enrollee elects to be represented by an attorney or other individual, the Department would also need that information. The Department should add a paragraph (6) to get the appropriate information in the event the enrollee is represented by an attorney or other individual.

*Subsection (k)*

The intent of subsection (k) is not clear. It contains no substantive provisions and appears to duplicate the provisions of subsection (a). The Department should delete subsection (k) or combine it with subsection (a).

11. *Section 154.18. Prompt payment.—Consistency with the statute, Reasonableness and Clarity.*

*Subsection (a)*

This subsection requires clean claims to be paid "within 45 days of the licensed insurer's or managed care plan's receipt of the clean claim from the health care provider." Commentators have several questions about what constitutes a Plan's receipt of a clean claim. Specifically, is

“receipt” the date the Plan determines the claim is clean, or is it simply the date the claim is received by the Plan? If it is the date the Plan receives the claim, does the postmark establish the receipt date? We request the Department clarify in the final regulation when the 45-day time period begins.

Health care providers have commented that insurers and Plans should be required to notify providers of deficiencies which would delay processing of a claim. This would allow the provider to respond to the problem and receive timely payment of the claim. Absent this notification, the provider will be unaware of a problem until receipt of a rejection notice.

It is reasonable to advise a provider when a claim is suspended. This would help ensure timely resolution of the problem causing the suspension. In addition, such notification may reduce the number of inquiries from providers on the status of claims, as provided for in subsection (e). Therefore, the Department should consider including provisions for notifying providers of claim deficiencies.

*Subsection (d)*

This subsection states “Claims paid by a licensed insurer or managed care plan are considered clean claims and are subject to the interest provisions of the act.” Several commentators object to this provision as a broadening of the intent of the definition of “clean claim” contained in the act. The commentators assert that if a claim is held awaiting further documentation, it is not a clean claim, even if it is paid after all the information is received. We request the Department explain how this provision is consistent with the act.

This subsection further states that “The prompt payment requirement of the act also applies to the uncontested portion of a contested claim.” For consistency, the Department should revise subsection (a) to include the requirement that the uncontested portion of a contested claim shall be paid within 45 days of receipt of the claim.

*Subsection (e)*

We have several concerns with this subsection. First, it states the provider should contact the insurer or Plan before filing a complaint with the Department. It is unclear how the Department would enforce this provision. Section 2143 of the act allows the Department to assist in the resolution of a complaint at any time during the complaint process. Would the Department dismiss any complaint submitted by a provider who did not first make an inquiry with the insurer or Plan?

Furthermore, the term “should” is nonregulatory language which indicates that this provision is optional. It is inappropriate to include optional provisions in a regulation. If the intent of this provision is to advise providers of the Department’s preference in the administration of complaints, it may be more appropriate to include this information in a policy statement.

In addition, this subsection requires the Plan or insurer to respond to a provider’s inquiry within “a reasonable period of time.” The regulation does not specify what is a “reasonable period of time.” This is significant because subsection (f)(1) authorizes a provider to file a complaint with the Department if the insurer or Plan does not respond to an inquiry regarding the status of an unpaid claim “within a reasonable period of time.” We suggest the Department specify the time period within which an insurer or Plan must respond to a provider’s inquiry.

Finally, the regulation does not specify if the insurer or Plan must respond to the provider’s inquiry in writing. The Department should clarify its intent in the final regulation.

JOHN R. MCGINLEY, Jr.  
*Chairperson*

[Pa.B. Doc. No. 99-1771. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

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

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-332	Environmental Quality Board Erosion and Sediment Control	10/5/99
7-334	Environmental Quality Board Mobile Equipment Repair and Refinishing	10/5/99

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 99-1772. Filed for public inspection October 15, 1999, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application and Request for Redomestication**

G.U.I.C. Insurance Company of Harrisburg, PA has filed an application for a plan of redomestication whereby the state of domicile would change from Pennsylvania to Ohio. The initial filing was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 et seq. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department’s order approving the redomestication are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 (717) 787-2735, e-mail: mgraeff@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1773. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Application for Voluntary Dissolution by Comp America Insurance Company**

Comp America Insurance Company, a domestic stock casualty insurance company, has submitted an application for approval of the voluntary dissolution of its charter. The filing was made under requirements set forth under the Business Corporation Law of 1988 (15 Pa.C.S. § 1 et. seq.). Persons wishing to comment on the grounds of public or private interest concerning the dissolution, are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Room 1311 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or e-mail to rbrackbiins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1774. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Highmark Inc.; Requesting Approval to Increase Rates for Community Group Medigap Medical/Surgical; Filing No. 1-CGCM-99-HI**

By filing No. 1-CGCM-99-HI, Highmark Inc., d/b/a Pennsylvania Blue Shield, requests approval to increase its base rates for its Community Group Rated Medigap Medical/Surgical business. Rates vary by agent plan region to reflect differences in claim costs and expenses. The filing requests an average increase of 8.8% of developed premium. Increases will vary by agent plan region. This will affect 21,300 contractholders and produce additional base premium income of approximately \$1.3 million. The requested effective date of the change is October 1, 1999 for Capital Blue Cross and Blue Cross of Northeast Pennsylvania, and January 1, 2000 for Independence Blue Cross.

Requested rates are as follows based on renewal month:

	<i>Independence Blue Cross</i>	<i>Capital Blue Cross</i>	<i>Blue Cross of Northeast Pennsylvania</i>
Security 65— Plans A, B, H And 65 Special	\$70.80		
Security 65— Plan C <i>65 Special</i>	\$78.55		
10/99-12/99		\$45.60	\$49.30
1/00-3/00		\$46.40	\$50.30
4/00-6/00		\$47.25	\$51.30
7/00-9/00		\$48.10	\$52.30

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh, Erie and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1775. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Highmark Inc.; Requesting Approval to Revise Benefits and Increase Rates for Direct Pay 65 Plus Plan I; Amendment to Filing No. 1-65P-99-HBCBS**

Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, has filed an amendment to Filing No. 1-65P-99-HBCBS, requesting approval to revise the benefits and increase the premium rates for its Direct Pay 65 Plus Drug Plan. The filing requests an increase in the subscribers' coinsurance percentage from 20% to 35% (which reduces the Company's percentage of reimbursement from 80% to 65%). With the requested revision in benefits, the amendment also reduces the proposed increase in the premium rates from the 53.2% requested in the original filing of July 22, 1999, to 24.8% in this amended filing. This filing will affect approximately 40,200 contractholders and produce additional annual income of \$8.5 million. The requested effective date of the change is January 1, 2000.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 15 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1776. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Medical Professional Liability Catastrophe Loss Fund Surcharge Filing**

The Medical Professional Liability Catastrophe Loss fund has filed for a 62% surcharge under the Health Care Services Malpractice Act (40 P. S. §§ 1301.101—1301.1006), commonly known as Act 111, as amended by Act 135 of 1996.

The filing indicates the following:

"This year's surcharge percentage calculation is premised on the Joint Underwriting Association's Rates approved as of this date [October 5, 1999], and effective January 1, 2000."

The surcharge applies to any new policies effective on or after January 1, 2000.

Copies of the rate filing will be available for public inspection during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit comments, suggestions or objections to Chuck Romberger, CPCU, Insurance Department, Bureau of Property and Casualty Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, or by e-mail at [cromberg@ins.state.pa.us](mailto:cromberg@ins.state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1777. Filed for public inspection October 15, 1999, 9:00 a.m.]

### State Farm Fire and Casualty Company; Homeowners Rate Filing

On September 16, 1999, the Insurance Department received from State Farm Fire and Casualty Company a filing for proposed rate level changes for homeowners insurance.

The company requests an overall 0.8% increase amounting to \$1,715,000 annually to be effective January 1, 2000 for new business and March 1, 2000 for renewal business.

Unless formal administrative action is taken prior to November 15, 1999, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (E-mail: [xlu@ins.state.pa.us](mailto:xlu@ins.state.pa.us)), within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1778. Filed for public inspection October 15, 1999, 9:00 a.m.]

### United HealthCare Insurance Company; Group Policy Number G-36000-4; Requesting Authority to Increase Rates for Group Standardized Medicare Supplement Plans A-J for American Association of Retired Persons (AARP) Group

United HealthCare Insurance Company has filed for approval increased rates for the AARP group standardized Medicare supplement plans A-J. The filing requests an average increase of 7.6%, varying by plan and geographic area. The rate increase will impact about 48,213 certificateholders, and produce additional annual Pennsylvania premium income of approximately \$6.2 million. The requested effective date of the increase is January 1, 2000.

The proposed monthly rates and rate increase percentages by plan for each area are shown as follows:

Plan	Area 1	Area 2	Area 3
A	\$134.75 (21.9%)	\$120.00 (16.8%)	\$ 96.50 ( 9.7%)
B	\$167.75 (22.0%)	\$149.50 (17.0%)	\$120.25 ( 9.8%)
C	\$180.00 (13.9%)	\$160.50 ( 9.4%)	\$129.00 ( 2.6%)
D	\$163.25 ( 7.8%)	\$145.50 ( 3.4%)	\$117.00 (-2.9%)
E	\$157.50 (14.3%)	\$140.50 ( 9.8%)	\$113.00 ( 3.0%)
F	\$191.75 (16.6%)	\$171.00 (11.9%)	\$137.50 ( 5.0%)
G	\$175.25 (13.6%)	\$156.25 ( 9.1%)	\$125.50 ( 2.2%)
H	\$196.00 (12.8%)	\$174.75 ( 8.2%)	\$140.50 ( 1.4%)
I	\$197.00 (11.8%)	\$175.75 ( 7.3%)	\$141.25 ( 0.5%)
J	\$258.00 ( 8.3%)	\$230.00 ( 4.0%)	\$185.00 (-2.5%)

Area 1 consists of Bucks, Chester, Delaware, Montgomery and Philadelphia counties.

Area 2 consists of Allegheny, Fayette, Greene, Indiana, Washington and Westmoreland counties.

Area 3 consists of all other counties.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 15 days of the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1779. Filed for public inspection October 15, 1999, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

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

#### *Executive Board*

Resolution #CB-99-230, Dated August 31, 1999. Authorizes the Memorandum of Understanding between the Commonwealth of Pennsylvania and Compensation Referees Unit (15) effective 7/1/99 through 6/30/2003.

Resolution #CB-99-243, Dated September 21, 1999. Authorizes DPW and Corrections to pay for physicians and psychiatrists who work in the forensic units at Mayview, Norristown and Warren State Hospitals, as well as the forensic treatment center at Waymart State Correctional Institution.

#### *Governor's Office*

Manual M215.3 Field Procurement Handbook, Dated August 20, 1999.

Management Directive No. 305.9—Use of Forms STD-419/419L, Refund of Expenditures, and STD-420/C420/420L, Transmittal of Revenue, When Unaccompanied by Remittances, Revision No. 2, Dated August 30, 1999.

Management Directive No. 325.5—Single Audit Costs, State Level, Amended September 9, 1999.

Administrative Circular No. 99-31—2000-01 Program Policy Guidelines, Dated August 13, 1999.

Administrative Circular No. 99-32—Services Provided by the Commonwealth Travel Center, Dated September 8, 1999.

Administrative Circular No. 99-33—Correction to the 1999 Commonwealth of Pennsylvania Telephone Directory for the Department of Agriculture, Dated September 9, 1999.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 99-1780. Filed for public inspection October 15, 1999, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule; Milk Marketing Area No. 5

Under the Milk Marketing Law (31 P. S. § 700j-101 et seq.), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 5 on November 10, 1999, commencing at 11 a.m. in Room 405 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

#### *Purpose of the hearing*

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement, as set forth in section G of Official General Order No. A-887, as amended by section B of Official General Order No. A-887 (CRO 3). In addition, the Board will receive evidence concerning in-store handling costs and a reasonable rate of return to retailers.

#### *Entries of appearance*

The staff of the Board is deemed to be a party to this hearing, and the attorneys representing staff are deemed to have entered their appearances. Other persons that may be affected by the Board order fixing prices in Area No. 5 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on October 19, 1999, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with

the Board, by 4 p.m. on October 19, 1999, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

#### *Witnesses, exhibits, presentation of evidence*

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on October 27, 1999, each party shall file with the Board seven copies and serve on all other parties one copy of:
  - a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.
  - b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on November 4, 1999, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

*Note:* A document is filed with the Board when it is received in the Board office. When more than one copy of a document is required, all copies must be received by the date and time indicated.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

#### *Requests for data from Board staff*

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on October 21, 1999.

#### *Board's filing address*

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Individuals who require this information in an alternate format, should call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD Users).

LYNDA J. BOWMAN,  
*Executive Secretary*

[Pa.B. Doc. No. 99-1781. Filed for public inspection October 15, 1999, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Implementation of 711 Access for the Telecommunications Relay Service; Doc. No. M-00900239

Public Meeting held  
September 15, 1999

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

### Tentative Order

*By the Commission:*

#### I. Introduction

By this Tentative Order, the Commission presents a proposed implementation plan for 711 abbreviated dialing access to the Telecommunications Relay Service (TRS) in Pennsylvania. We will establish a 30-day comment period on this proposed 711 implementation plan. In addition, we will designate a 711 Implementation Committee.

On February 19, 1997, the Federal Communications Commission (FCC) issued its First Report and Order and Further Notice of Proposed Rulemaking In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements. The First Report and Order, inter alia, ordered Bell Communications Research (Bellcore), as the National Numbering Plan (NANP) Administrator, to assign 711 as a National code for TRS use.

The use of 711 abbreviated dialing provides easier access to the TRS system. Ease of access to the TRS system furthers the goals of the Americans with Disabilities Act of 1990 (ADA) which requires functionally equivalent access to the telephone network for persons with speech or hearing disabilities. Simplicity of TRS access encourages and supports use by hearing persons as well as hearing and speech impaired persons. Using 711 Nationwide would facilitate consistency from state to state. Currently there are many TRS numbers assigned among and within states, often making access to the relay service confusing and difficult.

#### II. Background

In May of 1992, the FCC released a Notice of Proposed Rulemaking proposing that Incumbent Local Exchange Carriers (ILECs) be required to provide abbreviated dialing arrangements utilizing "N11 codes," or three digit telephone numbers, for a variety of applications. On February 19, 1997, the FCC issued its First Report and Order and Further Notice of Proposed Rulemaking (Docket No. 92-105) that, among other things, directed Bellcore to assign 711 on a Nationwide basis for access to the states' TRS Relay Centers. In that Order, the FCC tentatively concluded that Nationwide implementation of 711 for TRS access should occur within 3 years.

Bell Atlantic-Pennsylvania, Inc. (Bell) initiated a dialogue with Commission Staff in the Fall of 1998 for implementing 711 access in Pennsylvania. Bell's intent is to implement 711 access throughout its operating territory. On February 8, 1999, the state of Maryland, with Bell's assistance, officially launched 711 access to the state's TRS system, and became the first state in the continental United States to do so. Successful implementation of 711 access in Maryland should facilitate implementation in Pennsylvania, since our proposed implementation plan is based on the Maryland plan.

Since the initial dialogue with Bell, Commission Staff has met and discussed implementation issues with Bell and AT&T Communications of Pennsylvania, Inc. (the TRS provider in Pennsylvania), the Pennsylvania Telephone Association (PTA), representatives of the CLEC community, and representatives of the hearing and speech impaired community. On November 4, 1998, Commission Staff held discussions with Bell, AT&T, and the PTA to get an update on the progress being made with implementation, and to address issues and concerns still needing to be resolved. Issues discussed included: should 711 be used for both text and voice users; the need to coordinate implementation with all LECs operating in the state; the impact of an FCC final rulemaking; the need for coordinating 711 access with pay telephone providers<sup>1</sup> (including LECs and COCOTS); and the importance of public awareness on the availability of 711. Bell and AT&T each discussed their approaches for implementing 711. Both companies were requested to make a presentation at the next meeting of the TRS Advisory Board.

On December 3, 1998, Bell and AT&T made informational presentations on their respective alternatives at the TRS Board Meeting. The Advisory Board members were given an opportunity to hear the alternatives presented, and provide feedback on their concerns. At the March 28, 1999<sup>2</sup> meeting of the TRS Advisory Board, both alternatives were presented to the Board for their feedback. The members expressed no preference for either option; however, the consensus from the Advisory Board was that the Commission should implement 711 access as soon as possible. The members felt that abbreviated dialing for TRS access was of considerable benefit to the hearing and speech impaired community, and did not have a preference regarding the technical aspects of implementation.

On February 2, 1999, Staff met with AT&T and Bell to discuss reconciling the differing approaches. Subsequently, Bell and AT&T reached a consensus on the implementation of 711. It was agreed that 711 would handle both voice and text calls, and that 711 calls would be routed by the LEC to the appropriate Relay Center 800 number.

A meeting was held on May 4, 1999 with Bell, AT&T, the PTA, and several of the large facilities-based CLECs to discuss the proposal and hear the concerns of the broader ILEC and CLEC community. The proposed implementation plan was described and discussed. All companies present indicated that it would not be a problem to reprogram their switches to accommodate 711 call routing (one company reported that it could be done with less than 2 months notice). In addition, the companies present indicated that the cost would be nominal and that they would not seek cost reimbursement. Subsequent to that meeting, Bell made a presentation at the PTA's Small Company Committee meeting, on May 11, 1999, for their input on any problems or concerns. The PTA received no negative feedback.

On June 8, 1999, the Federal Communications Commission (FCC) issued a Public Notice on convening a public forum on 711 access to the telecommunications relay service. The FCC invited individuals with hearing or speech disabilities, state administrators, members of the telecommunications industry and others to a forum on September 8, 1999, to discuss implementing 711 access to the TRS system Nationwide. The stated goal of the forum

<sup>1</sup>Some pay telephones are "smartphones" that can be programmed to directly route the 711 call to the appropriate TRS Relay Center number. Pay telephone providers will need to program their smartphones to route the 711 call.

<sup>2</sup>A new 2 year term for Relay Advisory Board members began in January 1999.

is to identify the steps that must be taken to implement 711 access to TRS, any obstacles to implementation, and how those obstacles can be resolved. The FCC also indicated that a Final Rulemaking will follow the Public Forum. We submitted comments to the FCC on July 30, 1999, describing our intent to implement 711 in Pennsylvania and describing our proposed plan.

### III. Proposed Implementation Plan

Implementing 711 service in Pennsylvania will enable customers to dial only three digits to send text or voice messages using the Telecommunications Relay Service (TRS). The TRS provider in Pennsylvania is AT&T Communications of Pennsylvania, Inc.

The proposed plan for implementing 711 access in Pennsylvania involves using 711 for both voice and text telephone (TTY) calls. Both voice and TTY users will dial 711 to access the TRS Relay Center. ILECs and facilities-based CLECs will translate the 711 call to the current TRS 800 number that is used for voice calls, (800) 654-5988. The translation normally occurs within 1 second. The current voice number and the current TTY number will still be available for calls for those TRS users not using the abbreviated 711 dialing.

When the call reaches the TRS Relay Center, the Pennsylvania customer will enter an Enhanced Voice Upfront Automation (EVUFA) Call Flow where voice customers will be greeted with an initial "Pennsylvania Relay" prompt. The system will immediately be listening for touch-tone prompts to expedite the call setup.

The first step will be to determine the correct call-type option for the customer. The system will begin with a voice prompt. The customer will be prompted to press "1" if a voice call, "2" if ASCII or "3" if Baudot. If the user presses "1" for voice, they will go to another menu and be asked to press "0" for a Communications Assistant, "1" to enter the number being called, or "2" for an explanation of how the TRS Service works. This initial voice prompt menu takes about 5-7 seconds.

Although unable to hear the prompt, the voice message provides the necessary pause for TTY users to enter their call-type option selection, either preprogrammed or manually. ASCII and Baudot customers will be encouraged to program their computer or TTY to automatically dial 711, followed by a pause, and then a "2" or "3" depending on their specific needs. If the text customer (ASCII or Baudot) programs their computer or TTY, or manually enters their selection, then the call is immediately routed to the correct modem (ASCII or Baudot).

The voice message gives the requisite information to Hearing Carry-Over<sup>3</sup> (HCO) callers to properly choose their correct call-type option. Voice Carry-Over<sup>4</sup> (VCO) calls are typically processed as TTY calls (Baudot). Most VCO callers use a regular TTY machine and can easily choose their correct call-type option (#3). For VCO callers using the newer non-TTY VCO-telephones, the Relay system would time-out and transfer the caller to a Communications Assistant for handling either after choosing an option ("3") or by timing-out due to the caller taking no action at all.

If the user does not press any number on this initial menu a 5-second time-out occurs, after which the caller's ANI (Auto-Number Identification) is checked for an entry in the Relay Choice Profile Database. The Relay Choice

Profile Database will check the customer's telephone number to determine if there is a prearranged option in the database on the choice of call type—voice, ASCII or Baudot. For the customer who takes no action, checking the Relay Choice Profile Database would take about 1-2 seconds.

If the customer has a Relay Choice Profile, the call will be sent to the appropriate option, either ASCII or Baudot. If the user does not have a Relay Choice Profile established, the call goes to the ASCII seek tone. If the user does not respond to ASCII (in about 5-7 seconds), the call goes to the Baudot seek tone. If the user does not respond to Baudot (again in about 5-7 seconds), the call is sent to a Communications Assistant for help.

At worst, a TRS call using 711 would take no more than 28 seconds to be processed. This worst case scenario assumes that the call is using the Baudot text format, the customer has no Relay Choice Profile set up, and/or does not choose an option at the initial prompt, necessitating going through all of the steps. At best, ASCII and Baudot customers could get to the correct modem in 3 seconds, which is faster than currently.

Both ILECs and facilities-based CLECs will need to implement 711 access, in order for there to be complete Statewide coverage. There will be press releases detailing the implementation of 711 in the State; a bill insert will be developed to be included in all customers' bills; and the Customer Guide pages of the telephone books will be updated to include the use of 711. Pay telephone providers (LECs and COCOTS) will be notified of 711 so that their "smartphones" can be programmed to translate the 711 call directly from the pay telephone itself.

### IV. Conclusion

We find that the 711 abbreviated dialing will facilitate the hearing and speech impaired community's access to the TRS system. It is also our belief that the hearing public would be more inclined to call TRS users (those that are speech or hearing impaired) if dialing was simplified.

To assist us with 711 implementation, we will direct that a 711 Implementation Committee be established to develop guidelines for implementation in Pennsylvania. The 711 Implementation Committee will be charged with developing industry guidelines on the following: guidelines of processes required for implementation of the 711 plan; identify critical success factors such as determining switch conversion timeframes and the relay provider conversion timeframe; suggest a feasible cutover date; identify parties to be involved and notified of the 711 implementation plan (ILECs, CLECs, IXC's, wireless carriers, pay telephone providers, and TRS user groups); identify the best method of industry notification (for example, industry publications); develop a customer notification program (press releases, directory changes, bill inserts, and the like) including template text; input to the Local Exchange Routing Guide (LERG); determine the need for system testing and/or a trial period; evaluate the need for special trouble shooting reporting procedures; and evaluate other areas the Committee deems relevant and appropriate. The 711 Implementation Committee will consist of representatives of AT&T, Bell, the PTA, facilities-based CLECs, the hearing and speech impaired community, and Commission Staff. The 711 Implementation Committee's findings will be used in our Final Order on 711 Implementation.

We seek comment on our proposed implementation plan for 711 access. The proposed plan as outlined above, was

<sup>3</sup>Hearing Carryover callers are those callers that are speech impaired, but can hear the message from the non-TTY user.

<sup>4</sup>Voice Carryover callers are those callers that are hearing impaired, but can speak to voice their message directly to the non-TTY user.



developed from negotiations over the past year. However, we recognize that there may be other comments and suggestions from the affected industry groups, the general public or advocacy groups. We designate a 30-day comment period to provide the opportunity for comments on the proposed 711 implementation plan to be submitted for consideration.

We direct that this Tentative Order be published in the *Pennsylvania Bulletin*, that a 30-day comment period be established, and that a 711 Implementation Committee be instituted. The Final Order on 711 implementation will take into consideration the comments that we receive, the findings of the 711 Implementation Committee and information from the FCC's Public Forum held on September 8, 1999;

Therefore,

*It Is Ordered That:*

1. Within 20 days after the date of entry of this Tentative Order, AT&T shall meet with our Bureau of Fixed Utility Services regarding the establishment of the 711 Implementation Committee.

2. This Tentative order be published in the *Pennsylvania Bulletin* as soon as practicable.

3. A 30-day comment period be established from the date of publication in the *Pennsylvania Bulletin*. Comments should be addressed to: Secretary James J. McNulty, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments must include the following on the first page: Comments on the Implementation of 711 Access for the Telecommunications Relay Service; Tentative Order at Docket No. M-00900239.

4. A copy of this Tentative Order be served on all Incumbent Local Exchange Companies (ILECs) and Competitive Local Exchange Companies (CLECs) operating in the Commonwealth, the Pennsylvania Telephone Association, members of the TRS Advisory Board, the Central Atlantic Payphone Association, Association for Local Telecommunications Services; Cellular Telecommunications Industry Association, the Office of Consumer Advocate, and the Office of Small Business Advocate.

5. Questions concerning this Tentative Order should be addressed to Anthony J. Rametta, Bureau of Fixed Utility Services, (717) 787-2359, e-mail address—rametta@puc.state.pa.us.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1782. Filed for public inspection October 15, 1999, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before November 8, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate

whether it applies to the temporary authority application or the permanent application or both.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.**

**A-00116255. Gary M. Branick, t/d/b/a Branick Limousine Service** (2409 Ben Franklin Highway, Ebensburg, Cambria County, PA 15931)—persons in limousine service, between points in the counties of Cambria, Blair and Indiana, and from points in said counties, to points in Pennsylvania, and return.

**A-00116256. William H. O'Brien, t/d/b/a Aero Limousine Co.** (105 Wren Way, P. O. Box 1710, Washington, Washington County, PA 15301)—persons in limousine service: (1) between points in Washington County, and from points in said county, to points in the counties of Allegheny, Beaver, Butler, Fayette, Greene and Somerset, and return; and (2) from points in the county of Allegheny, to points in the counties of Beaver, Butler, Fayette, Greene, Somerset and Washington, and return. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**A-00112577. F. 7. Airport Limousine Service, Inc., t/d/b/a Embassy Coach** (36 South 16th Street, Pittsburgh, Allegheny County, PA 152023), a corporation of the State of Delaware—Additional Right—persons, in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the counties of Westmoreland, Armstrong, Beaver, Butler, Washington, Fayette, Greene, Mercer, Erie, Lawrence, Indiana, Venango, Crawford, Jefferson, Cambria, Somerset, Bedford and Blair, and from points in the said counties, and the county of Allegheny, to points in Pennsylvania, and return. *Attorney:* Ray F. Middleman, Northridge Office Plaza, 117 VIP Drive, Suite 310, Wexford, PA 15090.

**A-00116253. Ross Carlo, t/d/b/a Classy Classic Cab Company** (550 Nellie Street, Apartment 3, Masury, OH 44458) persons upon call or demand in the counties of Mercer, Crawford and Venango.

**Applications of the following for approval amendment of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-00112577. Folder 1, Am-A. Airport Limousine Service, Inc., t/d/b/a Embassy Coach** (36 South Sixth Street, Pittsburgh, Allegheny County, PA 15203), a corporation of the State of Delaware—temporary authority—persons in airport transfer service, in limousines and luxury-type vehicles, from points in the counties of Armstrong, Beaver, Butler, Cambria, Greene, Indiana, Somerset and Westmoreland, to the Greater Pittsburgh International Airport located in the township of Moon, Allegheny County; and the Allegheny County Airport, located in the borough of West Mifflin, Allegheny County; subject to the following conditions: (1) that no right, power or privilege is granted to provide service from points in the townships of Adams, Connoquenessing, Cranberry, Forward, Jackson, Lancaster, Butler, Penn and Middlesex, and the boroughs of Seven Fields and Zelenople, Butler County; and (2) that service from Westmoreland County is restricted to transportation of four or more persons from one origin point for whom a reservation has been made by a single party or person,

but who are charged individually; which is to be a transfer of all of the rights issued at A-00108361, Folder 2 to Carriage Limousine Services, Inc., subject to the same limitations and conditions. *Attorney:* Ray F. Middleman, Northridge Office Plaza, 117 VIP Drive, Suite 310, Wexford, PA 15090.

**A-00112577, Folder 5, Am-A. Airport Limousine Service, Inc., t/d/b/a Embassy Coach** (36 South Sixth Street, Pittsburgh, Allegheny County, PA 15203), a corporation of the State of Delaware—temporary authority—persons in limousine service: (1) between points in the counties of Beaver, Butler, Fayette, Washington and Westmoreland, and from points in said counties, to points in Allegheny County, and vice versa; (2) from points in Allegheny County to points in the counties of Armstrong, Indiana and Somerset, and return; (3) from points in the counties of Armstrong, Indiana and Somerset, to points in Allegheny County, and return; and (4) from points in the counties of Allegheny and Westmoreland to other points in Pennsylvania, and return; which is to be a transfer of all of the rights authorized under the certificate issued at A-00108361, F. 1, F. 1, Am-A and F. 1, Am-B to Carriage Limousine Services, Inc., subject to the same limitations and conditions. *Attorney:* Ray F. Middleman, Northridge Office Plaza, 117 VIP Drive, Suite 310, Wexford, PA 15090.

**Applications of the following for approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation of household goods in use as described under each application.**

**A-00088399, Folder 2, Am-F. Bowman Bros. Trucking, Inc.** (930 West Main Street, Valley View, Schuylkill County, PA 17983), a corporation of the Commonwealth of Pennsylvania—discontinuance and cancellation of its authority permitting the transportation of all household goods in use, at A-00088399, F.2, first right, as a common carrier, by motor vehicle, which reads as follows: to transport household goods in use, between points in the borough of Gratz, Dauphin County, and the village of Good Spring, Schuylkill County, and intermediate points via Highway Route 25 and 125. (Carrier is retaining its authority to transport property, excluding household goods in use, between points in Pennsylvania) *Attorney:* Harry J. Brown, 1800 West End Avenue, Pottsville, PA 17901.

**A-00101710, F. 1, Am-A. L. S. Geist, Inc.** (P. O. Box 467, Hegins, Schuylkill County, PA 17938), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to permit* the discontinuance of household goods in use authority which reads as follows: as a common carrier, from points on and within 3 airline miles of a route beginning in the village of Pillow, Dauphin County, thence by Highway Route 225 to the borough of Berrysburg, Dauphin County, thence by Highway Route 25 to the village of Hegins, Schuylkill County, to points in the city of Philadelphia, and vice versa. (Carrier is retaining its authority to transport property, excluding household goods in use, between points in Pennsylvania) *Attorney:* J. Bruce Walter, P. O. Box 1146, Harrisburg, PA 17108-1146.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1783. Filed for public inspection October 15, 1999, 9:00 a.m.]

## Telecommunications

**A-310828F0002. GTE North Incorporated and Fibernet Telecommunications of Pennsylvania, LLC.** In the matter of the adoption by Fibernet Telecommunications of Pennsylvania, LLC, of an Interconnection Agreement between GTE North Incorporated and Hyperion Susquehanna Telecommunications under section 252(i) of the Telecommunications Act of 1996.

GTE North Incorporated and Fibernet Telecommunications of Pennsylvania, LLC, by its counsel, filed on August 13, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and Fibernet Telecommunications of Pennsylvania, LLC, Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1784. Filed for public inspection October 15, 1999, 9:00 a.m.]

## Telecommunications

**A-310869. United Telephone Company of Pennsylvania and AA Beep, L.P.** Joint Petition of the United Telephone Company of Pennsylvania and AA Beep, L.P., for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania and AA Beep, L.P., by its counsel, filed on September 20, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania and AA Beep, L.P. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1785. Filed for public inspection October 15, 1999, 9:00 a.m.]

**Transfer by Sale  
Without Hearing**

**A-111100F0006. UGI Utilities, Inc.** Application of UGI Utilities, Inc., for approval of the transfer by sale of a parcel of property located on West Main Street in the Borough of Plymouth, Luzerne 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 1, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* UGI Utilities, Inc.

*Through and By Counsel:* Thomas M. Jackal, Esquire,  
UGI Corporation, P. O. Box 858, Valley Forge, PA 19482.  
JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1786. Filed for public inspection October 15, 1999, 9:00 a.m.]

**PUBLIC SCHOOL  
EMPLOYES' RETIREMENT  
BOARD**

**Hearings Scheduled**

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employes' Retirement Code), in connection with the Public School Employes' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employes' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

November 3, 1999	Dennis Dorman (Multiple Service)	1 p.m.
December 15, 1999	Joanne Marsicano (Maternity Service Credit)	10 a.m.
	Frank P. Vattilano (Change of Retirement)	1 p.m.

Persons with a disability who wish to attend the above-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employes' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administra-

tive Practice and Procedure) unless specific exemption is granted.

DALE H. EVERHART,  
*Secretary*

[Pa.B. Doc. No. 99-1787. Filed for public inspection October 15, 1999, 9:00 a.m.]

**STATE BOARD OF  
MEDICINE**

**Commonwealth of Pennsylvania v. Allen Vincent  
Hurt**

*Notice to Allen Vincent Hurt*

On February 25, 1999, the Commonwealth of Pennsylvania, State Board of Medicine, instituted a formal administrative action against you, alleging that you have violated certain provisions of the Pennsylvania Medical Practice Act. Under 1 Pa. Code § 33.31 and Pa.R.C.P. Rule 430 providing for service of process upon you by publication:

If you wish to defend against the allegations in this order to show cause, or to present evidence on your behalf in mitigation of any penalties which may be imposed upon you or your license, certification, registration, permit or other authorization to practice your profession, the procedures for doing so are set forth in the attached order to show cause. You have the right to be represented by an attorney in this matter. Although you may represent yourself, you are advised to seek the advice of an attorney. All proceedings are conducted in accordance with the Administrative Agency Law and the general rules of Administrative Practice and Procedure.

You are directed to respond by filing an answer in writing within thirty (30) days of the date of this notice. An original and two copies must be submitted. Also, you must send a separate copy of the answer, and any other pleadings or documents, to the prosecuting attorney named in this document. If you do not file an answer, disciplinary action may be taken against you without a hearing.

Answers and any other pleadings should be filed with: Deanna S. Walton, Prothonotary, Bureau of Professional and Occupational Affairs, 124 Pine Street, Suite 200, Harrisburg, PA 17101.

DANIEL B. KIMBALL, Jr., M.D.,  
*Chairperson*

[Pa.B. Doc. No. 99-1788. Filed for public inspection October 15, 1999, 9:00 a.m.]

**STATE BOARD OF  
PHARMACY**

**Commonwealth of Pennsylvania, Bureau of Profes-  
sional and Occupational Affairs v. Steven K. Lee,  
R.Ph.; Doc. No. 0358-54-97; File No. 96-54-02141**

On August 18, 1999, the State Board of Pharmacy (Board) issued an Adjudication and Order, holding that

you violated the Pharmacy Act (act) at 63 P. S. § 390-5(a)(8) by causing the compounding, dispensing or sale of a drug which is of a brand or trade name other than that specified by the person prescribing such brand or trade name product. The Board also held that you violated the act at 63 P. S. § 390-5(a)(2) by previously pleading guilty to an offense in connection with the practice of pharmacy. The Board issued a public reprimand against you for the aforementioned violations of the act.

You may obtain a copy of the Adjudication and Order by writing to Keith E. Bashore, State Board of Pharmacy, 116 Pine Street, 3rd Floor, P. O. Box 2649, Harrisburg, PA 17105-2649.

PAULA L. CASTOR, R.Ph.,  
*Chairperson*

[Pa.B. Doc. No. 99-1789. Filed for public inspection October 15, 1999, 9:00 a.m.]

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# 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". The 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.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

Reader's Guide	REQUIRED DATA DESCRIPTIONS
<h3 style="text-align: center;">Legal Services &amp; Consultation—26</h3> <p style="text-align: center;">① Service Code Identification Number</p> <p style="text-align: center;">② Commodity/Supply or Contract Identification No.</p> <p><b>B-54137.</b> 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.</p> <p>Department: General Services                  Location: Harrisburg, Pa.                  Duration: 12/1/93-12/30/93                  Contact: Procurement Division                  787-0000</p> <p style="text-align: center;">③ Contract Information</p> <p style="text-align: center;">④ Department</p> <p style="text-align: center;">⑤ Location</p> <p style="text-align: center;">⑥ Duration</p> <p>⑦ (For Commodities: Contact:)                  Vendor Services Section                  717-787-2199 or 717-787-4705</p>	<p>① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.</p> <p>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.</p> <p>③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.</p> <p>④ Department: State Department or Agency initiating request for advertisement.</p> <p>⑤ Location: Area where contract performance will be executed.</p> <p>⑥ Duration: Time estimate for performance and/or execution of contract.</p> <p>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</p>

## 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*

### Commodities

**7520-10** Wastebaskets, desk trays/organizers. For copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** February 1, 2000—January 31, 2001  
**Contact:** General Services, (717) 787-2199 or 787-4705

**1190159** Various models—turning centers and vertical machining centers, HAAS Automation Inc. or equal. For copy of bid package fax request to (717) 787-0725.

**Department:** State System of Higher Education  
**Location:** University Park, PA  
**Duration:** FY 1999—2000  
**Contact:** General Services, (717) 787-2199 or 787-4705

**8505040** Precast concrete box culvert. For copy of the bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** New Bloomfield, PA  
**Duration:** FY 1999—2000  
**Contact:** General Services, (717) 787-2199 or 787-4705

**1206159** STD-330 Request for leave, no carbon paper required, 3 part snap set, overall size 3 1/4 x 7 1/8 with stubs detached 3 1/4 x 6 1/2.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 1999—2000  
**Contact:** General Services, (717) 787-2199 or 787-4705

**8183490** Precast R. C. box culvert with proprietary membrane waterproofing.

**Department:** Transportation  
**Location:** Ebensburg, PA  
**Duration:** FY 1999—2000  
**Contact:** General Services, (717) 787-2199 or 787-4705

**5610-36** Bituminous material, plant mixed, Dist. 1-12. For copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Various  
**Duration:** February 1, 2000—January 31, 2001  
**Contact:** General Services, (717) 787-2199 or 787-4705

**5306-01** Aluminum sign bolts, nuts and washers. For copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** Various  
**Duration:** February 1, 2000—January 31, 2001  
**Contact:** General Services, (717) 787-2199 or 787-4705

**1201119** Jersey knit material, domestic 50/50 poly/cotton blend, minimum weight of 8.2 oz./sq. yd., various sizes. For copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Dallas, PA  
**Duration:** FY 1999—2000  
**Contact:** General Services, (717) 787-2199 or 787-4705

**8305-03** Textiles. For copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Various  
**Duration:** May 1, 2000—April 30, 2001  
**Contact:** General Services, (717) 787-2199 or 787-4705

**1098129** 60-month lease with purchase option, equipment is to be set up and installed by vendor. Various CANON equipment requested.

**Department:** Labor and Industry  
**Location:** Harrisburg, PA  
**Duration:** FY 1999—2000  
**Contact:** General Services, (717) 787-2199 or 787-4705

**6810-04** Chemicals, mine water treatment. For copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** Various  
**Duration:** March 1, 2000—February 28, 2001  
**Contact:** General Services, (717) 787-2199 or 787-4705

## SERVICES

### Advertising—01

**HQ0819110** Promotional plastic video covers: Provide to the PA Human Relations Commission molded plastic video covers. The covers must be in package format, approximately 10"Wx12-5/8"Lx1-3/4"D. White with wrap around clear plastic overlay and open top. The inside left cover must be molded to hold a standard video cassette. The right side must be molded to hold instructional material which is approximately 8-1/2"Wx11-1/4"Lx3/4"D and have at the bottom a clear plastic sleeve approximately 5" long to hold material. Sample of bid item is to be submitted along with bid. Bid price is to include all shipping and handling costs and be shipped F.O.B. destination.

**Department:** Governor's Office  
**Location:** PA Human Relations Commission, 101 South Second Street, Room 306, Executive House, Harrisburg, PA 17101  
**Duration:** Closing date for bids October 29, 1999, 5 p.m.  
**Contact:** Peter J. O'Neill, (717) 783-8273

**Audio/Video—04**

**RFP FAS9905** The State System of Higher Education is soliciting proposals for a new voice mail/CTI System that will fully integrate with an existing Fujitsu 9600VS PBX and Local Area Network. Please contact Mark C. Himes at (717) 720-4132 or mhimes@sshchan.edu for an RFP package. Proposals must be submitted by October 26, 1999 at 4 p.m.

**Department:** State System of Higher Education  
**Location:** Richards Hall, 2986 North 2nd Street, Harrisburg, PA 17011  
**Duration:** Indeterminate 1999—2000  
**Contact:** M. C. Himes, (717) 720-4132

**Computer Related Services—08**

**RF11-99** One Card System: Seeking a firm to supply and install all components of a single card system on campus. The work will include providing all labor, equipment, materials, software and any hardware to implement the complete system. The work will include the interfacing of this system with existing programs at the university, and will require the awarded contractor to provide and install locking devices on door buildings as part of this proposal to work off of the system provided. It is the intent of the university to release the proposal within the next 60 days to those firms requesting the package. To obtain the package please submit a request in writing to Bloomsburg, PA 17815, Attn: Robert Hakim. In the letter request a copy of this proposal by RFP No. 11099 when it is released. We will accept requests until October 29, 1999 for this listing.

**Department:** State System of Higher Education  
**Location:** Bloomsburg University, Bloomsburg, PA  
**Duration:** 2 years  
**Contact:** Joseph Quinn or Robert Hakim, (570) 389-4311

**R0004589** Millersville University is seeking bidders who can provide, engineer, install and configure an ATM DS3 circuit from the University's Computer Center to the Business Technology Center (BTC) at West Chester University. Project will be accomplished by using a combination of a local cable company provider's SONET ring, dark fiber, and FORE Systems equipment. Vendor will provide FORE Systems equipment and act as liaison between cable company, FORE Systems, the BTC and MU. Vendor will supply FORE Systems maintenance pricing to MU DIRECTLY from FORE(SUP-S-A) and assign personnel to install and configure the FORE equipment in the cable company's three head end locations in Lancaster, Coatesville and Exton. Vendor will also provide two seats of training (TE-CORE/CERT) for MU personnel on the installed equipment and software (to be given at FORE Systems corporate location near Pittsburgh, PA). Circuit must be available for production use by November 5, 1999. Interested bidders must contact Anna Stauffer by fax (717) 871-2000, no later than 2 p.m. on Thursday, October 21, 1999.

**Department:** State System of Higher Education  
**Location:** Millersville University, Millersville, PA 17551  
**Duration:** System must be functional by November 5, 1999  
**Contact:** Anna Stauffer, (717) 872-3041

**RFQC-1999-PSP2** As part of the Criminal Investigative Traffic Safety Incident Information Management System (IIMS) Program, the Pennsylvania State Police will release a Request for Qualified Contractors (RFQC) document in October 1999. This RFQC seeks to enlist the services of a prime contractor to implement a Phase 1 Mobile Office (MO). The Phase 1 MO will provide wireless access to centralized databases and e-mail by means of a fixed, modular computer to be deployed in approximately 1,000 Pennsylvania State Police patrol vehicles. Vendors interested in proposing solutions may find additional information on the Department's IIMS web site at <http://www.pspprocurement.state.pa.us>.

**Department:** State Police  
**Location:** Statewide  
**Duration:** 3 year contract with up to two 1-year extensions.  
**Contact:** Ronald C. Wilt, IIMS Program Manager, (717) 657-4294

**Construction and Construction Maintenance—09**

**SCID-1** Labor and material to apply white latex traffic paint on approximately 70,000 square feet of blacktop between perimeter fences. To obtain a bid package contact Robert Faneck at (570) 675-1101, Ext. 215.

**Department:** Corrections  
**Location:** State Correctional Institution, Follies Rd., Dallas, PA 18612  
**Duration:** 90 days  
**Contact:** Robert Faneck, (570) 675-1101, Ext. 215

**FBP-09-0018** Remove existing concrete/steel/wood bridge; construct new reinforced concrete bridge (Utility relocation, dewatering, E&S measures; rock lining; selected material surfacing, bituminous paving, Traffic signing; guide rail; landscaping architectural surface treatment. Site is within Moshannon State Forest, South of Benezette and east of Parker Dam State Park. Bid documents may be requested on or after October 18, 1999.

**Department:** Conservation and Natural Resources  
**Location:** Goshen Township  
**Duration:** Complete all work by October 31, 2000  
**Contact:** Construction Management Section, (717) 787-5055

**swvc250-0482** Contractor to provide all labor and material to furnish and install onsite a post frame salt storage building 24'x24'x12'. Interested vendors may contact the facility for specifications. To schedule a site visit, contact Robert Heath, Facility Maintenance Manager, (412) 665-6759.

**Department:** Military Affairs  
**Location:** Southwestern Veterans Center, 7060 Highland Drive, Pittsburgh, PA 15206  
**Duration:** Contract Period: November 1, 1999—June 30, 2000  
**Contact:** Ken Wilson, PAIII, (412) 665-6727

**RFP 97-23** The objective of this project is to replace the Washington County Maintenance Facility and State Police Troop "B" Headquarters with facilities that will function equal to or better than the current facilities, with as little additional costs to the Commonwealth as possible. The facilities are presently located in the city of Washington at 89 & 83 Murland Avenue. Detailed requirements are contained in the Request for Proposal (RFP), which is available upon request.

**Department:** Transportation  
**Location:** Bureau of Office Services, 555 Walnut Street, 8th floor, Harrisburg, PA 17101-1900  
**Duration:** Indeterminate 1999—2000  
**Contact:** Joseph DeSantis, (717) 787-9213

**FDC-210-714** Concrete repair (10 c.f. of flowable/trowelable mortar); preparation and application of coatings to concrete surfaces (2,000 s.f.); and preparation and application of coatings to ferrous and nonferrous metals (5,000 s.f.). Project is at Moraine State Park. Bid documents may be requested on or after October 18, 1999.

**Department:** Conservation and Natural Resources  
**Location:** Muddy Creek Township  
**Duration:** Complete all work by May 26, 2000  
**Contact:** Construction Management Section, (717) 787-5055

**Engineering Services—14**

**RFP 98-09** Strategic Environmental Management Program Implementation. The objective of this project is the development and implementation of a Strategic Environmental Management Program (SEMP), which results in an effective mechanism for the Pennsylvania Department of Transportation to manage its environmental affairs. The contractor will only be performing specific tasks associated with the development and implementation of a SEM. Detailed requirements and an RFP are available upon fax request. Fax requests to Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** Statewide  
**Duration:** (60) months  
**Contact:** James Doheny, (717) 787-4463

**Environmental Maintenance Services—15**

**OSM 03(0612)106.1** Mine Subsidence Control Project, Leechburg VI, involves approximately drilling 778 boreholes, injecting 109,700 tons of material and sealing 778 boreholes. Bid documents will be issued October 15, 1999. Mail \$15 for bid documents to: DEP, Construction Contracts, P. O. Box 8452, Harrisburg, PA 17105-8452. Payment must be received before documents will be mailed. One hundred percent (100%) of this project is financed by the Federal government under the authority given to it by P. L. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977, and is subject to that law and to the Federal grant for this project. Federal funds available for this program total \$8.7 million for PA's 1999 AML grant.

**Department:** Environmental Protection  
**Location:** Leechburg Borough/Gilpin Township  
**Duration:** 740 calendar days after NTP  
**Contact:** Construction Contracts Section, (717) 783-7994

**Hazardous Material Services—21**

**HSCP 46-101.1** Sewer Line Connection, Moyer Landfill Site involves the installation of an 8" lateral sewer line from the Moyer Landfill to the Eagleville Interceptor manhole located at the Hideaway Day Camp. There is a mandatory prebid meeting at 10 a.m., October 29, 1999, at the Lower Providence Township Municipal Building. Bid documents will be issued October 15, 1999. Mail \$10 for bid documents and \$15 for site investigation data to: DEP, Construction Contracts, P. O. Box 8452, Harrisburg, PA 17105-8452. Payment must be received before documents will be mailed.

**Department:** Environmental Protection  
**Location:** Lower Providence Township  
**Duration:** 130 calendar days after NTP  
**Contact:** Construction Contracts Section, (717) 783-7994

**SP No. 00782001** Removal of infectious and chemotherapeutic waste. To receive specifications, submit fax to Beverly O. Epting, Hamburg Center, Hamburg, PA 19526, (610) 562-6025.

**Department:** Public Welfare  
**Location:** Hamburg Center, Old Route 22, P. O. Box 1000, Hamburg, PA 19526  
**Duration:** Anticipated dates: July 1, 2000—June 30, 2005  
**Contact:** Beverly O. Epting, PA, (610) 562-6031

**Financial and Insurance Consulting—17**

**PSERS-Control** The Public School Employees' Retirement System is soliciting bids for a contractor to evaluate PSERS' system of internal control, focusing on the control environment, the accounting system and control procedures, including general information Systems controls, applications controls, accounting controls, management controls, administrative controls and compensating controls. Please contact agency for complete specifications and bid package.

**Department:** Public School Employees' Retirement System  
**Location:** 5 North 5th Street, Harrisburg, PA 17101  
**Duration:** One year  
**Contact:** Rebecca A. Snead, (717) 720-4607

**HVAC—22**

**M99-2** Contractor shall repair a Weil McLain boiler in the dietary department at S.C.I. Cambridge Springs.

**Department:** Corrections  
**Location:** S.C.I. Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403  
**Duration:** Approximately November 1, 1999 to December 31, 1999  
**Contact:** Quentin Hargenrater, Jr., (814) 398-5400

**405903** Maintenance of heating system; three scheduled maintenance visits each year during contract period, to include travel time. Hourly price for emergency visits during regular hours. Hourly price for emergency visits during premium hours. Hourly price will remain the same for any excess hours quoted that may be required. Parts and miscellaneous costs allowance. Oil Fired Boiler-1 Water Heater.

**Department:** Transportation  
**Location:** 1 Franklin Avenue, Tunkhannock, PA 18657  
**Duration:** February 18, 2000 through February 18, 2003  
**Contact:** Diane Salsman, (570) 836-3141

**Food—19**

**09144** Milk and cream products.

**Department:** Military Affairs  
**Location:** PA Soldiers & Sailors Home, 560 East 3rd Street, P. O. Box 6239, Erie, PA 16512-6239  
**Duration:** January 1, 2000 through December 31, 2000  
**Contact:** Jeanette Gualtieri, (814) 878-4930

**0882-2947** Miscellaneous foods (frozen): baked items: croissants, danish, muffins, french toast, pancakes, waffles and cherry pie; entrees: stuffed shells, vegetable lasagna, pizza patties, pizza, meat lasagna, vegetable burger, tuna noodle casserole and chicken croquettes; pureed desserts, vegetables and meats, eggs and milkshakes. To be delivered from January through March 2000 with deliveries two times per month.

**Department:** Public Welfare  
**Location:** South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 17261  
**Duration:** January 1, 2000 through March 31, 2000  
**Contact:** Sherry Wenger, Pur. Dept., (717) 749-4031

**437** Bread and bread products.

**Department:** Public Welfare  
**Location:** Polk Center, Polk, PA 16342  
**Duration:** January through June 2000  
**Contact:** Patty Frank, Purchasing Agent, (814) 432-0229

**Laboratory Services—24**

**90973413** Contractor to provide laboratory testing services, consisting of daily courier service, providing all necessary materials to accomplish testing and phlebotomy services.

**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779-0111  
**Duration:** Anticipated contract period: February 1, 2000 to December 31, 2003  
**Contact:** Linda J. Zoskey, Purchasing Agt., (724) 459-4547



**Lodging/Meeting Facilities—27**

**IFB 99-I-022** The Department of State, Bureau of Enforcement and Investigations, will hold a conference on December 7, 8 and 9. We will require overnight guest rooms, conference rooms and dining facilities for approximately 65 to 130 persons.

**Department:** State  
**Location:** Conference, lodging and dining facilities within a 25-mile radius of Harrisburg, PA  
**Duration:** Three days  
**Contact:** Kathy Bilyeu, (717) 783-7220

**LGD-2000** A hotel/banquet facility is sought for April 20, 2000, that can accommodate 1,000 people. One room is needed that can hold rounds of 10 for a luncheon event, and it must be a comfortable setting. Three registration tables are needed outside of the banquet room. A double-entree meal is requested to include a chicken and a beef dish or fish dish; the hotel is to be within a 15-mile radius of Harrisburg and free parking must be available. Awarding to vendor is pending upon site visit. Bids are due by November 1, 1999, by 5 p.m. Bids will be opened on November 2, 1999, at 10 a.m. in the Governor's Center for Local Government Services located in room 325, Forum Building, Harrisburg, PA 17120.

**Department:** Community and Economic Development  
**Location:** Governor's Center for Local Government Services, Room 325, Forum Building, Harrisburg, PA 17120  
**Duration:** One day  
**Contact:** Shirley Rohrer, (717) 720-7386

**Medical Services—29**

**Dental 99-004** Furnish and install the following four items (or approved equal) in Room 3220 (Dentist's Operatory) of Bengs Building Dental Clinic: 1. A-DEC Model Number 1021—"Decade" dental chair. 2. A-DEC Model Number 2140 "Cascade" chair mounted dental unit with three handpiece positions, single volt fiber optic light source. 3. A-DEC Model Number 6300 "Cascade" unit mounted dental light. 4.A-DEC Model Number 1601 "Cascade" operator's stool. For complete bid package, fax request to (412) 257-6761, Attn: Fred Molisee/Purchasing Agent. Fax on your company letterhead showing your complete name, address, phone, fax, contact person, bid no. you are requesting and a brief description of the service, or call the number listed in this publication.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017, Dental Department  
**Duration:** November 1, 1999—June 30, 2000  
**Contact:** Fred Molisee, Purchasing Agent 2, (412) 257-6215

**90872021** Neurologic consultation service. Contractor to provide initial and follow-up consultations per patient. Service to include examination, diagnosis and written recommendations.

**Department:** Public Welfare  
**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821  
**Duration:** January 1, 2000—December 31, 2002  
**Contact:** Pamela Bauman, (570) 271-4578

**90981025** Contractor to provide general physician services for students at the South West Secure Treatment Unit, Wiseman Building, TSH, Torrance, PA 15779. It is estimated that 3 hours of services will be required weekly. Call the YDC New Castle purchasing department for contract specifications, (724) 656-7310.

**Department:** Public Welfare  
**Location:** SWSTU Wiseman Building, TSH State Route 1014, Torrance, PA 15779  
**Duration:** Anticipated start date for the contract is January 1, 2000 ending December 31, 2002.  
**Contact:** T. E. Mateja, Purchasing Agent, (724) 656-7310

**90976014** Furnish and maintain oxygen units for Polk Center.

**Department:** Public Welfare  
**Location:** Polk Center, Polk, PA 16342  
**Duration:** January 1, 2000 through December 31, 2001  
**Contact:** Patty Frank, Purchasing Agent, (814) 432-0229

**Personnel, Temporary—31**

**99093** Contractor shall provide temporary clerical and typing services at the State Correctional Institution at Chester. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI-Chester, 500 E. 5th Street, Chester, PA 19013  
**Duration:** December 1, 1999—June 30, 2000  
**Contact:** Jacqueline Newson, Purchasing, (610) 490-4370

**Property Maintenance—33**

**060004** Plow snow from parking areas at PennDOT District 6 new office building at 7000 Geerdes Blvd., King of Prussia, PA. Parking area is approximately 2.8 acres. Approximately 1 more acre is under cover but two sides are open and exposed to the weather. Approximately 570 feet of sidewalk and a loading dock will require snow removal. Operators and items of equipment needed will be one 33,000 GVW Truck with plow, tow pick-up trucks with plows, on 1.5 cu. yd. front end loader and a snow blower for sidewalks. Also, contractor will supply all de-icing materials.

**Department:** Transportation  
**Location:** 7000 Geerdes Blvd., King of Prussia, PA  
**Duration:** December 1, 1999 to November 30, 2000 with 2 year renewal options  
**Contact:** Charles Stone, (610) 964-6520

**00722-000-99-AS-4** Removal of existing bituminous paving (approximately 550 sq. yds.), repair of existing sub-base and installation of new bituminous paving. Also included are minor landscape repairs and traffic markings. All interested bidders should submit a request and a \$25 check (nonrefundable) made payable to PHMC for a bid package to: PA Historical & Museum Commission, Division of Architecture, Room 526, 3rd & North Streets, Harrisburg, PA 17120—Attention: Judi Yingling (717) 772-2401 or fax (717) 783-1073. Bids will be due on Wednesday, November 3, 1999, at 11 a.m. Bid opening will be held in room 526 of The State Museum of PA, corner of 3rd & North Streets, Harrisburg, PA.

**Department:** Historical and Museum Commission  
**Location:** David Bradford House, 175 South Main Street, Washington, PA 15301, Washington County  
**Duration:** December 1, 1999 to October 31, 2000  
**Contact:** Judi Yingling/Joe Lauver, (717) 772-2401

**SU-919 Huber Arts Center RFP 919**—Huber Arts Center Renovation Professional Services for Design and Construction, SSHE, Shippensburg University, Shippensburg Township, Cumberland County, PA. Huber Arts Center, constructed in 1931, is a 19,352 gsf, three-story facility with a 4,642 gsf wing constructed in 1961. The facility requires modernization to enhance instruction in the fine arts and correction of safety, health and regulatory deficiencies. Proposing firms shall demonstrate expertise in renovation of aging higher education facilities, preferably fine arts instructional buildings with art galleries. Track record should indicate integrated design practices including energy efficiency, future maintenance requirements and evaluation of alternatives on a life-cycle cost basis. To be responsive, firms must be located less than 150 miles from Shippensburg University. All applications submitted are subject to review by a System Selection Board at Shippensburg University. The System Boards disclaim any liability whatsoever as to their review of the applications submitted and in formulating their recommendations for selection. SSHE encourages responses from small firms, minority firms and firms which have not previously performed work for the System and will consider joint ventures which will enable these firms to participate in System professional service contracts. To be considered, firms must submit proposals in accordance with RFP, enclosing Commonwealth forms 150-ASP current within 1 year of the response date. To request RFP, contact Debbie Martin, phone (717) 477-1121, fax (717) 477-4004. Deadline for submission is November 12, 1999, at 4 p.m.

**Department:** State System of Higher Education  
**Location:** Shippensburg University, Shippensburg Township, Shippensburg, PA  
**Duration:** Multiple Years  
**Contact:** Deborah K. Martin, Contract Administrator, (717) 477-1121

**Real Estate Services—35**

**373883** Lease office space to the Commonwealth of Pennsylvania, Board of Probation and Parole, 5,300 useable sq. ft. of new or existing office space with parking for nine vehicles, in Berks County, PA within the City Limits of Reading. The office must be situated within 3 blocks of a public transportation system. The PA Board of Probation and Parole will occupy the space. Proposals due: December 13, 1999. Solicitation No: 92911.

**Department:** Probation and Parole Board  
**Location:** 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1999—2000  
**Contact:** John Hocker, (717) 787-4396

**Sanitation—36**

**100** Testing, removal, transportation and disposal of no more than 100,000 gallons of domestic sewage sludge containing not more than 4,500 mg/kg of total petroleum hydrocarbon (TPH). The following analyses will be performed on the sludge Cd, Cu, Cr, Pb, Hg, Ni, Zn, As, Se, Moleydum, PCB and reported in mg/Kg; PH and percent total solids will also be reported. Total petroleum hydrocarbons will be evaluated in detail.

**Department:** Military Affairs  
**Location:** Bldg. 4-162, Fort Indiantown Gap, Annville, PA 17003  
**Duration:** November 15, 1999 to February 28, 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Vehicle, Heavy Equipment—38**

**99-31** The contractor shall provide a double bucket truck and driver to the State Correctional Institution at Waymart. Truck to have a minimum reach of 55 feet.

**Department:** Corrections  
**Location:** State Correctional Institution, Route 6, Canaan Township, Waymart, PA 18472  
**Duration:** January 1, 2000 to December 31, 2002  
**Contact:** John Ondash, (570) 488-2513

**Miscellaneous—39**

**73200-99-17** 6,000 lbs. jersey knit, self knit shoulder taping, 50/50 poly/cotton blend, bleached white, pre-slit 3/4".

**Department:** Corrections  
**Location:** State Correctional Institution, Dallas, PA 18612  
**Duration:** FY 1999—2000  
**Contact:** Joseph P. Kanjorski, (570) 773-2158, Ext. 560

**99094** Contractor will perform semiannual combustion analysis and adjustment on boilers at SCI-Chester. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI-Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** January 1, 2000—December 31, 2002  
**Contact:** Jacqueline Newson, Purchasing, (610) 490-4370

**RFP 99-06** Intelligent Vehicle Evaluation. The purpose of this project is to conduct an evaluation of the operational field test of the state-of-the-art intelligent vehicle technology on transit buses in the Pittsburgh area. A preproposal meeting is scheduled for Monday, October 25, 1999, at 10 a.m. in Room 8D of Forum Place, 555 Walnut St., Harrisburg, PA. Detailed requirements and the RFP are available upon a fax request. Fax requests including: name, company name, address, phone number, fax number, and the RFP number to Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** Pittsburgh area, PA  
**Duration:** 24 months with possible extension  
**Contact:** Cathy Swatek, (717) 787-1368

**90881062** Contractor to provide individual counseling for Hispanic students who have extreme difficulty speaking and understanding English. Contractor to assist in conducting home conferences with Hispanic families who have difficulty speaking and understanding English. Contractor must be fluent in Spanish and understand the Hispanic culture and have at least a Bachelors Degree in social work, psychology, sociology, counseling or related field.

**Department:** Public Welfare  
**Location:** Youth Development Center, R. D. 2, Box 365B, Loysville, PA 17047  
**Duration:** Anticipated start date of January 1, 2000 through June 30, 2002  
**Contact:** Dee Kuhn, Purchasing Agent, (717) 789-5509

**SU 320021-9** Shippensburg University is seeking vendors who are interested in bidding on bid proposal 32001-9 for mattresses for residence hall. Bid due date will be October 29, 1999. Vendors interested in receiving a bid package should fax their request to Zora Frank, Purchasing Manager at (717) 532-1350. If you have any questions, please call (717) 532-1386. The University encourages responses from small and disadvantaged, minority and women-owned firms.

**Department:** State System of Higher Education  
**Location:** Shippensburg University, Shippensburg Township  
**Duration:** Indeterminate 1999—2000  
**Contact:** Zora Frank, (717) 477-1386

**99095** Contractor will perform quarterly test and inspection on all generators at SCI-Chester. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI-Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** January 1, 2000—December 31, 2002  
**Contact:** Jacqueline Newson, Purchasing, (610) 490-4370

**436** Convulsion type expansion joints.

**Department:** Public Welfare  
**Location:** Polk Center, Polk, PA 16342  
**Duration:** 6 weeks after receipt of order  
**Contact:** Patty Frank, Purchasing Agent, (814) 432-0229

**X6467** Provide consumable supplies needed to properly operate pm 2.5 samplers.

**Department:** Environmental Protection  
**Location:** Harrisburg, PA  
**Duration:** Supplies needed ASAP  
**Contact:** Dawn M. Levarto, (717) 787-9645

**SOM-188** The State Correctional Institution at Somerset will be soliciting bids to furnish and install a flashing traffic light to be located at the intersection of SR2031, Garrett Short Cut Road and T-505, Walters Mill Road per Pennsylvania Department of Transportation Permit No. 9-7-42.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** October 1, 1999 through June 30, 2000  
**Contact:** Theresa Solarczyk, Purchasing Agent II, (814) 443-8100, Ext. 311

[Pa.B. Doc. No. 99-1790. Filed for public inspection October 15, 1999, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <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> |
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GARY E. CROWELL,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract #	PR Award Date or Contract Effective Date	To	In the Amount Of
0087-01	10/08/99	Digital-Ink	335,499.00	9130-03	10/01/99	Agway Energy Products LLC	940,875.89
5610-25 RIP #1	10/08/99	Glenn O. Hawbaker, Inc.	9,680.00	9130-03	10/01/99	Bedford Valley Petroleum Corp.	55,667.76
5610-25 RIP #1	10/08/99	Grannas Brothers Stone & Asphalt Co.	14,000.00	9130-03	10/01/99	Carlos R. Lefler Inc.	35,528.98
5610-25 RIP #1	10/08/99	H. B. Mellott Estate, Inc.	32,066.67	9130-03	10/01/99	Erie Petroleum Inc.	154,181.02
5610-25 RIP #1	10/08/99	Hanson Aggregates	5,470.00	9130-03	10/01/99	Export Fuel Co. Inc.	302,953.81
5610-25 RIP #1	10/08/99	IMS Waylite	21,260.00	9130-03	10/01/99	Farm & Home Oil Co.	113,081.71
5610-25 RIP #1	10/08/99	Keystone Lime Co. Inc.	11,175.00	9130-03	10/01/99	Glassmere Fuel Service Inc.	159,655.32
5610-25 RIP #1	10/08/99	New Enterprise Stone/Lime Co. Inc.	266,616.67	9130-03	10/01/99	J J Powell Inc.	19,032.50
5610-25 RIP #1	10/08/99	PBS Coals Inc.	237,467.00	9130-03	10/01/99	Klasen Oil Co.	53,830.02
7930-08	10/08/99	Ecolab Inc.	28,575.00	9130-03	10/01/99	Luther P. Miller, Inc.	117,451.35
7930-08	10/08/99	DH Bertenthal & Sons	28,575.00	9130-03	10/01/99	Montour Oil Service Co.	257,442.43
7930-08	10/08/99	Dynasurf Corp.	28,575.00	9130-03	10/01/99	Orris Fuel Inc.	267,270.81
7930-08	10/08/99	Xpedx-Harrisburg Division	57,150.00	9130-03	10/01/99	Petroleum Traders Corp.	1,302,677.11
7930-08	10/08/99	Quaker City Paper Co.	28,575.00	9130-03	10/01/99	Phoenix Petroleum Co.	35,585.16
7930-08	10/08/99	Dedeavors Corp/d/b/a DeSantis Janitor	114,300.00	9130-03	10/01/99	Pickelner Fuel Co. Inc.	196,588.99
7930-08	10/08/99	Minnesota Minning and Mfg Co. d/b/a 3M	28,575.00	9130-03	10/01/99	Pipeline Petroleum	41,362.80
7930-08	10/08/99	Buckeye International Inc.	28,575.00	9130-03	10/01/99	Reed Oil Co.	5,000.00
7930-08	10/08/99	Airwick Professional Products Inc./Hbg	57,150.00	9130-03	10/01/99	Witter Gas and Oil Co.	52,314.00
				9985-12	10/01/99	Capitol Wire Inc.	50,443.00
				1095219-01	10/05/99	Geneco Services Inc.	61,306.80
				8250470-01	10/05/99	Ralph A. Mattiola Co.	6,275.00

STATE CONTRACTS INFORMATION

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<b>Requisition or Contract #</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
8250570-01	10/05/99	Rental Ser- vice Corp USA Inc.  GARY E. CROWELL, <i>Secretary</i>	20,410.00

[Pa.B. Doc. No. 99-1791. Filed for public inspection October 15, 1999, 9:00 a.m.]

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