

NOTICES

DEPARTMENT OF BANKING

Action on Applications

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

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-24-99	Aligned Partners Trust Company Pittsburgh Allegheny County	Gulf Towers, 30th Flr. 707 Grant Street Pittsburgh Allegheny County	Approved
11-30-99	Harleysville Interim Savings Bank Harleysville Montgomery County	Harleysville	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-22-99	East Penn Bank Emmaus Lehigh County	861 North Route 100 Upper Macungie Twp. Lehigh County	Opened
11-23-99	Somerset Trust Company Somerset Somerset County	801 Barn Street Hooversville Somerset County	Opened
11-23-99	Harris Savings Bank Harrisburg Dauphin County	3328 Plaza Drive Reading Berks County	Filed
11-23-99	Harris Savings Bank Harrisburg Dauphin County	200 S. Spring Garden St. Carlisle Cumberland County	Filed
11-24-99	The Madison Bank Blue Bell Montgomery County	#43 Summit Square Shopping Center Rte. 413 & Doublewoods Rd. Langhorne Bucks County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-29-99	Mercer County State Bank Sandy Lake Mercer County	<i>To:</i> 110-112 N. Franklin St. Cochranton Crawford County <i>From:</i> 115 West Adams St. Cochranton Crawford County	Filed

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-25-99	Belco Community Credit Union Harrisburg Dauphin County	5785 Allentown Blvd. Harrisburg Dauphin County	Opened

DAVID E. ZUERN,
Secretary

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Emergency Shelter Grant Program

The Department of Community and Economic Development (DCED) has been invited to apply for funding through the United States Department of Housing and Urban Development.

The Emergency Shelter Grant Program is established within subtitle B of Title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C.A. §§ 11371—11378). The program authorizes grants for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, for the payment of certain operating expenses and essential services in connection with emergency shelters for the homeless, and for homeless prevention activities. The program is designed to be the first step in a continuum of assistance to enable homeless individuals and families to move toward independent living as well as to prevent homelessness.

One copy of the application may be submitted to the Department by local governments on behalf of homeless service providers to the Customer Service Center, DCED, 4th Floor, Forum Building, Harrisburg, PA 17120 in accordance with DCED's Single Application requirements. A copy of the application must also be sent to the appropriate regional office. The application window will open on January 1, 2000, and close at 5 p.m. on February 29, 2000. Applications received after this date may not be considered for funding.

Applications forms and instructions may be obtained by contacting the Department's regional offices or the main office in Harrisburg. Persons with a disability who wish to submit an application in accordance with the provisions stated herein and who require assistance with that application and persons who require copies of this notice in an alternate format (large type, braille, and the like) should contact Edward Geiger, Room 502 Forum Building, Harrisburg, PA 17120, (717) 787-5327 to discuss how the Department may best accommodate their needs. Text telephone calls can be placed through the Pennsylvania Relay System at (800) 654-5984. The following is the listing of DCED Regional Offices and the counties they serve:

Department of Community and Economic Development Regional Offices

Southeast

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development
908 State Office Building
Broad and Spring Garden Streets
Philadelphia, PA 19130
(215) 560-2256

Northeast

Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development
Suite 201 Samters Building
101 Penn Avenue
Scranton, PA 18503-2025
(717) 963-4571

Central

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, York, Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset and Union Counties.

Department of Community and Economic Development
576 Forum Building
Harrisburg, PA 17120
(717) 787-7347

Southwest

Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland counties

Department of Community and Economic Development
413 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
(412) 565-5002

Northwest

Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties

Department of Community and Economic Development
212 Lovell Place Apartments
Erie, PA 16503
(814) 871-4241

Main Office

502 Forum Building
Harrisburg, PA 17120
(717) 787-5327

SAMUEL A. MCCULLOUGH,
Secretary

[Pa.B. Doc. No. 99-2090. Filed for public inspection December 10, 1999, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

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

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

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

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

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

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

PA 0025542. Sewage. **US Department of Agriculture—Kinzua Beach Recreation Area**, 222 Liberty Street, P. O. Box 847, Warren, PA 16365.

This application is for renewal of an NPDES permit to discharge treated sewage to the Allegheny Reservoir in Mead Township, **Warren County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 105 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .034 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
TSS		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0210218. Industrial waste, SIC n/a. **Beazer East, Inc.**, One Oxford Centre, Suite 3000, Pittsburgh, PA 15219-1822.

This application is for a renewal of an NPDES permit, to discharge treated industrial waste to South Branch Bear Creek in Petrolia Borough, **Lawrence 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is PA American Water Company on the South Branch of Bear Creek located at East Brady, approximately 18 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.144 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitoring only		
CBOD ₅	17		43
Total Suspended Solids	40		100
Oil and Grease	15		30
Ammonia-Nitrogen			
(5-1 to 10-31)	3.1		7.8
(11-1 to 4-30)	9.3		23.3
Aluminum	0.54		1.4
Copper	0.04		0.1
Un-ionized Hydrogen Sulfide**	0.0035		0.009
Resorcinol	1.2		3.0
Phenol	0.04		0.08
pH		6.0 to 9.0 at all times	

** See Special Condition 2 in Part C.

The EPA waiver is in effect.

PA 0025534. Sewage. **US Department of Agriculture—Kiasutha Recreation Area**, P. O. Box 847, Warren, PA 16365.

This application is for renewal of an NPDES permit to discharge treated sewage to the Allegheny Reservoir in Hamilton Township, **McKean County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 105 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.011 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
TSS		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0025551. Sewage. **US Department of Agriculture—Dewdrop Recreation Area**, P. O. Box 847, Warren, PA 16365.

This application is for renewal of an NPDES permit to discharge treated sewage to the Allegheny Reservoir in Mead Township, **Warren County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 105 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.010 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
TSS (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0221848. Sewage. **USDA—Forest Service**, Willow Bay Recreation Area, P. O. Box 847, 222 Liberty Street, Warren, PA 16365.

This application is for renewal of an NPDES permit to discharge treated sewage to the Allegheny Reservoir in Corydon Township, **McKean 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 130 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .015 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
TSS (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	.5	1.2
Dissolved Oxygen	XX	XX
pH	6.0—9.0 at all times	

XX = Monitor and Report on Monthly DMR's.

The EPA waiver is in effect.

PA 0221147. Sewage. **County Line Cafe**, 3808 Perry Highway, Hadley, PA 16130.

This application is for a renewal of an NPDES permit, to discharge treated waste to Unnamed Tributary to Sandy Creek in Sandy Creek 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on Allegheny River located at river mile 90.0 and is located 42.0 miles, below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.0008 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	20	40
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

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

PA 0026972, SIC: 4952, Sewage, **Exeter Township Berks County Authority**, 400 Hanover Street, Birdsboro, PA 19508-9181.

This application is for Amendment No. 3 of an NPDES permit for an existing discharge of treated sewage to the Schuylkill River, in Exeter Township, **Berks County**.

The receiving stream is classified for warm water fishes, recreation and water supply. The existing downstream potable water supply intake considered during the evaluation was Pottstown Borough Water Supply located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The amendment is necessary to implement final TRC limits.

The EPA waiver is not in effect.

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

PA 0098272. Sewage, **May Day, Inc.**, R. D. 1, Box 54, Vanderbilt, PA 15486.

This application is for renewal of an NPDES permit to discharge treated sewage from May Day II Personal Care Home STP in German Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as North Branch Browns 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 Carmichaels Municipal Water Authority on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.0125 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.8			11.6
(11-1 to 4-30)	17.4			34.8
Fecal Coliform				
(5-1 to 9-30)		200/100 ml as a geometric mean		
(10-1 to 4-30)		4,000/100 ml as a geometric mean		
Total Residual Chlorine	0.7			1.7
pH		not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

PA 0098558. Sewage, **Wilson Fox—Fox Den Acres Campground, Inc.**, R. D. 1, New Stanton, PA 15672.

This application is for renewal of an NPDES permit to discharge treated sewage from the Fox Den Acres Campground Sewage Treatment Lagoons in Hempfield Township, **Westmoreland County**.

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

Outfalls 001 and 002: existing discharges, total design flow of .064 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen	7.0			14.0
Fecal Coliform		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		

Other Conditions: The applicant is only permitted to discharge from January 1 to April 30 on an annual basis.

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

sewage sludge management and total residual chlorine control (TRC). 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.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0036790	Paradise MHP 315 High Street Duncannon, PA 17020	Perry County Wheatfield Township	Tributary of Dark Run	TRC
PA 0036269	Stewartstown Borough Authority c/o Borough Office 6 N. Main Street Stewartstown, PA 17363	York County Hopewell Township	Ebaugh's Creek	TRC
PA 0084026	Northwestern Lancaster County Authority 97 North Penryn Road Manheim, PA 17545	Lancaster County Penn Township	Chickies Creek	TRC

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

Applications under the Pennsylvania Clean Streams Law

(Part II Permits)

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

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

A. 3199402. Sewage, submitted by **Mount Union Municipal Authority**, P. O. Box 90, Mt. Union, PA 17066 in Mt. Union Township, **Huntingdon County** to expand their existing wastewater treatment plant was received in the Southcentral Region on November 19, 1999.

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

A. 6399408. Sewerage, **Stanley Beck Jr.**, 902 Main Street, Bentleyville, PA 15314. Application for the construction and operation of a small flow sewage treatment plant to serve the Beck Residence located in West Pike Run Township, **Washington County**.

INDIVIDUAL PERMITS

(PAS)

Stormwater Individual

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. These proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment 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 Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address, and telephone number of the writer and a

concise statement to inform the Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated above the application.

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

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

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

NPDES Permit PAS10Q062-R. Stormwater. **Ira Lehigh Construction, Inc.**, Ira Lehigh, P. O. Box 223, Emmaus, PA 18049-0223, has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

NPDES Permit PAS10S085. Stormwater. **Lake Swiftwater Club, Inc.**, R. R. 1, Box 62, Henryville, PA 18332, has applied to discharge stormwater from a construction activity located in Paradise Township, **Monroe County**, to Swiftwater Creek.

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

NPDES Permit PAS10A111. Stormwater. **William R. Hofer, Inc.**, 100 O'Hara Woods Drive, Pittsburgh, PA 15238 has applied to discharge stormwater from a construction activity located in the Fox Chapel Borough and Indiana Township, **Allegheny County** to Squaw Run.

SEWAGE FACILITIES ACT

PLAN APPROVAL

Applications received 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. 2199504. Public water supply, **Lindenwood—Pressure Booster Station**, Upper Allen Township, **Cumberland County**. *Responsible Official:* Mike Gephart, Sr. Project Engineer, 4211 East Park Circle, P. O. Box 4151, Harrisburg, PA 17111-0151. *Type of Facility:* Booster pump station to serve the Lindenwood

development. *Consulting Engineer:* Bony R. Dawood, PE, Dawood Engineering Inc., P. O. Box 246, Enola, PA 17025. *Application received:* November 9, 1999.

SAFE DRINKING WATER

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

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

0299505. Pittsburgh Water and Sewer Authority, 441 Smithfield Street, Pittsburgh, PA 15222. Interconnection between the Pittsburgh Water and Sewer Authority and the Pennsylvania American Water Company to serve the Warrior Hill area, **Allegheny County**.

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

A. 2399501. Public water supply. **Chester Water Authority**, P. O. Box 467, Chester, PA 19016. This proposal involves the construction of Broadmeadows booster station in Thornbury Township, **Delaware County**. The proposed booster station will contain two 1000 gpm pumps and one 250 gpm pump.

SOLID AND HAZARDOUS WASTE

HAZARDOUS SITES CLEAN-UP

Under the Act of October 18, 1988

Submission Deadline for Certified Host Municipality Inspector Reimbursement Applications under Section 1102 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) and Section 304 of the Hazardous Sites Cleanup Act (Act 108).

The Department of Environmental Protection (Department) hereby announces the submission deadline for 1999 Host Municipality Inspector Program Reimbursement Applications as March 31, 2000. Reimbursements are available to municipalities under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) and the Hazardous Sites Cleanup Act (Act 108). Municipalities include cities, boroughs, incorporated towns, townships and home rule municipalities.

All reimbursements are allocated from the Recycling Fund authorized under Act 101 for municipal waste facilities or from the Hazardous Sites Cleanup Fund under Act 108 for hazardous waste facilities. Reimbursements are available to any municipality which has a municipal waste landfill, resource recovery, or commercial hazardous waste storage, treatment and disposal facilities located within its geographic borders. Upon application from any host municipality, the Department shall award reimbursements for authorized costs incurred for the salary and expenses of up to two certified Host Municipality Inspectors. The reimbursement shall not exceed 50% of the approved costs of salaries and expenses. Reimbursement is available only for Host Municipality Inspectors trained and certified by the Department.

The application for reimbursement contains tables for specifying the itemized expenses for certified inspectors and for calculating the total reimbursement request. Complete instructions are included with the application, which is being distributed to all municipalities that have participated in the program. If a municipality does not

receive but requires an application, or for questions about this program, please contact the Program Development Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9870.

The deadline for submitting applications is 4 p.m. on March 31, 2000. Applications received by the Department after the deadline will not be considered.

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 (53 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, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup 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 site identified below 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 below. During this comment period the municipality may request that the person identified below, 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, please contact the Environ-

mental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

Northwest Regional Office: Craig Lobins, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.

CDR Pigments, 75 Front St., Ridgway, PA, **County of Elk**, Ridgway Borough, has submitted a Notice of Intent to Remediate soil, groundwater and surface water. The site has been found to be contaminated with lead, heavy metals, solvents and BTEX. The applicant proposes to remediate the site to meet the Site Specific Standard. The Notice of Intent to Remediate was published in the *Ridgway Record* on November 8, 1999.

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 Pennsylvania, Inc., 1121 Bordentown Road, Morrisville, PA 19067. A permit modification was issued for an extension of the GROWS Landfill Eastern Expansion side slope liner system, located in Falls Township, **Bucks County**. This modification allows for the use of a soil wedge and extension of the previously approved side slope liner extension to account for settlement and to re-establish final permitted contours without increasing air space. Permit Modification was issued by the Southeast Regional Office on November 22, 1999.

Permit No. 400627. Southern Chester County Medical Center, 1015 West Baltimore Pike, West Grove, PA 19390. A permit for the continued operation of a solid waste incinerator was renewed for a 10 year term. Also included as part of this action was the reissuance of the permit to Southern Chester County Medical Center from Southern Chester County Health Services, as a result of a change in ownership structure. The permit was issued by the Southeast Regional Office on November 19, 1999.

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

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

Permit No. 603343(15). Bio Gro, P. O. Box 266, Somerset, PA 15501. A permit for the land application of sewage sludge on the Balderston Family Trust Property

located in West Caln Township, **Chester County**, was revoked by the Southeast Regional Office on November 22, 1999.

Permit No. 101582. Nutrecon, Inc., 336 Chestnut Lane, Ambler, PA 19002. This permit, for the septage processing facility located in Upper Dublin Township, **Montgomery County**, has been revoked at the permittee's request based upon cessation of operations and final closure of the facility. This shall also serve as notice regarding a bond release request associated with the closure of the facility that will be initiated upon the permit revocation becoming final. This permit was revoked by the Southeast Regional Office on November 22, 1999.

AIR QUALITY

OPERATING PERMITS

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

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

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

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.

39-312-031A: Mobil Oil Corp. (8 South Malin Road, Frazer, PA 19355) for operation of a bulk gasoline loading rack in Allentown, **Lehigh County**.

54-313-016B: Air Products and Chemicals, Inc. (P. O. Box 351, Tamaqua, PA 18252) for operation of a Fluorine Plant in Rush Township, **Schuylkill County**.

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

06-310-003A: Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) for a non-metallic mineral crushing plant controlled by wet suppression in Maxatawny Township, **Berks County**. The source is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for New Stationary Sources.

38-03010A: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105) for operation of a stone crushing plant controlled by a wet suppression system at the Prescott Quarry in South Lebanon Township, **Lebanon County**. The source is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for New Stationary Sources.

PLAN APPROVALS

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

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

PA-09-0090: Messer Griesheim Industries, Inc. (One Steel Road East, Morrisville, PA 19067) for modification of a residual cylinder gases in Bristol Township, **Bucks County**.

PA-46-0015A: Occidental Chemical Corp. (375 Armand Hammer Boulevard, Pottstown, PA 19464) for modification of a Process Line No. 6 in Lower Pottsgrove Township, **Montgomery County**.

PA-15-0099: Heckett MultiServ (South First Avenue, Coatesville, PA 19320) for installation of a scrap cutting torch with baghouses in South Coatesville Borough, **Chester County**.

PA-46-0037C: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) for modification of a tantalum scrap digestion in Douglass Township, **Montgomery County**.

PA-46-0197A: Hershey Foods Corp. (2452 Quakertown Road, Pennsburg, PA 18073) for installation of a starch dryer in Upper Hanover Township, **Montgomery County**.

PA-15-0101: Kendal-Crosslands Communities (4109 East Baltimore Pike, Kennett Square, PA 19348) for construction of a Diesel Generator in Kennett Township, **Chester County**.

PA-15-0100: Kendal-Crosslands Communities (1660 East Street Road, Kennett Square, PA 19348) for construction of a diesel generator in Pennsburg Township, **Chester County**.

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

01-05025A: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201) for construction of a new asphalt drum mix plant in Cumberland Township, **Adams County**. The new drum mix plant replaces an existing batch asphalt plant. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

07-05033: Grannas Bros. Stone & Asphalt Co., Inc. (P. O. Box 488, Hollidaysburg, PA 16648) for the construction of a new drum mix asphalt plant in Catherine Township, **Blair County**. A fabric collector will control particulate emissions. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

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

PA-25-028C: International Paper Co.—Erie Mill (1540 East Lake Road, Erie, PA 16533) for minor modification of Air Quality Permit PA 25-028B Lime Silo Bag House. The minor modification will be changing the particulate matter emission limit from 0.02 grains/dry standard cubic feet to 0.04 grains/dry standard cubic feet in Erie, **Erie County**. International Paper Company is a Title V Facility.

25-306-010B: International Paper Co.—Erie Mill (1540 East Lake Road, Erie, PA 16533) for minor modification of Air Quality Permit 25-306-010A coal and wood waste fired No. 21 in Erie, **Erie County**. Boiler Modification will be changing of CO emission limits based on altered EPA AP-42 Factors. International Paper is a Title V Facility.

PA-25-952B: Bush Industries of Pennsylvania, Inc. (2455 Robison Road West, Erie, PA 16509-4675) for installation of a baghouse (59,758 acfm) to control particulate matter emissions from particleboard processing in Summit Township, **Erie County**.

PA-25-971C: Erie Plating Co. (656 West 12th Street, Erie, PA 16501) for operation of existing nitric acid/ammonium bifluoride pickle solution plating tanks with scrubber control in Erie, **Erie County**.

PA-25-971B: Erie Plating Co. (656 West 12th Street, Erie, PA 16501) for operation of an existing decorative chrome plating operation with scrubber control in Erie, **Erie County**. This source is subject to Federal NESHAP Standard 40 CFR 63, Subpart N.

PA-25-971A: Erie Plating Co. (656 West 12th Street, Erie, PA 16501) for operation of an existing chrome anodizing operation with meshpad mist eliminator control in Erie, **Erie County**. This source is subject to Federal NESHAP Standard 40 CFR 63, Subpart N.

PA-37-270A: International Specialty Alloys, Inc. (P. O. Box 428, Route 551, Edinburg, PA 16116) for operation of an existing aluminum-thermite process with baghouse control in Edinburg, **Lawrence County**.

Philadelphia Department of Public Health, Air Management Services, 321 University Ave., Philadelphia, PA 19104, (215) 685-7584.

99128, 99093: Sun Co. (3144 Passyunk Avenue, Philadelphia, PA 19145) for addition of equipment to the alkylolation unit in the City of Philadelphia, **Philadelphia County**.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY APPLICATIONS

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

sires 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*

Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip operation in Slippery Rock Borough, **Butler County**, affecting 5.7 acres. Receiving streams: Unnamed tributary to Wolf Creek to Slippery Rock Creek to Connoquenessing Creek to Beaver River. Application to include a landuse change from "Unmanaged Natural Habitat" to "Commercial" on the lands of Howard E. and Florence C. Meyer. Application received November 18, 1999.

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

11890201. Permit Renewal for reclamation only, **Greenley Energy Holdings of PA, Inc.** (505 Point Drive, Greensburg, PA 15601) for continued restoration of a bituminous-coal refuse reprocessing-ash disposal strip mine in Scalp Level Borough, **Cambria County**, affecting 9.7 acres, receiving stream Little Paint Creek. Application received November 10, 1999.

56940107. Permit Renewal for reclamation only, **Godin Brothers, Inc.** (136 Godin Drive, Boswell, PA 15531), for continued restoration of bituminous strip mine in Jenner Township, **Somerset County**, affecting 63.4 acres, receiving stream Quemahoning Creek. Application received November 15, 1999.

32950104. Permit Renewal for reclamation only, **Big Mack Leasing Company, Inc.** (R. D. 6, Box 231, Kittanning, PA 16201), for continued restoration of bituminous strip mine in Young Township, **Indiana County**, affecting 62.6 acres, receiving stream unnamed tributary to Whiskey Run to Whiskey Run to Blacklegs Creek. Application received November 10, 1999.

32980110. Permit Revision, **Opal Industries, Inc.** (P. O. Box 980, Latrobe, PA 15650), to add 4.0 acres to the existing 293.0 acre permit for a haul road access, only, with surface drainage to an additional watershed area; this 297.0 acre bituminous surface mine is in Conemaugh Township, **Indiana County**, and the receiving streams are unnamed tributaries to/and Sulphur Run, unnamed tributaries to/and Blackleg's Creek, and unnamed tributaries to/and Kiskiminetas River. Application received November 5, 1999.

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

26950102R. **Bridgeview Coal Company** (P. O. Box 257, 3735 National Pike, Farmington, PA 15437). Renewal application received for continued reclamation of a bituminous surface mine located in Wharton Township, **Fayette County**, affecting 221.0 acres. Receiving streams: unnamed tributaries 2, 3, 6 and 10, Stony Fork and unnamed tributary 1 Little Sandy Creek. Renewal application received: November 29, 1999.

65950101R. **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 60.0 acres. Receiving streams: unnamed tributary to Miller Run to Loyalhanna Creek to Kiskiminetas River. Renewal application received: November 29, 1999.

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

17990122. **Johnson Bros. Coal Company** (R. D. 1, Box 580, Mahaffey, PA 15757), commencement, operation and restoration of a bituminous surface mine permit in Brady and Bloom Townships, **Clearfield County** affecting 91 acres. Receiving streams: unnamed tributary to Little Anderson Creek to Anderson Creek, unnamed tributary to Bell Run to the West Branch of the Susquehanna River. Application received November 17, 1999.

17900108. **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 798 acres. Receiving streams: Daily Run and unnamed tributaries of Daily Run to Daily Run, Daily Run to Curry Run, Curry Run to West Branch Susquehanna River. Application received November 15, 1999.

17850143. **Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), revision to an existing Bituminous Surface Mine permit for a Change in Permit Acreage from 148.7 to 150.7 acres, located in Lawrence Township, **Clearfield County**. Receiving streams: unnamed streams and Wolf Run, tributaries to West Branch Susquehanna River. Application received November 17, 1999.

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

Noncoal Applications Received

37990304. **G. L. McKnight, Inc.** (P. O. Box 773, Slippery Rock, PA 16057-8316). Commencement, operation and restoration of a gravel operation in Plain Grove Township, **Lawrence County** affecting 45.0 acres. Receiving streams: Jamison Run and unnamed tributaries to Jamison Run. Application to include a landuse change from pastureland to water impoundments with discharge to an unnamed tributary to Jamison Run on a portion of lands of George W. and Nancy J. Rodgers. Application received November 19, 1999.

302608-37990304-E-1. **G. L. McKnight, Inc.** (P. O. Box 773, Slippery Rock, PA 16057-8316). Application for a stream encroachment to install and maintain a temporary haul road crossing on unnamed tributary to Jamison Run in Plain Grove Township, **Lawrence County** affecting 45.0 acres. Receiving streams: Jamison Run and unnamed tributaries to Jamison Run. Application received November 19, 1999.

302608-37990304-E-2. **G. L. McKnight, Inc.** (P. O. Box 773, Slippery Rock, PA 16057-8316). Application for a stream encroachment for a temporary haul road crossing on Jamison Run in Plain Grove Township, **Lawrence County** affecting 45.0 acres. Receiving streams: Jamison Run and unnamed tributaries to Jamison Run. Application received November 19, 1999.

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

Large Noncoal (Industrial Mineral) Applications Received

14990301. **Glenn O. Hawbaker, Inc.** (P. O. Box 135, 325 West Aaron Drive, State College, PA 16804), commencement, operation and restoration to a Large Industrial Mineral (Sandstone) permit in Rush Township, **Centre County** affecting 114.67 acres. Receiving streams: unnamed tributary Moshannon Creek. Application received November 15, 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. Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

Applications received under the Dam Safety and Encroachment 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.

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

E02-1294. Encroachment. **The Public Auditorium Authority of Pittsburgh and Allegheny County**, Regional Resource Center, Suite 1410, 425 Sixth Avenue, Pittsburgh, PA 15219. To construct and maintain the North Shore Infrastructure Project located within the flood plain of the Allegheny and Ohio Rivers (WWF). The project consists of roadway improvements associated with access to PNC Park and the Steeler Stadium, along with the demolition of the existing Three River Stadium and access to the redevelopment. The project area is bounded by the Allegheny and Ohio Rivers to the south and west, and elevated S.R. 0065 expressway to the north and Federal Street to the east (Pittsburgh West, PA Quadrangle N: 13.0 inches; W: 1.5 inches) in the City of Pittsburgh, **Allegheny County**.

E11-280. Encroachment. **Cambria County Planning Commission**, 401 Candlelight Drive, Suite 213, Ebensburg, PA 15931. To rehabilitate, operate and maintain the following Cambria County Bridges:

1. County Bridge No. 1, a single span bridge having a span of 85.6 feet and an underclearance of 9.0 feet across North Branch Blacklick Creek (CWF) located on T-459 (Strongstown, PA Quadrangle N: 2.8 inches; W: 4.0 inches) in Blacklick Township.

2. County Bridge No. 2, a single span bridge having a span of 79.8 feet and an underclearance of 9.0 feet across Blacklick Creek (CWF) located on T-498 (Clover, PA Quadrangle N: 11.1 inches; W: 15.1 inches) in Blacklick Township.

3. County Bridge No. 4, a single span bridge having a span of 18.5 feet and an underclearance of 12.8 feet across West Branch Susquehanna River located on T-548 (Barnesboro, PA Quadrangle N: 5.9 inches; W: 4.9 inches) in Barr Township.

4. County Bridge No. 7, a single span bridge having a span of 35.8 feet and an underclearance of 6.3 feet across Chest Creek (HQ-CWF) located on T-517 (Carrolltown, PA Quadrangle N: 19.4 inches; W: 3.2 inches) in East Carrol and Clearfield Townships.

5. County Bridge No. 10, a dual span bridge having two spans of 54.0 feet and an underclearance of 3.5 feet across Clearfield Creek (WWF) located on T-561 (Blandburg, PA Quadrangle N: 8.8 inches; W: 16.8 inches) in Reade and White Townships.

6. County Bridge No. 11, a single span bridge having a span of 100.0 feet and an underclearance of 12.0 feet across Clearfield Creek (WWF) located on T-521 (Ashville, PA Quadrangle N: 22.3 inches; W: 0.5 inch) in Clearfield and Dean Townships.

7. County Bridge No. 13, a single span bridge having a span of 24.0 feet and an underclearance of 6.1 feet across Beaver Dam Run (WWF) located on T-488 (Ashville, PA Quadrangle N: 9.8 inches; W: 8.3 inches) in Allegheny and Gallitzin Townships.

8. County Bridge No. 15, a single span bridge having a span of 31.8 feet and an underclearance of 3.6 feet across Clearfield Creek (WWF) located on T-452 (Ashville, PA Quadrangle N: 0.6 inch; W: 13.2 inches) in Allegheny Township.

9. County Bridge No. 17, a single span bridge having a span of 25.0 feet and an underclearance of 7.0 feet across Little Conemaugh River (CWF) located on T-436 (Cresson, PA Quadrangle N: 11.4 inches; W: 16.7 inches) in Washington Township.

10. County Bridge No. 20, a single span bridge having a span of 34.5 feet and an underclearance of 2.3 feet across Noels Creek (HQ-CWF) located on T-418 (Ebensburg, PA Quadrangle N: 7.1 inches; W: 4.8 inches) in Portage Township.

Environmental Assessment No. EA56-001SW. **Department of the Army**, Pittsburgh District—Corps of Engineers, William S. Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186. To remove two existing boat ramps from the eastern shore, near the dam, of the Youghiogheny River Lake, and dredge approximately 24,000 cubic yards of material from the lake to construct and maintain a new boat ramp and to rehabilitate the existing beach and parking areas (Confluence, PA Quadrangle N: 8.5 inches; W: 15.3 inches) in Addison Township, **Somerset County**.

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

E35-319. Encroachment. **Clarks Summit Borough**, 304 South State Street, Clarks Summit, PA 18411-1543. To construct and maintain 914 feet of precast concrete u-channel, having a width of 6-feet and a depth of 3 feet in Tributary A1, locally known as Lansdowne Creek (CWF); to construct and maintain 1,006 feet of precast concrete u-channel, having a width of 10 feet and a depth of 3 feet in Tributary A, locally known as Lackawanna Trail Tributary (CWF); to construct and maintain a 6-foot by 3-foot concrete box culvert to be used as a pedestrian crossing of Tributary A1; to construct and maintain a concrete plunge pool at the confluence of Tributary A1

and Tributary A; to construct and maintain concrete headwalls at the Lansdowne Avenue culvert and Tributary A and the Fairview Avenue culvert and Tributary A; to construct and maintain various stormwater outfall structures associated with the construction of the concrete u-channels of both tributaries. The project purpose is to prevent further erosion and flooding damages in both tributaries. The project is located at a beginning point at the confluence of Tributaries A and A1, both extending upstream approximately 1,000 feet (Scranton, PA Quadrangle N: 20.7 inches; W: 9.5 inches), Clarks Summit Borough, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E35-320. Encroachment. **Spring Spectrum Crossroads Corporate Center**, 1 International Boulevard, Suite 800, Mahwah, NJ 07495-0025. To construct and maintain a 50-foot by 50-foot fenced compound containing a 100-foot high cellular monopole along with seven equipment cabinets on an elevated platform within the 100-year floodplain along the Lackawanna River. The project is located south of the intersection of Nay Aug Avenue and Electric Street (Scranton, PA Quadrangle N: 10.9 inches; W: 4.3 inches), City of Scranton, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

E40-534. Encroachment. **Pittston City Redevelopment Authority**, 35 Broad Street, Pittston, PA 18640. To excavate, place and maintain fill along 800 linear feet of the left bank of the Susquehanna River (WWF) with work consisting of the extension of a 42-inch diameter CMP stormwater outfall, construction of concrete sidewalks, an open amphitheater area and various landscaping. The project, known as the Pittston Riverfront Park Project, is located immediately downstream of the Water Street Bridge over the Susquehanna River (Pittston, PA Quadrangle N: 13.2 inches; W: 5.9 inches), City of Pittston, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

E45-379. Encroachment. **Bestway Enterprises, Inc.**, 3877 Luken Road, Cortland, NY 13047. To construct and maintain a road-crossing through 0.23 acre of wetlands and across Cranberry Creek (HQ-CWF), to provide access to the proposed Bestway Lumber Treatment Center. The project is located southeast of S. R. 0191 and S. R. 1008, approximately 1 mile north of the intersection of S. R. 0390 and S. R. 0191 (Buckhill Falls, PA Quadrangle N: 5.0 inches; W: 4.4 inches), Barrett Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

E48-288. Encroachment. **Dr. George and Jeanne Joseph**, 1510 Bangor Road, Bangor, PA 18013-9434. To place fill in and along the 100-year floodway, to construct and maintain a concrete retaining wall, having a maximum height of approximately 12 feet and length of approximately 430 feet and to construct a channel change in a tributary to Shoeneck Creek. This work is associated with future commercial development of a site located on the north side of S. R. 0248, approximately 0.5 mile southeast of its intersection with S. R. 0033 (Nazareth, PA Quadrangle N: 15.8 inches; W: 4.5 inches), Lower Nazareth Township, **Northampton County** (Philadelphia District, U. S. Army Corps of Engineers).

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

E15-630. Encroachment. **Susan W. and Roger L. Groves**, 505 Coventry Pointe Lane, Pottstown, PA 19465.

To construct and maintain a driveway crossing for a single-family dwelling which crosses a small unnamed tributary to Rock Run and adjacent wetlands (EV). Project will impact a total of 0.03 acre of wetland (EV). The site is located at about 4,000 feet southwest of an intersection of Harmonyville Road and Chestnut Road (Pottstown, USGS Quadrangle N: 12.44 inches; W: 11.46 inches) in South Coventry Township, **Chester County**.

E15-632. Encroachment. **PA DOT**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To construct, improve, modify and maintain U. S. Route 202 (S. R. 0202), Section 400, (Phase 5 and 6, Section 404). The limit of this work will begin east of West Valley Road, (Valley Forge, PA USGS Quadrangle N: 13.65 inches; W: 6.1 inches) and will end at the Montgomery/Chester County border (Valley Forge, PA USGS Quadrangle N: 14.4 inches; W: 4.5 inches) in Tredyffrin Township, **Chester County**.

Work will consist of widening Ramp E which connects U. S. Route 422 eastbound with U. S. Route 202 southbound, (Valley Forge, PA USGS Quadrangle N: 14.6 inches; W: 4.7 inches). The proposed work will include the following:

1. Extend 175 linear feet of existing 12-foot by 6-foot box stream enclosure by adding approximately 50 linear feet of 12-foot by 6-foot concrete box conduit at the downstream end at station 33+80 of the Ramp E, in and along an unnamed tributary to Trout Creek.

2. Regrade and reconstruct approximately 400 linear feet of an existing concrete swale and associated retaining wall located along Ramp E situated westward from station 125+50 of eastbound Route 422 and located immediately downstream from aforementioned culvert.

E23-392. Encroachment. **Brinton Land Development Assoc.**, 33 Rock Hill Road, Suite 200, Bala Cynwyd, PA 19004-2054. To place fill within 0.17 acre of wetlands (PFO) for the proposed Brinton Lake Corporate Center and the Shoppes at Brinton Lake located on the northeast corner of the intersection of Brinton Lake Road and Baltimore Pike (S. R. 0001) (West Chester, PA USGS Quadrangle N: 1.8 inches; W: 4.9 inches) in Concord Township, **Delaware County**.

E46-856. Encroachment. **PA DOT**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To construct, improve, modify and maintain U. S. Route 202, (S. R. 0202), Section 400, (Phase 5 and 6, Section 404). The limit of this work will begin at the Montgomery/Chester County boundary (Valley Forge, PA USGS Quadrangle N: 14.4 inches; W: 4.5 inches) and will end just east of Gulph Road (Valley Forge, PA USGS Quadrangle N: 15.6 inches; W: 1.8 inches) in Upper Merion Township, **Montgomery County**. Work will consist of improvements to the U. S. Route 202 and the North Gulph Road Intersection (Valley Forge, PA USGS Quadrangle N: 15.6 inches; W: 2.0 inches). The proposed work will include the following: To remove a series of existing structures under U. S. Route 202 and North Gulph Road including two concrete bridges with a 25-foot clear span and one 25-foot by 8-foot box culvert in and along Crow Creek (a.k.a. Abrams Run). All these structures will be replaced with a 196 linear-foot stream enclosure consisting of a span of 25 feet and a rise of 8 feet. This structure will consist of both cast-in-place and pre-cast segments.

ENVIRONMENTAL ASSESSMENT

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 Pro-

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

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

Requests for Environmental Assessment approval under section 105.15 of Title 25 Pa. Code 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.

EA59-011CO. Environmental Assessment. **Pennsylvania Dept. of Transportation, District 3-0** (715 Jordan Avenue, P. O. Box 218, Montoursville, PA 17754). To construct 13 nonjurisdictional and one jurisdictional dams adjacent to and across a tributary to Crooked Creek (WWF) for the proposed Pennsylvania Department of Transportation, Engineering District 3-0, advanced wetland compensation site. Construction activities at the site will directly and indirectly impact 3.25 acres of wetland (PEM, PSS) resulting in the creation of approximately 25.35 acres of wetland. The site is located immediately north of the intersection of Ferris Cor Road (T456) and Bates Hill Road (T611) (Knoxville, PA Quadrangle N: 1.8 inches; W: 2.9 inches) in Chatham Township, **Tioga 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).

Permits Issued

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

Permit No. 1399406. Mahoning Township Municipal Authority, 2685 Mahoning Drive East, Lehighon, PA 18235. Permit to construct and operate a sanitary sewer collection system, located in Mahoning Township, **Carbon County**.

Permit No. 4099404. Sewerage. **Hanover Township**, 1267 Sans Souci Parkway, Wilkes-Barre, PA 18702. Permit for sewer line relocation project in Hanover Township, **Luzerne County**.

Permit No. 4899403. Sewerage. **Bethlehem Township Municipal Authority**, 4225 Easton Avenue, Bethlehem, PA 18020. Permit to construction and operation of two pumping stations in Bethlehem Township, **Northampton County**.

NPDES Permit No. PA-0055255. Sewerage. **Charles F. Beck**, c/o Linda B. Craft, 224 Rose Valley Road, Pottsville, PA 19464 is authorized to discharge from a facility located in Upper Milford Township, **Lehigh County**.

NPDES Permit No. PA-0011134. Industrial waste. **Lucent Technologies, Inc.**, 555 Union Boulevard, Allentown, PA 18103 is authorized to discharge from a facility located in the City of Allentown, **Lehigh County**.

NPDES Permit No. PA-0063916. Sewerage. **John Betz**, 805 South Front Street, Allentown, PA is authorized to discharge from a facility located in Upper Milford Township, **Lehigh County**.

NPDES Permit No. PA-0042170. Sewerage. **Deer Lake Municipal Authority**, P. O. Box 30, Auburn, PA 17922 is authorized to discharge from a facility located in West Brunswick Township, **Schuylkill County**.

NPDES Permit No. PA-0063304. Industrial waste. **Municipal Authority of the Township of Blythe**, 375 Valley Street, New Philadelphia, PA 17959 is authorized to discharge from a facility located in Cass Township, **Schuylkill County**.

NPDES Permit No. PA0001988. Industrial waste. **INDSPEC Chemical Corporation**, 133 Main Street, P. O. Box 307, Petrolia, PA 16050 is authorized to discharge from a facility located in Petrolia Borough, **Butler County** to the South Branch Bear Creek.

NPDES Permit No. PA0029378. Sewage. **Redbank Valley School District**, 920 Broad Street, New Bethlehem, PA 16242-1117 is authorized to discharge from a facility located in Hawthorn Borough, **Clarion County** to an unnamed tributary to Redbank Creek.

WQM Permit No. 3399402. Sewage. **Albert R. Shouey**, R. R. 1, Box 113B, Worthington, PA 16262. This project is for the construction and operation for a wastewater treatment facility in Barnett Township, **Jefferson County**.

WQM Permit No. 4399422. Sewage. **West Salem Township Municipal Sewage Authority**, 610 Vernon Road, Greenville, PA 16125. This project is for the construction of a sanitary sewer collection system in West Salem Township, **Mercer County**.

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

NPDES Permit No. PA0032263. Sewage. **Bureau of State Parks, Yellow Creek State Park**, 170 Route 259 Highway, Penn Run, PA 15765 is authorized to discharge from a facility located at Yellow Creek State Park Sewage Treatment Plant and Yellow Creek State Park Water Treatment Plant, Cherryhill Township, **Indiana County** to receiving waters named Yellow Creek Lake.

NPDES Permit No. PA0039489, Amendment No. 1. Sewage. **Garrett Borough Municipal Authority**, P. O. Box 218, 307 Municipal Road, Garrett, PA 15542 is authorized to discharge from a facility located at Garrett Borough STP, Garrett Borough, **Somerset County** to receiving waters named the Casselman River.

NPDES Permit No. PA0094617. Sewage. **Robbie Rose**, R. D. 2, University Drive, Dunbar, PA 15431 is authorized to discharge from a facility located at Robbie Mobile Home Park Wastewater Treatment Plant, Georges Township, **Fayette County** to receiving waters named Tributary of York Run.

Permit No. 2699402. Sewerage. **Dunbar Borough/Dunbar Township Sanitary Authority**, 47 Connellsville Street, Dunbar, PA 15431. Construction of Sanitary Collection System, Pump Station, Grinder Pumps, Force Main, and Sewage Treatment Plant located in Dunbar Borough/Dunbar Township, **Fayette County** to serve Dunbar Sewage Treatment Plant and Dunaway Field Pump Station.

Permit No. 6599411. Sewage. **Donald Gathers**, 405 Spiering Road, Lower Burrell, PA 15068. Construction of Single Residence Sewage Treatment Plant located in Lower Burrell, **Westmoreland County** to serve Gathers Single Family Dwelling.

INDIVIDUAL PERMITS

(PAR)

ACTIONS

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permits to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permits 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 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 arrangements made for copying at the contact office noted.

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
PAG-10	General Permit for Discharges Resulting From Hydrostatic Testing of Tanks and Pipelines

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>
Butler County Venango Township	PAR10E121	DE Sale Restoration Area Amerikohl Mining Inc. 202 Sunset Drive Butler, PA 16001	Slippery Rock Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Butler County Brady Township	PAR10E122	DEP File Number BF 441-101.1 Bureau of Abandoned Mine Reclamation Rachel Carson State Office Bldg. P. O. Box 8476 Harrisburg, PA 17105-8476	Slippery Rock Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Jefferson County Rose Township	PAR103331	Miller Welding & Machine Co. P. O. Box G Railroad and 2nd St. Brookville, PA 15825	Clement Run	Jefferson Conservation District 180 Main Street Brookville, PA 15825 (814) 849-7463
Lehigh County N. Whitehall Township	PAR10Q130	Jerry Mekolichick, et al. 10th and Linden St. Allentown, PA 18102	Coplay Creek	Lehigh CD (610) 391-9583

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>
Lancaster County East Lampeter Township	PAR233537	Johnson & Johnson Merck 1838 Colonial Village Lane Lancaster, PA 17601	Stauffer Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Muhlenberg Township	PAR703501	Koch Materials Company 3847 Pottsville Pike Reading, PA 19605-1723	Laurel Run Creek to Schuylkill River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

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>
Bedford County Broad Top Township	PAG043627	Broad Top Township 187 Municipal Road P. O. Box 87 Defiance, PA 16633-0057	Sandy Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Westmoreland County City of Lower Burrell	PAG046193	Donald Gathers 405 Spiering Road Lower Burrell, PA 15068	UNT to Chartiers Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-9**Facility Location**County and Municipality*Greene County
Washington Township*Permit No.*

PAG096103

*Applicant Name and Address*Robert L. Shipman
Shipman Sanitary Service
Inc.
R. R. 2, Box 92
Prosperity, PA 15329*Receiving Stream,
Body of Water
or Site Name
and Address**Contact Office and
Telephone No.*Southwest Regional
Office: Water
Management Program
Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000**SEWAGE FACILITIES ACT****PLAN APPROVAL****Plan approval granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).***Regional Office: Water Management Program Manager, Southcentral Region, 909 Elmerton Ave., Harrisburg, PA 17110.*

Location: Logan Township, Blair County, 800 39th St., Altoona, PA 16602-1799. The approved plan examines and updates flow figures and alternatives from the approved 1994 Township plan that proposed to expand and upgrade the Greenwood sewage treatment plant, taking into consideration the results of I/I investigations completed since 1994. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Location: West Manheim Township, York County, 31 Fairview Dr., Hanover, PA 17331. The plan was disapproved because the proposal failed to address the plan deficiencies originally identified in our letter dated August 10, 1999. The Plan deficiencies are (1) The sewage disposal needs identification is inadequate, (2) The sewage disposal alternatives identification is inadequate, (3) The sewage disposal alternatives analysis is inadequate as it applies to sewage collection technologies, onlot disposal problems and nitrate-nitrogen groundwater contamination, (4) The 7-year-old well test results, completed for a previous plan have not been adequately re-validated, (6) Maps provided with this plan are unusable due to improper scale, content selection, and inadequate documentation and (7) The concerns expressed by the York County Planning Commission in their April 9, 1999 comment letter have not been addressed.

Location: Londonderry Township, Bedford County, P. O. Box 215, Hyndman, PA 15545. The approved plan provides for enforcement of an OLDS Maintenance District Ordinance in the 12 subsections previously identified in the Phase I Plan. In situations where OLDS repairs are not possible, holding tanks will be used as a last resort. In such cases, the Municipal Authority will install, own and maintain holding tanks. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

SAFE DRINKING WATER**Action taken under the Pennsylvania Safe Drinking Water Act (34 P. S. §§ 721.1—721.17).***Permits Issued**Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA, (814) 332-6899.*

Permit No. 6299502. Public water supply. **North Warren Municipal Authority**, 4 Hasbrough Drive, North Warren, PA 16365 has been issued a Public Water Supply Permit for the modification of existing well No. 1A, construction of an ion exchange water softening plant with corrosion control and disinfection and to include extension of existing water lines in North Warren, **Warren County**. *Type of Facility:* Community Water Supply. *Consulting Engineer:* Rusty VanEpps, Northwest Engineering, P. O. Box Q, Tidioute, PA 16351. *Permit to Construct Issued:* November 22, 1999.

HAZARDOUS SITES CLEAN-UP**Under the Act of October 18, 1988****Settlement under the Hazardous Sites Cleanup Act**

The Department of Environmental Protection (Department), under the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA) and the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C.A. § 9601 et seq. (CERCLA), has entered into a settlement with Park Ten, Inc. for reimbursement of certain response costs incurred to remediate hazardous substances disposed at the Sellersville Inactive Landfill (site). This site is located at the corner of Main and Twelfth Streets, in the Borough of Sellersville, Bucks County, PA.

Between the 1940's and the 1970's, the site was used as an unpermitted dump for municipal, residual and hazardous wastes. Radioactive and non-radioactive hazardous substances were released on a 2-acre portion of the site. Under its authority under, among other things, section 501(a) of HSCA (35 P. S. § 6020.501(a)), the Department conducted a response action to remediate hazardous substances disposed on the site. The Department incurred \$6,106,720.50 in response costs to abate the release and threat of release of hazardous substances at the site. The Department has determined that it is in the public interest to resolve its claim against Park Ten, Inc. Therefore, Park Ten, Inc. shall reimburse the Department for certain response costs in the amount of \$62,000.

This notice is provided under section 1113 of HSCA, (35 P. S. § 6020.1113), which provides that "settlement shall become final upon the filing of the Department's response

to the significant written comments." The Consent Order and Agreement, which contains the specific terms of the settlement is available for public review and comment. The agreement can be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, located in Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428, by contacting either Timothy Cherry, at (610) 832-6204 or Gina M. Thomas, at (610) 832-6300, who may also be contacted electronically at cherry.timothy@dep.state.pa.us and thomas.gina@dep.state.pa.us, respectively. A public comment period on the Consent Order and Agreement will extend for 60 days from today's date. Persons may submit written comments regarding the agreement within 60 days from today's date, by submitting them to Timothy Cherry at the above address.

AIR QUALITY

OPERATING PERMITS

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

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

OP-46-0035: SmithKline Beecham Pharmaceuticals, Inc. (709 Swedeland Road, King of Prussia, PA 19406) on November 10, 1999, for Facility VOCs/Nox RACT in Upper Merion Township, **Montgomery County**.

OP-09-0022: Cleveland Steel Container Corp. (350 Mill Street, Quakertown, PA 18951) on November 17, 1999, for Facility VOCs RACT and Press No. 1 in Quakertown Borough, **Bucks County**.

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

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

46-303-021: Glasgow, Inc. (550 East Church Road, King of Prussia, PA 19406) on November 22, 1999, for operation of a Batch Asphalt Plant in Upper Merion Township, **Montgomery County**.

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

67-03055: Vulcan Materials Co. (322 North Baker Road, York, PA 17404) on November 22, 1999, for operation of a stone crushing plant in West Manchester Township, **York County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

TVOP-53-00001: Tennessee Gas Pipeline Co., Station 313 Coudersport (P. O. Box 2511, 1001 Louisiana Street, Houston, TX 77252-2511) on November 17, 1999, for a natural gas compressor station that includes 12 natural gas fired engines, small combustion sources, backup generator and several storage tanks in Hebron Township, **Potter County**.

PLAN APPROVALS

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

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

59-304-008D: ACP Mfg., LLC (P. O. Box 9, Blossburg, PA 16912-0068) on November 18, 1999, to lower a packed bed scrubber differential pressure requirement from 2 inches w.g. to 1 inch w.g. for a foundry core making machine in Lawrence Township, **Tioga County**.

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

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

09-320-047: FiberMark, Inc. (45 North Fourth Street, Quakertown, PA 18951) on November 18, 1999, for operation of a Graphic Art Line No. 2 in Quakertown Borough, **Bucks County**.

09-320-046: FiberMark, Inc. (45 North Fourth Street, Quakertown, PA 18951) on November 18, 1999, for operation of a Graphic Art Line No. 1 in Quakertown Borough, **Bucks County**.

46-399-104: MM SKB Energy LLC (709 Swedeland Road, Upper Merion, PA 19406) on November 18, 1999, for operation of a five I. C. Diesel Engines in Upper Merion Township, **Montgomery County**.

23-313-024C: Degussa Corp. (1200 West Front Street, Chester, PA 19013) on November 22, 1999, for operation of a Silica Manufacturing Process in City of Chester, **Delaware County**.

23-313-024D: Degussa Corp. (1200 West Front Street, Chester, PA 19013) on November 24, 1999, for operation of a fabric collector in City of Chester, **Delaware County**.

23-313-046: Norquay Technology, Inc. (800 West Front Street, Chester, PA 19016) on November 24, 1999, for operation of a specialty chemical process in City of Chester, **Delaware County**.

PA-09-0046A: RJM Mfg., Inc. (250 Canal Road, Fairless Hills, PA 19030) on November 24, 1999, for operation of a Surface Coater, Line No. 3 in Falls Township, **Bucks County**.

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

36-05093: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506-0550) on November 16, 1999, to authorize temporary operation of a drum mix asphalt plant controlled by an Astec fabric collector, covered under this Plan Approval until March 15, 2000, in East Cocalico Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-310-023D: Compass Quarries, Inc. (46 McIlvaine Road, Paradise, PA 17562) on November 12, 1999, to authorize temporary operation of two Link Belt screens

and a Griffin fabric filter, covered under this Plan Approval until March 10, 2000, in Paradise Township, **Lancaster County**. These sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

36-317-070F: Tyson Foods, Inc. (P. O. Box 1156, New Holland, PA 17557-0901) on September 24, 1999, to authorize temporary operation of a deep fat food fryer, covered under this Plan Approval until January 21, 2000, at 403 South Custer Avenue in New Holland Borough, **Lancaster County**.

67-02004: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on November 18, 1999, to authorize temporary operation of three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a venturi scrubber and a softwood fiber line and causticizing area, covered under this Plan Approval until March 17, 2000, in Spring Grove Borough, **York County**.

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

PA-37-234B: Praxair Surface Technologies (3225 Honeybee Lane, New Castle, PA 16105) on October 31, 1999, for a coating deposition cubicle in Wilmington Township, **Lawrence County**.

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

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

PA-46-0194: Freedom Alloys, Inc. (155 Railroad Plaza, Royersford, PA 19468) on November 22, 1999, for operation of an inductotherm furnace in Royersford Borough, **Montgomery County**.

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

39-313-043: GEO Specialty Chemicals, Inc. (2409 North Cedar Crest Blvd., Allentown, PA 18104-9733) on November 15, 1999, for operation of a DMPA Process at South Whitehall Township, **Lehigh County**.

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

67-03075: Central PA Veterinary Emergency Group PC (3256 Susquehanna Trail North, York, PA 17403) on November 22, 1999, for installation of an IE and E cremator controlled by an afterburner in Manchester Township, **York County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act

(52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Permits Issued

65940104R. M. B. Energy, Inc. (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Renewal issued for continued reclamation only of a bituminous surface mining site located in Donegal and Mt. Pleasant Townships, **Westmoreland County**, affecting 98.0 acres. Receiving streams: unnamed tributaries to Four Mile Run. Application received: July 29, 1999. Renewal issued: November 29, 1999.

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

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 tributaries to Buffalo Creek and Buffalo Creek, application received September 24, 1999, issued November 22, 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, issued November 22, 1999.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute proves 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.)

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

Permits Issued

E02-1257. Encroachment. **Frey/Schweiger Partnership**, 4399 Gibsonia Road, Gibsonia, PA 15044. To construct and maintain an aerial sanitary sewer line crossing across the channel of an unnamed tributary to Little Deer Creek (TSF), to construct and maintain four outfall structures in unnamed tributaries to Little Deer Creek and associated wetlands, and to place and maintain fill in approximately 0.21 acre of wetlands (PEM) for the purpose of constructing the Stone Crest Plan of Lots located just southwest from the intersection of Saxonburg Boulevard and McKrell Road (Curtisville, PA Quadrangle N: 0.9 inch; W: 15.0 inches) in West Deer Township, **Allegheny County**. The permittee has met wetland replacement obligations by contributing to the "Wetland Replacement Fund."

E02-1276. Encroachment. **Bill Gleason**, 4572 Lakewood Road, Gibsonia, PA 15044. To remove the existing structure, to place and maintain fill in 0.06 acre of wetlands (PEM) and to construct and maintain a 72" CMP culvert depressed 1' and 2-48" plastic culverts across Breakneck Creek (WWF) to provide access to undeveloped lots. The project is located on the north side of Valencia Road approximately 1 mile west of its intersection with Bakerstown Road (Valencia, PA Quadrangle N: 8.1 inches; W: 15.0 inches) in Richland Township, **Allegheny County**. The applicant has met the wetland replacement requirements by contributing to the Wetland Replacement Fund.

E02-1277. Encroachment. **Port Authority of Allegheny County**, 2235 Beaver Avenue, Pittsburgh, PA 15233-1080. To construct and maintain a new Oak Viaduct Bridge having three spans of approximately 22.0 m, 29.0 m and 53.0 m with a minimum underclearance of approximately 6.3 m across the channel of Saw Mill Run, to repair and maintain the existing gabion wall and to construct and maintain a new gabion wall in the channel of and along the banks of said stream from STA 107 + 390 to STA 108 + 210, to construct and maintain the South Bank Station on the left bank of said stream at STA 107 + 61, to relocate the existing 36-inch diameter ALCOSAN sanitary sewer line under the bed and across the channel of said stream, to regrade and maintain the banks of said stream from STA 108 + 210 to STA 206 + 800, and to construct and maintain 11 outfall structures along the banks of said stream for the purpose of reconstructing the Overbrook Trolley Line from Denise Street to Glenbury Street (Pittsburgh East, PA Quadrangle N: 2.7 inches; W: 17.1 inches) in the City of Pittsburgh, **Allegheny County**.

E02-1278. Encroachment. **Heidelberg Metals, Inc. (Neville Metals)**, 3100 Grand Avenue, Pittsburgh, PA 15225. To expand, operate and maintain the existing barge mooring facility approximately 850.0 feet in length and 130.0 feet wide (as measured from the normal pool

elevation) along the left bank and in the channel of the Ohio River (WWF) located at River Mile 7.14 (Emsworth, PA Quadrangle N: 1.5 inches; W: 14.9 inches) in Neville Township, **Allegheny County**. Perpetual maintenance dredging is authorized.

E63-475. Encroachment. **Missionary Partners, LTD**, 859 Missionary Drive, Pittsburgh, PA 15236. To place and maintain fill in approximately 0.08 acre of wetlands (PEM) adjacent to an unnamed tributary to Peters Creek (TSF) for the purpose of constructing an access to a business building located approximately 600 feet south-west from the intersection of Route 88, Finley Avenue and Boyka Drive (Hackett, PA Quadrangle N: 21.5 inches; W: 0.5 inch) in Union Township, **Washington County**. The permittee has met wetland replacement obligations by contributing to the Wetland Replacement Fund.

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

E54-268. Encroachment. **James L. McAndrew**, 100 Centre Street, Ashland, PA 17921. To construct and maintain a single-span bridge, having a clear span of approximately 16 feet and an underclearance of approximately 5 feet, across Little Mahanoy Creek, for the purpose of providing access to a portion of an 89.47-acre tract. The project is located approximately 1,000 feet north of the intersection of T-962 and T-964 (Ashland, PA Quadrangle N: 2.4 inches; W: 8.1 inches), in Butler Township, **Schuylkill County**.

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

E16-110. Water Obstruction and Encroachment Permit. **Toby Township**, R.R. 3, Box 316, Rimersburg, PA 16248. To remove the existing structure and to construct and maintain a prestressed concrete plank beam bridge having a clear, normal span of 10 meters and a minimum underclearance of 1.71 meters across Cherry Run and a de minimis wetland fill (0.02 hectare) on T-374 approximately 60 meters south of S.R. 2009 (Rimersburg, PA Quadrangle N: 13.5 inches; W: 4.1 inches) located in Toby Township, **Clarion County**.

E20-485. Water Obstruction and Encroachment Permit. **Pennsylvania Fish and Boat Commission, Bureau of Engineering and Development**, 450 Robinson Lane, Bellefonte, PA 16823. To construct and maintain an earth fill public fishing pier with rock riprap armor extending a distance of approximately 200 feet from the edge of water with a top width of approximately 30 feet occupying 0.23 acre of the lake bed and having a total volume of 2,300 cubic yards of earth fill to be obtained by excavating approximately 2 acres of the bed of Tamarack Lake in the immediate vicinity of the proposed pier. To install 20 piles of rock riprap in 5-ton piles on the lake bed for fish habitat structures. This project is located at an existing public access area along Tamarack Road on the southwestern side of the lake approximately 0.75 mile northwest of Freyermuth Road (Cochranon, PA Quadrangle N: 15.1 inches; W: 11.4 inches) located in East Mead Township, **Crawford County**.

E61-227. Water Obstruction and Encroachment Permit. **Rocky Grove Presbyterian Church**, 321 Rocky Grove Avenue, Franklin, PA 16323. To construct and maintain approximately 300 feet of 5-foot-diameter corrugated metal pipe stream enclosure in a tributary to French Creek (Monkey Run) adjacent to the Rocky Grove Avenue Presbyterian Church in the village of Rocky Grove along

S. R. 417 approximately 2,600 feet northeast of S. R. 322 (Franklin, PA Quadrangle N: 6.4 inches; W: 10.5 inches) located in Sugarcreek Borough, **Venango County**.

[Pa.B. Doc. No. 99-2091. Filed for public inspection December 10, 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) at the Public Participation Center. The "1999 Inventory" heading is the Governor's List of Nonregulatory 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

DEP ID: 550-0800-001 Title: Pennsylvania's Plan for Addressing Problem Abandoned Wells and Orphaned Wells Description: This guidance represents the DEP Bureau of Oil and Gas Management's strategic plan for pursuing the plugging of abandoned oil and gas wells as part of the DEP Reclaim PA program. Anticipated Effective Date: January 14, 2000, Comment Period Ends: January 10, 2000, Contact: Carl Morgeneier at (717) 772-2199 or email at Morgeneier.Carl@dep.state.pa.us.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-2092. Filed for public inspection December 10, 1999, 9:00 a.m.]

DEPARTMENT OF HEALTH

Advisory Health Board Meeting

The Department of Health hereby gives notice that the Advisory Health Board will meet on December 17, 1999 from 9 a.m. until 1 p.m. in Room 812 of the Health and Welfare Building to review and approve changes to the draft Communicable Disease Regulations.

Further information regarding the meeting or a copy of the draft regulations may be obtained by contacting Dr. James T. Rankin, Department of Health, Division of Communicable Disease Epidemiology, P. O. Box 90, Harrisburg, PA 17108, (717) 787-3350.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid service or other accommodation to do so, or who require a copy of the draft regulations in an alternative format (that is large print, audio tape, Braille) should also contact Dr. Rankin at (717) 787-3350, 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, Jr.,
Secretary

[Pa.B. Doc. No. 99-2093. Filed for public inspection December 10, 1999, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Tic Tac Toe '00 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:

- Name:* The name of the game is Pennsylvania Tic Tac Toe '00.
- Price:* The price of a Pennsylvania Tic Tac Toe '00 instant lottery game ticket is \$1.00.
- Play Symbols:* Each Pennsylvania Tic Tac Toe '00 instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: X (XXX) and O (OOO).
- Prizes:* The prizes that can be won in this game are \$1, \$2, \$5, \$10, \$25, \$100 and \$2,500.
- Approximate Number of Tickets Printed For the Game:* Approximately 8,160,000 tickets will be printed for the Pennsylvania Tic Tac Toe '00 instant lottery game.
- Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of X (XXX) or three matching play symbols of O (OOO) in the same row in the play area, and a prize amount of \$2,500 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$2,500.

(b) Holders of tickets with three matching play symbols of X (XXX) or three matching play symbols of O (OOO) in the same row in the play area, and a prize amount of \$100 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with three matching play symbols of X (XXX) or three matching play symbols of O (OOO) in the same column in the play area, and a prize amount of \$25 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$25.

(d) Holders of tickets with three matching play symbols of X (XXX) or three matching play symbols of O (OOO) in the same row in the play area, and a prize amount of \$10 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$10.

(e) Holders of tickets with three matching play symbols of X (XXX) or three matching play symbols of O (OOO) in the same column in the play area, and a prize amount of \$5 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$5.

(f) Holders of tickets with three matching play symbols of X (XXX) or three matching play symbols of O (OOO) in the same column in the play area, and a prize amount of \$2 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$2.

(g) Holders of tickets with three matching play symbols of X (XXX) or three matching play symbols of O (OOO) in the same diagonal in the play area, and a prize amount of \$1 in the corresponding prize arrow, 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>Find 3 "X"s Or 3 "O"s In A Row, Column Or Diagonal With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 8,160,000 Tickets</i>
Diagonal	\$1	1:7.69	1,060,800
Center Column	\$2	1:13.04	625,600
Left Column	\$5	1:37.50	217,600
Bottom Row	\$10	1:150	54,400
Right Column	\$25	1:300	27,200
Top Row	\$100	1:4,364	1,870
Center Row	\$2,500	1:240,000	34

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Tic Tac Toe '00 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 Tic Tac Toe '00, prize money from winning Pennsylvania Tic Tac Toe '00 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 Tic Tac Toe '00 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 Tic Tac Toe '00 or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-2094. Filed for public inspection December 10, 1999, 9:00 a.m.]

Rates of Tax on Aviation Gasoline and Jet Fuel for 2000; Oil Company Franchise Tax Rate for 2000

Aviation Gasoline and Jet Fuels

Under 74 Pa.C.S. § 6121(b), the Secretary of Revenue announces that for the calendar year 2000 the rate of tax on aviation gasoline and all other liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in propeller-driven piston engine aircraft or aircraft engines will increase from the current rate of 3 3/10¢ to 3 7/10¢* per gallon or fractional part thereof.

Under 74 Pa.C.S. § 6131(b), the Secretary of Revenue announces that for the calendar year 2000 the rate of tax on jet fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine-propeller jet, turbojet and jet-driven aircraft and aircraft engines will increase from the current rate of 1 5/10¢ to 1 9/10¢ gallon or fractional part thereof.

The rate of tax on aviation gasoline is adjusted annually beginning on January 1, 1985 and each January 1 thereafter. The rate of tax on jet fuels is adjusted annually beginning on January 1, 1986 and each January 1 thereafter. Under 74 Pa.C.S. § 6121(b) and § 6131(b) the rate of each tax increases or decreases 1/10 of a cent per gallon for each 10% increase or decrease in the producer price index for jet fuel as determined by the United States Department of Labor, Bureau of Labor Statistics, for the most recent 12-month period available as of November 1, subject to a maximum rate of 6¢ per gallon for aviation gasoline and 2¢ per gallon for jet fuels. On November 1, 1999, the most recently available 12-month period was September 1998 to September 1999, as reported in Bureau of Labor Statistics, U.S. Department of Labor, Producer Price Indexes, September 1999, for which the percentage change was +47.8%. Accordingly, the aviation gasoline tax rate and the jet fuel tax rate both increase by 4/10 of a cent per gallon.

Oil Company Franchise Tax

The Secretary of Revenue announces that for the calendar year 2000 there is no increase in the current rate of the oil company franchise tax which is hereby determined to be 13.9¢ per gallon on all liquid fuels and 18.8¢ per gallon on all fuels used or sold and delivered by distributors within this Commonwealth under 75 Pa.C.S. § 9004(b) and § 9002, definition of "Cents per Gallon Equivalent Basis."

The rate of the oil company franchise tax imposed under Chapter 95 (Taxes for Highway Maintenance and Construction) of the Vehicle Code, 75 Pa.C.S. § 9502, and

*The rate of 3 7/10¢ per gallon consists of the 1 1/2¢ per gallon tax imposed by the Liquid Fuels and Fuels Tax Act, 75 Pa.C.S. § 9004(c)(2), and the 2 2/10¢ per gallon additional tax imposed by 74 Pa.C.S. § 6121(a). As limited by 74 Pa.C.S. § 6121(b), the combined rate of these two component taxes may never exceed 6¢ per gallon or be less than 3¢ per gallon.

collected under Chapter 90 (Liquid Fuels and Fuels Tax), 75 Pa.C.S. § 9004(b), is determined annually by the Department of Revenue and announced by each December 15 for the following calendar year. The tax rate is determined on a "cents per gallon equivalent basis," which is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price per gallon multiplied by the decimal equivalent of any tax imposed by section 9502 (relating to imposition of tax), the product of which is rounded to the next highest tenth of a cent per gallon. The rate of tax shall be determined by the Department of Revenue on an annual basis beginning every January 1 and shall be published as a notice in the *Pennsylvania Bulletin* no later than the preceding December 15. In the event of a change in the rate of tax imposed by section 9502, the Department shall redetermine the rate of tax as of the effective date of such change and give notice as soon as possible.

"Average wholesale price" as used above is defined as:

The average wholesale price per gallon of all taxable liquid fuels and fuels, excluding the federal excise tax and all liquid fuels taxes, as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set. In no case shall the average wholesale price be less than 90¢ nor more than \$1.25 per gallon.

For the 12-month period ending September 30, 1999 the Department has determined that the average wholesale price of liquid fuels and fuels was less than 90¢ per gallon; accordingly, an average wholesale price of 90¢ per gallon is used to determine the rate for 2000.

The oil company franchise tax imposed under 75 Pa.C.S. § 9502 in terms of mills applicable to each gallon is:

<i>Imposition Section</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
75 Pa.C.S. § 9502(a)(1)	60.0	60.0
75 Pa.C.S. § 9502(a)(2)	55.0	55.0
75 Pa.C.S. § 9502(a)(3)	38.5	38.5
75 Pa.C.S. § 9502(a)(4)	00.0	55.0
Total Mills per Gallon:	153.5	208.5
Decimal Equivalent:	.1535	.2085
Multiply by Average Wholesale Price:	x 90¢	x 90¢
Product:	13.815¢	18.765¢
Oil Company Franchise Tax per Gallon (Rounded Up to Next Highest Tenth):	13.9¢	18.8¢

Act 3 of 1997 provides that the oil company franchise tax as computed above is collected at the same time as the liquid fuels and fuels tax of 12¢ per gallon; therefore, effective January 1, 2000 the combined rate of tax for liquid fuels (primarily gasoline) is 25.9¢ per gallon and for fuels (primarily diesel fuel) is 30.8¢ per gallon.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-2095. Filed for public inspection December 10, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right of Way; District 5-0

The Department of Transportation (Department), pursuant to the authority contained in section 2002(c) of The Administrative Code of 1929 (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 Eastern Schuylkill Recreation Commission of 320 East Broad Street, Tamaqua, PA 18252, seeking to lease highway right of way located along SR 209 in Schuylkill Township, Blythe Township, and Walker Township, Schuylkill County, 39 acres ±, adjacent to SR 209, for the purposes of a public walking trail. Interested persons are invited to submit, within 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 Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103.

Questions regarding this application or the proposed use may be directed to Paul J. Goida, Right of Way Administrator, Engineering District 5-0, 2460 Parkwood Drive, Allentown, PA 18103, (610) 791-6011.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-2096. Filed for public inspection December 10, 1999, 9:00 a.m.]

Retention of Engineering Firms

Northampton County Project Reference No. 08430AG2461

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately nine (9) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 0033, Section 001, Northampton County, PA 33 Extension South—with Lehigh River Bridge. This project involves new construction of the Southern section of State Route 0033, including a bridge over the Lehigh River. The estimated construction cost is \$33 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the acceptable letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting acceptable letters of interest:

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage. The TCM-1's listed must have extensive steel and concrete bridge inspection experience. The TCI-M must be NICET

Level II Highway Materials Certified and Nuclear Gauge Certified. The CDS operator will be a full time TCI who is PennDOT CDS certified.

- b. Understanding of Department's requirements, policies, and specifications.
- c. Past Performance.
- d. Ability to provide CDS operator.
- e. Number of NICET certified inspectors in each payroll classification.
- f. Number of available inspectors in each payroll classification.
- g. Ability to provide CPM scheduling.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (2)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	3 (2)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauge/License (at point of need when required)
- 1 Paint Test Kit
- 1 Base Radio Station
- 10 Two-Way Radios
- 1 Two-Way Radio Repeater Station
- 1 Camera (type 35mm)

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project reference number must include a letter, signed by the individuals you propose for all TCM-1 and TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistant(s) do not need to be identified in the Letter of Interest.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes Classification</i>
TCM-1	2
TCIS	3
TCI-M	2
TCI	4

No resumes are required for the TA Classification.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and

additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to: Mr. Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 2460 Parkwood Drive, Allentown, PA 18103 Attention: Mr. Brian H. Graver.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian H. Graver, District 5-0, at (610) 791-6022 or Mr. Kevin E. Milnes, P.E., District 5-0, at (610) 791-6036.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that request engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the Pennsylvania Bulletin.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of

Interest on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-2097. Filed for public inspection December 10, 1999, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee, to review House Bill 854, Printers Number 2459 (Micozzie), the Medical Foods Insurance Coverage Act. House Bill 854 would require health insurance policies to provide

coverage for low protein modified food products for the treatment of phenylketonuria (PKU), branched-chain ketonuria, galactosemia and hemocystinuria. Coverage would be limited to \$2,500 for an insured individual for any continuous period of 12 months.

The Council is requesting that anyone supporting or opposing these mandated insurance benefits provide six copies of such documentation to the Council no later than February 11, 2000. The documentation should be mailed to Flossie Wolf, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

Documentation submitted should be in accordance with any or all of the following information categories described in section 9 of Act 34:

(i) The extent to which the proposed benefit and the services it would provide are needed by, available to and utilized by the population of the Commonwealth.

(ii) The extent to which insurance coverage for the proposed benefit already exists, or if no such coverage exists, the extent to which this lack of coverage results in inadequate health care or financial hardship for the population of the Commonwealth.

(iii) The demand for the proposed benefit from the public and the source and extent of opposition to mandating the benefit.

(iv) All relevant findings bearing on the social impact of the lack of the proposed benefit.

(v) Where the proposed benefit would mandate coverage of a particular therapy, the results of at least one professionally accepted, controlled trial comparing the medical consequences of the proposed therapy, alternative therapies and no therapy.

(vi) Where the proposed benefit would mandate coverage of an additional class of practitioners, the results of at least one professionally accepted, controlled trial comparing the medical results achieved by the additional class of practitioners and those practitioners already covered by benefits.

(vii) The results of any other relevant research.

(viii) Evidence of the financial impact of the proposed legislation, including at least:

(A) The extent to which the proposed benefit would increase or decrease cost for treatment or service.

(B) The extent to which similar mandated benefits in other states have affected charges, costs and payments for services.

(C) The extent to which the proposed benefit would increase the appropriate use of the treatment or service.

(D) The impact of the proposed benefit on administrative expenses of health care insurers.

(E) The impact of the proposed benefits on benefits costs of purchasers.

(F) The impact of the proposed benefits on the total cost of health care within the Commonwealth.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 99-2098. Filed for public inspection December 10, 1999, 9:00 a.m.]

Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Representative Nicholas A. Micozzie, Chairperson of the House Insurance Committee, to review House Bill 1832, Printers Number 2249 (Nailor). House Bill 1832 would require health insurance policies to provide coverage for treatment of temporomandibular joint dysfunction and surgery, if medically necessary, for deformities of the maxilla or mandible.

The Council is requesting that anyone supporting or opposing these mandated insurance benefits provide six copies of such documentation to the Council no later than February 11, 2000. The documentation should be mailed to Flossie Wolf, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

Documentation submitted should be in accordance with any or all of the following information categories described in section 9 of Act 34:

(i) The extent to which the proposed benefit and the services it would provide are needed by, available to and utilized by the population of the Commonwealth.

(ii) The extent to which insurance coverage for the proposed benefit already exists, or if no such coverage exists, the extent to which this lack of coverage results in inadequate health care or financial hardship for the population of the Commonwealth.

(iii) The demand for the proposed benefit from the public and the source and extent of opposition to mandating the benefit.

(iv) All relevant findings bearing on the social impact of the lack of the proposed benefit.

(v) Where the proposed benefit would mandate coverage of a particular therapy, the results of at least one professionally accepted, controlled trial comparing the medical consequences of the proposed therapy, alternative therapies and no therapy.

(vi) Where the proposed benefit would mandate coverage of an additional class of practitioners, the results of at least one professionally accepted, controlled trial comparing the medical results achieved by the additional class of practitioners and those practitioners already covered by benefits.

(vii) The results of any other relevant research.

(viii) Evidence of the financial impact of the proposed legislation, including at least:

(A) The extent to which the proposed benefit would increase or decrease cost for treatment or service.

(B) The extent to which similar mandated benefits in other states have affected charges, costs and payments for services.

(C) The extent to which the proposed benefit would increase the appropriate use of the treatment or service.

(D) The impact of the proposed benefit on administrative expenses of health care insurers.

(E) The impact of the proposed benefits on benefits costs of purchasers.

(F) The impact of the proposed benefits on the total cost of health care within the Commonwealth.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 99-2099. Filed for public inspection December 10, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (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 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.

Reg No.	Agency/Title	Issued	Final-Form Submission Deadline
60-2	Pennsylvania Turnpike Commission Traffic Regulations (29 Pa.B. 4968 (September 25, 1999))	11/29/99	10/25/01
7-346	Environmental Quality Board Solvent Cleaning Operations (29 Pa.B. 4661 (August 28, 1999))	11/29/99	10/27/01

Turnpike Commission Regulation No. 60-2 Traffic Regulations November 29, 1999

We have reviewed this proposed regulation from the Pennsylvania Turnpike Commission (PTC) 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 statutory authority, reasonableness, need, protection of the public health and safety, and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Section 601.4. Speed limits.—Clarity.

Subsection (a) provides specific speed limits, but allows exceptions. On the other hand, a vehicle is restricted to the maximum and minimum posted speed limits. For

clarity, the PTC should delete the specific speed limits and simply require vehicles to obey the posted maximum and minimum speed limits.

2. Section 601.5. Hazardous materials.—Statutory authority; Reasonableness; Protection of the public health and safety; and Clarity.

Subsections (a) to (e)

The Preamble states "The Department of Transportation [Department] has terminated its hazardous materials permitting process and the Commission (PTC), following the Department's lead has done the same. Both entities terminated their programs due to *anticipated* Federal legislation that was to take effect this year." (Emphasis added.) Why is the PTC revising regulations to conform with legislation that hasn't passed? How will the PTC protect the public health and safety if the current regulation is deleted prior to implementation of the Federal program? If the sole basis for these amendments is to eliminate redundant state permitting, the PTC should wait for implementation of the Federal regulations.

Subsection (f)

Subsection (f) provides that an "administrative fee in the amount of \$300, payable directly to the Pennsylvania Turnpike Commission, will be assessed for violation of subsection (e)." A "fee" that will only be imposed in the instance of a violation is actually a "fine." As such, it raises several questions of statutory authority.

Section 6110(b) of the Motor Vehicle Code (75 Pa.C.S. § 6110(b)) establishes penalties for violation of the rules and regulations of the PTC and for fare evasion. Paragraph (1) provides that the fine for violation of the PTC's regulations shall be \$25, unless *otherwise provided by statute*. (Emphasis added.) Paragraph (2) establishes fines for fare evasion. Both paragraphs provide that fines shall be imposed upon conviction of a summary offense. This implies that the alleged violator is entitled to a hearing before a magistrate, with the right to appeal a conviction.

Given this statutory provision, we question the PTC's authority to impose a fine by regulation. If the PTC can demonstrate that it has the statutory authority to do so, who will make the finding of a violation, what procedure will be followed, and what recourse will be available for the violator to challenge the finding?

Finally, we question the statutory authority for the mandate that the "fee" will be paid directly to the PTC. The Judicial Code (42 P. S. § 3571(b)(2)) provides that all fees and fines imposed through State Police action shall be paid to the Commonwealth and credited to the Motor Vehicle Fund.

3. Section 601.6. Parking, stopping, loading, or unloading.—Need and Clarity.

Subsection (b), as amended, states "The State Police may remove . . . the vehicle within 24 hours . . . of the presumption of abandonment." This provision lacks clarity—it could be interpreted that the State Police may not remove the vehicle beyond 24 hours after it is presumed abandoned. We assume this isn't the intent. Further, this sentence is not needed because it duplicates the preceding sentence. For these reasons, the PTC should consider deleting this sentence.

4. Section 601.18. Accident prevention investigations.—Statutory authority and Clarity.

This section is modeled after section 3754 of the Motor Vehicle Code (75 P. S. § 3754), which provides for the confidentiality of accident prevention investigations un-

dertaken by the Department of Transportation in association with the Pennsylvania State Police. The PTC has proposed this section under section 6110 of the Motor Vehicle Code (75 P.S. § 6110(a)), which authorizes the PTC to apply provisions of the Motor Vehicle Code to its own operations, and modify them through regulation.

Subsection (b) states "In-depth accident investigations and safety studies and information, records and reports used in their preparation are not discoverable nor admissible in any legal action or other proceeding." (Emphasis added.) However, the PTC should limit the scope of this provision to civil proceedings. In *Commonwealth of Pennsylvania, Department of Transportation v. Taylor, Commonwealth of Pennsylvania, Department of Transportation v. Hall*, 1999 Pa. Super. 174 (1999), the Pennsylvania Superior Court has held that Section 3754(b) of the Motor Vehicle Code does not apply to criminal prosecutions.

**Environmental Quality Board Regulation No. 7-346
Solvent Cleaning Operations
November 29, 1999**

We have reviewed this proposed regulation from the Environmental Quality Board (EQB) 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 in determining whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to economic impact, reasonableness, need and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. General Applicability of the Regulation—Reasonableness, Need and Economic Impact.

Through this rulemaking, the EQB has proposed a comprehensive, aggressive program to reduce volatile organic compound (VOC) emissions. This regulation applies to a broad range of industries which use solvents in their cleaning operations. In the preamble, the EQB estimates that industry in Pennsylvania will save \$7.3 million the first year this regulation is in place, and \$14.6 million annually in subsequent years. According to the EQB, the regulation will result in slight increases to industry's operating costs. It asserts these increases will be offset by reduced evaporative loss of solvents as a result of requiring the use of lower volatility solvents.

Commentators disagree with the EQB's cost estimates and the impact the changes would have on their industries. They are concerned about the uniform applicability of the rulemaking, including the absence of any exceptions or exemptions.

We have the following concerns about the impact of this rulemaking:

- The EQB has not estimated the level of VOC reduction that will be achieved through the implementation of the regulation, nor has the EQB quantified the extent to which it will help Pennsylvania attain the required VOC reductions under the Clean Air Act.

—Prior to imposing these stringent requirements for solvent cleaning operations, the EQB should estimate what the anticipated VOC reductions will be.

- The EQB is applying the Federal maximum achievable control technology (MACT) for hazardous air pollutant (HAP) solvents to both HAP and non-HAP solvents. According to the preamble, the EQB is attempting to discourage operators from converting to non-HAP solvents

to avoid the more stringent MACT requirements. However, the Federal MACT only applies to six halogenated HAP solvents.

—The EQB should explain the compelling public interest and environmental benefit of extending the more stringent MACT requirements to non-HAP solvents.

- Other states which have imposed requirements for using lower volatility solvents, such as California, Illinois and Maryland, have higher volatility standards, exemptions or limited applicability. For example, the lower volatility solvent requirements in some other states apply only to cleaning metal parts. In addition, other states exempt the electronics industry where low volatility solvents are insufficient to remove films and coatings applied during the manufacturing process. The EQB should:

—Justify the reasonableness of imposing on Pennsylvania businesses what may be the most stringent operating requirements in the United States for cleaning machines. What additional VOC reductions will be achieved by applying the regulation to the cleaning of all parts instead of limiting the applicability to the cleaning of metal parts?

—Consider exempting the electronics industry and limiting applicability of the regulation to cleaning metal parts.

—Provide a more accurate estimate of associated costs.

- Existing regulations, in sections 129.63(a), (b) and (c) contain a 10 square foot de minimis threshold before the regulations apply. The EQB has deleted the de minimis threshold in the proposed regulation. Consequently, even small amounts of solvent would be regulated. The Department of Defense Regional Environmental Coordinator (DOD REC) for Federal Region III commented that the regulation will place an undue hardship on operators with Title V permits. According to DOD REC, operators with Title V permits will have to amend their permits to include small cold cleaning machines which were previously exempt. The EQB should:

—Explain the reasonableness of eliminating the de minimis threshold and for not applying some smaller exemption threshold.

—Provide an estimate of the amount of VOC reduction that will result from removing the de minimis threshold.

—Clarify the effect of this rulemaking on Title V permits. Will operators have to revise their existing Title V permits to include small degreasers that were previously exempt because they were considered insignificant emission sources?

—Justify the costs and recordkeeping requirements associated with permit revisions resulting from the elimination of the de minimis threshold.

- The EQB asserts that industry will realize significant savings by using lower volatility solvents. However, commentators dispute this assertion. They state that low volatility solvents take longer to evaporate, which will lengthen drying times for cleaning operations. Consequently, by using low volatility solvents some industries could be faced with modifying their manufacturing processes to account for longer drying times and making equipment modifications or replacements. The EQB should:

—Estimate the costs of manufacturing and equipment modifications associated with compliance.

—Address situations where no suitable low volatility solvent is available.

- Finally, commentators assert that the EQB's savings estimates do not take into account the cost of finding solvent replacements to comply with the regulation. For example, Armstrong Industries estimates an initial compliance cost of \$500,000 and an additional \$220,000 of annual operating costs at one facility as a result of the proposed regulation.

—The EQB needs to revise its cost estimates, taking into account commentators' concerns.

2. Section 121.1. Definitions—Reasonableness and Clarity.

Cold cleaning machine

This definition includes all solvents with >5% solvent or HAP by weight. Commentators assert this standard includes solvents that aren't volatile and don't contribute to ozone formation. Did the EQB intend to include solvents that aren't volatile and don't contribute to ozone formation? If so, the EQB should justify including these solvents. If not, the definition should be revised to exclude them.

The proposed definition also differs from the Federal regulatory definition of that term (40 CFR (Subpart T) § 63.461). The EQB should amend the definition to include all heated, non-boiling VOC solvent cleaners, or explain why it has not adopted the Federal definition.

Dwell and Dwell time

The definition of "dwell" applies to "[H]olding parts . . . above the solvent vapor zone." "Dwell time" refers in part to "[T]he period of time between when a parts basket is placed in the vapor zone. . ." (emphasis added). These provisions are inconsistent and should be clarified in the final-form regulation.

Solvent cleaning machine idle time

Although this term is defined, we have not found it used in the regulation. If the term is retained in the final regulation, it should be used in the text of section 129.63 to improve clarity and the internal consistency of the regulation. If it is not used in section 129.63, it should be deleted.

Solvent vapor zone and Vapor zone

The terms "solvent vapor zone" (in the definition of "dwell") and "vapor zone" (in the definition of "dwell time") are undefined terms that appear to have the same meaning. Either one or the other, but not both, should be defined and used.

Solvent vapor and Solvent vapor layer

Similarly, the undefined term "solvent vapor" is used in the definition of "freeboard refrigeration device" and the undefined term "solvent vapor layer" is used in the definition of "solvent/air interface." If the terms have the same meaning, one term should be defined and that term should be used consistently throughout the final regulation. If they are different, each term used should be defined.

Vapor cleaning machine

This definition provides that the in-line machine must boil the liquid solvent to generate the vapor used in the cleaning or drying cycle. That part of the definition is consistent with Federal regulations (at 40 CFR (Subpart T) § 63.461). However, the additional phrase "or that

heats liquid solvent" is not included in the Federal definition. The EQB should explain why it has diverted from the Federal definition.

3. Section 129.63(a). Cold Cleaning Machines—Reasonableness and Need.

Subsection (a)(3)

Subsection (a)(3)(v) prohibits the use of air agitated solvent baths. However, the corresponding provision in the Federal MACT (40 CFR 63.462(c)(6)) does not preclude their use. The EQB should explain why it is reasonable and necessary to prohibit air agitated solvent baths.

Subsections (a)(4) and (5)

Subsection (a)(4) prohibits the use of a solvent with a vapor pressure of 2.0 millimeters of mercury (mm Hg) or more, measured at 20°C (68°F) containing VOCs 1 year after implementation of the proposed regulation. Subsection (a)(5) prohibits solvents with a vapor pressure of 1.0 mm Hg or greater 2 years after implementation of the proposed regulation. These proposed requirements for low vapor pressure solvents are not contained in the Federal MACT.

The EQB needs to address the following issues in the final regulation:

- Are effective solvents that meet these pressure requirements widely available to industry?
- Will the use of solvents that meet these criteria result in a significant VOC reduction?
- What other states have requirements similar to those proposed in this rulemaking? Do they apply Statewide to all industries? Do they apply only in specific regions or nonattainment areas?
- If the final regulation establishes a program with no exceptions or only a few exceptions, will a waiver process be included to address individual situations?

4. Solvent 129.63(d). Airless cleaning machines and airtight cleaning machines—Clarity.

Subsection (d)(3) requires the operator of a machine to operate the machine in conformance with "good air pollution control practices." To improve clarity, the EQB should define or reference what these practices are.

5. Section 129.63(e). Hand-wipe cleaning operations—Reasonableness and Clarity.

Subsection (e) and the definition of "hand-wipe cleaning operation" are adapted from Federal regulations specific to aerospace manufacturing. As such, they apply only to owners and operators of commercial, civil, or military aerospace original equipment manufacturing and rework operations. The EQB's proposal, on the other hand, would apply to all sources.

- Did the EQB intend to include all hand-wipe cleaning operations, such as use of a computer screen cleaning pad, or general janitorial services, under its provisions? If so, how does the EQB intend to enforce such a provision? The EQB should consider establishing a de minimis level or an exemption for consumer uses. In doing so, it should include a definition for "consumer product."

- References to “wipe rags” at section 129.63(c)(vi) and (d)(7)(v) should be revised to reflect the “hand-wipe” terminology in this section and the definition of “hand wipe cleaning operations.”

- How will requirement for placing hand-wipes in closed containers for disposal and recycling ultimately reduce the level of VOC emissions?

6. Section 129.63(f). Alternative provisions for solvent cleaning machines—Clarity.

We found the following clarity concerns in subsection (f):

- The first sentence states that the section applies to all solvent cleaning machines and that compliance is demonstrated by complying with paragraph (1) or (2). The chart in paragraph (1) does not include cold cleaning machines. Did the EQB intend to include alternative provisions for subsection (a), cold cleaning machines?

- The chart in paragraph (1)(ii) includes a category for new in-line solvent cleaning machines. What is the definition of “new”? Either a definition for “new” or a date, such as purchased after publication of the final rulemaking, should be added.

- Subsection (f)(3) references emission limits determined using Table IV. This appears to be a misprint and should read “Table 6” for consistency with the title of the table in the proposal.

- The tables are not numbered consistently. Although there are two tables in the proposal, the first table is not numbered and the second table is labeled “Table 6.” The EQB should either explain this numbering sequence or label all tables sequentially.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-2100. Filed for public inspection December 10, 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>
16A-636	State Board of Psychology Application Fees	11/30/99
16A-612	State Board of Landscape Architects Continuing Education	11/30/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-2101. Filed for public inspection December 10, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws

Danny J. Ament; Doc. No. SC99-10-003

Notice is hereby given of the Order to Show Cause issued on November 15, 1999 by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: Sections 106, 209(b), 603, 607 and 639 of the Insurance Department Act (40 P. S. §§ 26, 47(b), 232, 233, 237, 279).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code §§ 31.1—35.193, 35.225—35.251 (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the above-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2102. Filed for public inspection December 10, 1999, 9:00 a.m.]

Alleged Violation of Insurance Laws

Michael Bowman; Doc. No. SC99-09-001

Notice is hereby given of the Order to Show Cause issued on November 23, 1999 by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: The Insurance Department Act (40 P. S. § 234, § 474), 18 Pa.C.S. § 4117.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) 1 Pa. Code §§ 31.1—35.193, 35.225—35.251 (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the above-referenced administrative hearing, and require an

auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2103. Filed for public inspection December 10, 1999, 9:00 a.m.]

Application and Request for a Certificate of Authority

Christ the King Manor, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at King's Court at Christ the King Manor, DuBois, PA. The initial filing was received on November 29, 1999 and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act of June 18, 1984, P. L. 391, No. 82, as amended. Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority 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 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 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, email: mgraeff@ins.state.pa.us or by fax (717) 787-8557.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2104. Filed for public inspection December 10, 1999, 9:00 a.m.]

Application and Request for a Certificate of Authority

Moravian Village of Bethlehem, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Moravian Village of Bethlehem, Bethlehem, PA. The initial filing was received on November 29, 1999 and was made under the requirements set forth under the Continuing Care Provider

Registration and Disclosure Act of June 18, 1984, P. L. 391, No. 82, as amended. Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority 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 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 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, email: mgraeff@ins.state.pa.us or by fax (717) 787-8557.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-2105. Filed for public inspection December 10, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Union County, Wine & Spirits Shoppe #6001, 326 Market Street, Lewisburg, PA 17837-1420.

Lease Expiration Date: January 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,500 to 5,500 net useable square feet of new or existing retail commercial space within the Borough of Lewisburg.

Proposals due: January 7, 2000 at 12 Noon

Department: Pennsylvania Liquor Control Board

Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661

Contact: Ronald Hancher, Jr., (717) 657-4228

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 99-2106. Filed for public inspection December 10, 1999, 9:00 a.m.]

OFFICE OF THE BUDGET

Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act (65 P. S. § 366.3) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 17, 1999, that the salaries covered by that law shall be increased by 2.4% effective January 1, 2000. The following chart sets out the agency head position, the salary prior to the adjustment, the percentage amount of the adjustment, and the new salary:

COLA Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51

COLA ADJUSTMENT IS BASED ON THE PERCENT CHANGE IN THE CPI-U FOR PA-DE-NJ-MD, CMSA, FOR THE 12 MONTH PERIOD ENDING OCTOBER 1999

<i>Position</i>	<i>Salary Prior to 1/1/2000</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2000</i>
Governor	\$132,382	2.4%	\$135,559
Lieutenant Governor	\$111,201	2.4%	\$113,870
State Treasurer	\$110,142	2.4%	\$112,785
Auditor General	\$110,142	2.4%	\$112,785
Attorney General	\$110,142	2.4%	\$112,785
Large Agency Head	\$105,906	2.4%	\$108,448
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Public Welfare			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$100,610	2.4%	\$103,025
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$95,315	2.4%	\$97,603
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			
Liquor Control Board			
Chairperson	\$53,800	2.4%	\$55,091
Member	\$51,682	2.4%	\$52,922
Civil Service Commission			
Chairperson	\$43,024	2.4%	\$44,057
Member	\$43,024	2.4%	\$44,057
State Tax Equalization Board			
Chairperson	\$18,534	2.4%	\$18,979
Member	\$17,209	2.4%	\$17,622
Milk Marketing Board			
Chairperson	\$17,209	2.4%	\$17,622
Member	\$16,548	2.4%	\$16,945
Securities Commission***			
Chairperson	\$28,956	2.4%	\$29,651
Member	\$26,416	2.4%	\$27,050
Athletic Commission			
Chairperson	\$13,901	2.4%	\$14,235
Member	\$13,238	2.4%	\$13,556
Board of Pardons			
Member	\$12,180	2.4%	\$12,472
Board of Claims			
Chairperson	\$89,807	2.4%	\$91,962
Member	\$85,572	2.4%	\$87,626
Public Utility Commission			
Chairperson	\$103,110	**	\$105,525
Member	\$100,610	2.4%	\$103,025
Environmental Hearing Board*			
Chairperson	\$103,110	-	\$105,525
Member	\$100,610	-	\$103,025

*: The Environmental Hearing Board is not contained in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

** : Act 1995-51 states that the PUC Chairperson shall receive \$2,500/year more than PUC Members.

***: Per Act 1998-51.

ROBERT BITTENBENDER,
Secretary

OFFICE OF GENERAL COUNSEL

Bond Counsel Invitation to Qualify No. 081-0GC-ITQ-99-01

The Commonwealth of Pennsylvania is extending the time to accept qualifications from law firms for participation in bond counsel pools established by the Governor's Office of General Counsel (OGC). As previously advertised, the OGC intends to establish pools of qualified counsel to serve as bond counsel to the following agencies: Commonwealth of Pennsylvania, Office of the Budget; PENNVEST; Pennsylvania Housing Finance Agency; Pennsylvania Economic Development Financing Authority; Pennsylvania Industrial Development Authority; Pennsylvania Higher Educational Facilities Authority; and the State Public School Building Authority. The OGC is seeking to review qualifications from legal service providers (law firms) for participation in four designated bond counsel pools to serve the above-identified financing agencies through a formal Invitation to Qualify (ITQ) process. Those law firms that submitted qualifications by the November 22, 1999, deadline are not required to resubmit but may do so if desired.

To obtain a copy of the ITQ or information on the OGC and the executive agencies to be served by the four bond counsel pools, law firms are encouraged to visit the OGC's Website at www.ogc.state.pa.us. Law firms may also obtain a copy of the ITQ by sending a written request to M. Jane Demko by mail at Office of General Counsel, 333 Market Street, 17th Floor, Harrisburg, PA 17101, by E-mail at jdemko@state.pa.us, or by fax at (717) 787-1788. Law firms should address questions pertaining to this ITQ to M. Jane Demko at the above-listed address, E-mail or fax. All submissions to this ITQ are due by 2 p.m. on January 14, 2000. The OGC will reject as nonresponsive all submissions received after this date and time. The OGC expects to make its bond counsel appointments for future Commonwealth financing transactions to law firms identified and qualified through this ITQ process and thus strongly encourages any and all interested law firms to participate at this time to ensure consideration of their qualifications to provide bond counsel services.

JAMES M. SHEEHAN,
General Counsel

[Pa.B. Doc. No. 99-2108. Filed for public inspection December 10, 1999, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Condensed Balance Sheet and Condensed Statement of Operations

Condensed Balance Sheet

June 30, 1999
(Audited)
(In Thousands)

<i>Assets</i>	
Current Assets	\$4,707
Restricted Assets	5,922
Fixed Assets (Net)	73,660
Other Assets	<u>1,277</u>
Total Assets	<u>85,566</u>
<i>Liabilities and Fund Equity</i>	
Current Liabilities	4,002
Long-Term Liabilities	<u>56,314</u>
Total Liabilities	<u>60,316</u>
Contributed Capital	38,501
Accumulated Deficit	(13,251)
Total Fund Equity	<u>25,250</u>
Total Liabilities and Fund	85,566

Condensed Statement of Operations & Accumulated Deficit Year Ended June 30, 1999 (Audited) (In Thousands)

Oper. Revenue & Grants	\$13,243
Operating Expenses	(6,913)
Depreciation and Amort.	(3,188)
Net Interest Income/Exp.	(2,966)
Net Profit	176
Accum. Deficit, Beg. of Year	(13,427)
Accum. Deficit, End of Year	(13,251)

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 99-2109. Filed for public inspection December 10, 1999, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #9925.1, Waterproofing the Concrete Roof Deck, Tioga Marine Terminal—Office Building, until 2 p.m. Wednesday, December 29, 1999. The bid documents can be obtained from the Director of Procurement, PRPA, 210 W. Washington Sq., 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available December 14, 1999. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held 12/21/99, 10 a.m. at the Tioga Admin. Bldg., 3460 N. Delaware Ave., Suite 203, Philadelphia, PA 19134.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 99-2110. Filed for public inspection December 10, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Gas Service Without Hearing

A-121850F2021. National Fuel Gas Distribution Corporation. Application for approval of abandonment of service by National Fuel Gas Distribution Corporation to twenty-one gas service customers located in Clinton, Irwin and Scrubgrass Townships, Venango 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 December 27, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: National Fuel Gas Distribution Corporation

Through and By Counsel: Gwen M. Ralph, Esquire, National Fuel Gas Distribution Corporation, 1100 State St., Erie, PA 16512.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2111. Filed for public inspection December 10, 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 January 4, 2000, as set forth in 52 Pa. Code § 3.381 (relating to the applications for the transporta-

tion 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-00116394. Atlantic Coast Express, Inc., t/d/b/a A.C.E. Transportation Services (8637 North Country Place Drive, Tobyhanna, Monroe County, PA 18466), a corporation of the Commonwealth of Pennsylvania—persons, upon call or demand, in the county of Monroe. *Attorney:* W. Brian Golden, P. O. Box 152, Mount Pocono, PA 18344.

A-00116395. Randy Fink (R. R. 1, Box 315, New Millport, Clearfield County, PA 16861) persons in paratransit service between points in the county of Clearfield, and from points in the said county, to points in Pennsylvania, and return. *Attorney:* Gary A. Knaresboro, 218 South Second Street, Clearfield, PA 16830.

A-00116396. Mark Alan Brest, t/d/b/a Mark's Taxi Service (350 Sharpsville Avenue, Sharon, Mercer County, PA 16146)—persons upon call or demand in the cities of Sharon and Farrell, the boroughs of Sharpsville, Wheatland, Hermitage and West Middlesex, and the townships of Shenango, South Pymatuning and Pymatuning, all in the county of Mercer. *Attorney:* David Goodwin, P. O. Box 673, Sharon, PA 16146-0673.

Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.

A-00116037, F. 3. Sammy N. Fox, t/d/b/a Fox Charter Service (R. D. 3, Box 212C, Waynesburg, Greene County, PA 15370)—Additional Right—persons, in group and party service, using vehicles seating 15 passengers or less, including the driver, between points in the counties of Washington, Westmoreland, Fayette and Greene, and from points in the said counties and the county of Allegheny, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer as described under each application.

A-00116397. Mohamed El-Malah (3360 Chichester Avenue, Building S-14, Boothwyn, Delaware County, PA 19061)—household goods in use, between points in the city and county of Philadelphia; which is to be a transfer of the right authorized James Stewart, under the certificate issued at A-00076042, subject to the same limitations and conditions.

Applications of the following for amendment to the certificate of public convenience approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-00101020, F. 2, Am-A. Contract Delivery, Inc. (118 West Clarkson Street, Philadelphia, PA 19120-2926), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to permit the discontinuance of service and cancellation of the certificate of public convenience which grants the*

following rights: (1) To transport, as a Class B carrier, household goods in use, between points in the city and county of Philadelphia; and (2) To transport, as a common carrier, property, except household goods in use, between points in Pennsylvania.

A-00108869, F. 1, Am-A. E. N. Corliss, Inc. (613 Prospect Road, Springfield, Delaware County, PA 19064), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to permit* the discontinuance of service and cancellation of the certificate of public convenience which grants the following rights: (1) To transport, as a Class B carrier, household goods in use, between points in the city and county of Philadelphia; (2) To transport, as a Class D carrier, household goods in use, from points in the city and county of Philadelphia, to points in Pennsylvania within an airline distance of 25 statute miles of the Philadelphia City Hall, and vice versa; and (3) To transport, as a common carrier, property, except household goods in use, between points in Pennsylvania.

Complaint

Great Escape Vacations Ltd t/a
Great Escape Travel
11 Centennial Way
Scottsdale PA 15683

In re: A-00111467C9901
A-00111467

Dear Respondent:

On September 23, 199, the Bureau of Transportation and Safety instituted a complaint against Great Escape Vacations, Ltd., t/a Great Escape Travel, respondent, alleging failure to maintain proper evidence of current insurance in violation of the Public Utility Code. The respondent was duly notified that if acceptable evidence of insurance or an answer was not filed, the Bureau would request that the Secretary of the Commission revoke the certificate of public convenience issued to the respondent at A-00111467.

The complaint and notice were published in the October 23, 1999 issue of the *Pennsylvania Bulletin*, after the Commission was unsuccessful in serving respondent by mail. To date, more than twenty (20) days later, neither evidence of insurance nor an answer to the complaint has been filed. Therefore, the allegation in the complaint is deemed to be admitted.

The complaint at A-00111467C9901 is hereby sustained and the right(s) and the certificate of public convenience issued to the respondent at A-00111467 be and are hereby revoked; and the respondent has no other operating authority. The respondent is hereby notified to cease and desist from providing service previously authorized under the certificate of public convenience.

Very truly yours,
James J. McNulty
Secretary

Service of Notice of Formal Complaints Against Philadelphia Taxi Cab Drivers

The following formal complaints have been filed against Philadelphia taxi cab drivers by the Pennsylvania Public Utility Commission:

Name of Driver	Taxi Driver Certification Complaint #	Cab #	Violation of 52 Pa. Code	Date of Violation	Penalty
Clarence R. McPherson	H-00001105M9701	P-607	30.71(f) Expired TDC. 30.76(d)(7) Driving while operator's license suspended.	7/26/97	\$100.00 fine & cancellation of TDC.
Donald Burton	H-00001240M9601	P-272	30.71(f) Expired TDC. 30.76(d)(8) Driving while operator's license suspended.	1/04/96	Revocation of TDC.
Mario Bonelli	H-00003499M9501	P-287	30.71(f) Expired TDC.	2/09/95	Suspension of TDC.

Please be Advised That the Complaint Will be Processed as Follows:

A. Pursuant to 52 Pa. Code § 30.53, you must file an answer within fifteen (15) days of the receipt of this complaint. The answer shall raise all factual and legal arguments that you wish to claim in your defense. The answer shall be notarized and the original and two (2) copies sent to: James J. McNulty, Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

All answers must include the reference number of this complaint and the applicable P-number(s).

B. Pursuant to 52 Pa. Code § 30.55, if an answer is not filed within 15 days of the receipt of this complaint, a fine of \$1,000 will be assessed for each violation cited in the

complaint. Additionally, if you are not authorized by the Commission to perform the service, your vehicle registration may be suspended.

C. You may elect not to contest this complaint by paying the proposed fine in Item 16 by certified check or money order. Payment must be made to: Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

All payments must include the reference number of this complaint and the applicable P-number(s) on the check or money order.

(NOTE: PERSONAL CHECKS ARE UNACCEPTABLE.)

D. If a timely answer is filed which contests the complaint, it will be assigned to a Special Agent or an Administrative Law Judge who will serve as the presiding officer in the case. The Agent or the Judge is not

bound by the action in Item 16. A penalty imposed by them may be greater or less than the penalty in Item 16.

E. If you file an answer which admits or does not deny the violations in this complaint, an order will be issued, without benefit of the case being heard in front of a Special Agent or an Administrative Law Judge, imposing the action sought in Item 16.

[Pa.B. Doc. No. 99-2112. Filed for public inspection December 10, 1999, 9:00 a.m.]

Wastewater

A. 230117F0002. Frank Colombo, Jr., t/a Glenburn Services Company. Application of Frank Colombo, Jr., t/a Glenburn Services Company, for approval to offer, render, furnish or supply wastewater service to the public in additional territory in Glenburn Township, Lackawanna County, Pennsylvania.

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 December 27, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Frank Colombo, Jr., t/a Glenburn Services Company.

Through and By Counsel: Needle, Goldenziel & Pascale, P.C., 240 Penn Avenue, Scranton, PA 18503.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-2113. Filed for public inspection December 10, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Open End Mechanical, Electrical, Plumbing (MEP) Engineering Contract Systemwide

Reference No. 3-118

The Turnpike Commission (Commission) will retain one mechanical, electrical, plumbing (MEP) engineering firm for an open end contract to perform design and construction services for a variety of building facility-related projects along the entire Turnpike system. Services from the engineering firm include, but are not limited to: studies, concept plans, preliminary/final designs, production of construction documents suitable for competitive bidding, review of project submittals and construction phase services for multiple projects performed simultaneously under short completion schedules.

The firm selected will have experience with the types of buildings and systems in the Turnpike inventory, such as, administrative offices, toll plaza structures, maintenance facilities, sewage treatment plants, domestic water well systems, exterior lighting systems, and the like.

The contract will be for a maximum cost of \$500,000 or for a 24-month period. The firm will be required to provide sufficient office personnel, managers, engineers,

technicians and clerical staff to support the field functions. In addition, the firm selected may be required to attend construction meetings with the Commission.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

a. Specialized experience and technical competence of prime consultant and subconsultants. The team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Department of Transportation and Commission projects.

f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

Direct inquiries to Deann S. Metro at (717) 939-9551, Ext. 3731; or by E-mail at dmetro@paturnpike.com.

Open End Environmental/Civil Design Services Engineering Contract, Systemwide

Reference No. 3-119

The Turnpike Commission (Commission) will retain one environmental/civil engineering firm for an open-end contract to perform design and construction services for a variety of facility-related projects along the entire Turnpike system. Services from the engineering firm include, but are not limited to: studies, concept plans, preliminary/final designs, production of construction documents suitable for competitive bidding, inspection services, operation and maintenance analysis, and monitoring and sampling as required by the Department of Environmental Protection.

The firm selected will have experience with the types of facilities in the Turnpike inventory, such as, wastewater treatment plants (activated sludge, oxidation ditch, contact stabilization, trickling filter, and onlot treatment plants), domestic water well systems, and underground storage tanks. Investigations at facilities may include groundwater and soil characterizations, sinkhole analysis, erosion and sedimentation studies and drainage studies.

The contract will be for a maximum cost of \$500,000 or for a 24-month period. The firm will be required to provide sufficient office personnel, managers, engineers, technicians and clerical staff to support the field functions. In addition, the firm selected may be required to attend construction meetings with the Commission.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

a. Specialized experience and technical competence of prime consultant and subconsultants. The team must

clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

Direct inquiries to Deann S. Metro at (717) 939-9551, Ext. 3731; or by E-mail at dmetro@paturndpike.com.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information. The Letters of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified)

2. Three page expression of interest in the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for this project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultant's listed in the letter of interest will require written approval from the Commission.

4. Tabulation of workload for the prime consultant and all subconsultants for all Department of Transportation and Turnpike Commission projects.

5. A copy of the annual qualification package submitted to the Department of Transportation for the current year, that is in the same district as the project or one that is best suited for the project. If an interested firm does not perform work for the Department of Transportation, and does not have an annual qualification package prepared, the following information must still be provided.

The annual qualification package should contain at a minimum, the following information for the prime consultant and all subconsultants which should be attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-state headquarters or corporations not incorporated in this Commonwealth.

- A copy of the Department's DBE/WBE Certification, if applicable.

If a joint venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Don Santostefano, Facilities Manager, at the PA Turnpike Commission Administration Building located at 176 Kost Road, Carlisle, PA 17013-9779 (parcel delivery address). Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676.

The letter of interest and required information must be received by 12 p.m. (noon), Thursday, December 30, 1999. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to this solicitation, one firm will be selected for each project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical proposals or requests for proposals will not be requested prior to selection.

The Commission reserves the right to reject all letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for the work and services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 99-2114. Filed for public inspection December 10, 1999, 9:00 a.m.]