

PENNSYLVANIA BULLETIN

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Agencies in this issue:

The Courts
Department of Agriculture
Department of Banking
Department of Conservation and Natural
Resources
Department of Education
Department of Environmental Protection
Department of General Services
Department of Transportation
Independent Regulatory Review Commission
Insurance Department
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Pennsylvania Public Utility Commission
Public School Employees' Retirement Board
State Board of Nursing
State Board of Pharmacy
State Board of Vocational Rehabilitation
State Employees' Retirement Board
Turnpike Commission

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

No. 310, September 2000

PENNSYLVANIA



BULLETIN

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211
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Printing Format

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

Fiscal Notes

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

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

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

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

Amendment of Rule 402 of the Pennsylvania Bar Admission Rules No. 251, Supreme Court Rules, Doc. No. 1

Order

Per Curiam:

And Now, this 23rd day of August, 2000, Rule 402 of the Pennsylvania Bar Admission Rules is amended to read as attached hereto.

To the extent that notice of proposed rule-making would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Pa.B.A.R. 402 is hereby found to be required in the interest of justice and efficient administration.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter D. MISCELLANEOUS PROVISIONS

Rule 402. Confidentiality.

Except as otherwise prescribed in these rules, the actions and records of the Board shall not be open to inspection by the public. **The Board may, however, publish a list of the names of applicants who successfully completed the bar examination administered by the Board.**

[Pa.B. Doc. No. 00-1556. Filed for public inspection September 8, 2000, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Transfer of Attorney to Inactive Status

Notice is hereby given that the following attorneys have been transferred to inactive status by Order of the Supreme Court of Pennsylvania dated July 20, 2000, pursuant to Rule 111(b) Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing

Legal Education Board. The Order became effective August 19, 2000, for Compliance Group 3 due December 31, 1999.

Notice with respect to attorneys having Pennsylvania registration addresses, who have been transferred to inactive status by said Order, was published in the appropriate county legal journal.

David Allegrucci
Glendale, AZ

John J. Anastasio
Port St. Lucie, FL

Edward J. Baltzell
Long Beach, CA

Dennis Keith Barnes
Maple Shade, NJ

Donald S. Barth
Somerville, NJ

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Watchung, NJ

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Jersey City, NJ

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Farmingdale, NY

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Guilford, CT

Christine Louise DiBacco
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Karl Hieber Fockler
Elkton, MD

Gary Friedman
Moorestown, NJ

Regina Danielle Geise
Montclair, NJ

John J. Genoble, Jr.
Montville, NJ

Joseph A. Gioia
Chatham Township, NJ

Stuart Marc Golant
Tamarac, FL

Ronald P. Groseibl
Fair Lawn, NJ

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Washington, DC

James Walter Harkness
Wheeling, WV

Richard J. Hobin
Mexico

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Morristown, NJ

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Mt. Laurel, NJ

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New York, NY

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New York, NY

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Cherry Hill, NJ

John H. Knight
Tulsa, OK

Patricia A. Knopic
Cherry Hill, NJ

Andrew H. Koppel
Montclair, NJ

Martin Ludwig Lahm III
Hong Kong

Richard A. Lammert
Buffalo, NY

Mark Benjamin Lewis
New York, NY

Joseph Patrick Lukas
Chicago, IL

William Robert Marth
Watchung, NJ

Reginald Laurence May
Washington, DC

Carena Cavette McIlwain
Duvall, WA

Michael F. Midlige
Bernardsville, NJ

Jeffrey R. Miller
Washington, DC

Herbert Weiswasser Mondros
Wilmington, DE

Robert Brian Murphy
Washington, DC

Richard N. Papper
New York, NY

Adam Marc Raditz
Mt. Laurel, NJ

John Joseph Rachinsky
Edison, NJ

Mark Edward Ruffolo
Ramsey, NJ

Annette Marie Russo
Hastings on Hudson, NY

Herbert J. Sablove
Trenton, NJ

Charles M. Schwartz
France

Ann Adams Simms
Hallwood, VA

Kimberly Anne Sommar
New York, NY

D'Angela Proctor Steed
Atlanta, GA

Steven Philip Steinberg
Washington, DC

Gregg Douglas Trautmann
Boonton, NJ

Calvin D. Uhlig
Kaneohe, HI

Frederick Leo Williams, Jr.
Arlington, VA

Aurjul H. Wilson
St. Thomas, VI

David A. Wollman
Voorhees, NJ

Ana Mai Wong
Princeton, NJ

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

[Pa.B. Doc. No. 00-1557. Filed for public inspection September 8, 2000, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF NURSING
[49 PA. CODE CH. 21]

Sexual Misconduct

The State Board of Nursing (Board) adopts amendments to Chapter 21 (relating to State Board of Nursing) to read as set forth in Annex A.

A. Effective Date

The amendments will be effective upon publication in the *Pennsylvania Bulletin*.

B. Statutory Authority

These amendments are adopted by the Board under the authority of section 2.1(k) of the Professional Nursing Law (63 P. S. § 212.1(k)) and section 17.6 of the Practical Nurse Law (63 P. S. § 667.6).

C. Background and Purpose

These amendments were proposed against a background of increasing complaints of sexual misconduct against health care professionals who are licensed by the Bureau of Professional and Occupational Affairs (Bureau). The sexual exploitation of patients by health care practitioners presents a threat to public health and safety.

The amendments are intended to protect patients from sexual exploitation and to inform nurses that sexual misconduct is subject to disciplinary action. The amendments establish that conduct defined as a sexual violation or sexual impropriety with a patient during the course of a professional relationship violates standards of nursing conduct. Further, the amendments establish additional standards for registered nurses involved in mental health services by deeming their professional relationship with a patient to extend for 2 years after services are discontinued. The amendments establish that the consent of a patient to a sexual impropriety or sexual violation cannot be a defense in a disciplinary proceeding before the Board and that a nurse who engages in conduct prohibited by the amendments is not eligible for placement into an impaired professional program under either the Professional Nursing Law or the Practical Nurse Law.

D. Summary of Comments and Responses on Proposed Rulemaking

Notice of the proposed rulemaking was published at 28 Pa.B. 2693 (June 13, 1998). The Board received comments from the Independent Regulatory Review Commission (IRRC) and one public commentator, The Hospital and Healthsystem Association of Pennsylvania (HAP). Responses to these comments are organized by subject as follows.

§§ 21.1 and 21.141. Definitions.

The commentators objected to the term "behavioral/mental health nurse therapist" in § 21.1 (relating to registered nurses). HAP commented that the term "therapist" in the definition could be interpreted to mean that the nurse is also an independent practitioner providing

therapy services. HAP suggested that the definition should be clarified to reflect what categories of nurses are included in the definition. IRRC commented that the definition was beyond the Board's authority and conflicted with the Professional Nursing Law in that it could be interpreted to allow a nurse to unilaterally prescribe medical treatment or regimens. IRRC recommended deletion of the term "behavioral/mental health nurse therapist," but did not object to a different standard for nurses providing services in the mental health field. IRRC suggested, and the Board concurs, that this distinction should be made in the definition of "professional relationship." In final rulemaking, the Board has deleted the term "behavioral/mental health nurse therapist" and placed the distinction pertaining to the duration of the professional relationship for nurses practicing in the mental health field in the definition of "professional relationship."

As proposed, § 21.1 provided that for a nurse not involved in mental health services, the professional relationship ends with the patient's discharge from or discontinuance of services by the nurse or by the nurse's employer. IRRC questioned how this provision applies when an individual returns to a nurse's employer for treatment which is not related to the treatment provided by the original nurse. The Board's intent is that the professional relationship terminates for the original nurse when she last treats the patient. The Board believes the proposal adequately reflects the Board's intent, and therefore, no change in final rulemaking has been made.

IRRC suggested editorial changes to § 21.1(i) concerning the professional relationship for professional nurses. The Board has made the changes. The Board also has made similar editorial changes to § 21.141(i) concerning the professional relationship for practical nurses for clarity and uniformity.

§§ 21.18 and 21.148. Standards of nursing conduct.

IRRC suggested that the specific citations to the relevant statutes authorizing civil penalties in these sections should be provided. IRRC's suggestion has been adopted in the final version.

§§ 21.18a and 21.148a. Postadjudication reporting.

As proposed, §§ 21.18a and 21.148a provide that as a condition for reinstatement, the Board may require the nurse to obtain prior, written, informed consent of the patient to be treated by the nurse. Prior to treatment, the patient would sign a form that indicates that the patient consents to being treated by a nurse who had committed a sexual misconduct violation.

IRRC questioned the need for this provision because the condition for reinstatement would apply after the Board had already made a determination that a nurse with a sexual misconduct violation was fit to resume practice. IRRC also questioned the practicality and reasonableness of requiring the form to be signed by a patient. Both IRRC and HAP noted that a hospital or doctor's office would be unlikely to hire a nurse if patients would have to sign a consent form before that nurse could treat them. IRRC and HAP also expressed concern about the circumstances under which the Board might require the consent form. HAP expressed concern that this could lead to staffing problems at hospitals that hired nurses with a sexual misconduct violation if patients refused treatment by the nurse. HAP noted that additional

problems could arise if a patient refused treatment by a nurse with a sexual misconduct violation, but the nurse with a violation was the only one on duty. HAP suggested that signing the consent form may produce undue anxiety in patients. HAP further noted that this kind of reporting is not required for any other standard of conduct violation. Both commentators suggested that these sections be reconsidered.

The Board concurs with these concerns and suggestions. The Board has determined that the proposed rulemaking would be impractical and unduly burdensome for the reasons raised by IRRC and HAP. Therefore, the Board has deleted these provisions from final-form rulemaking.

E. Compliance with Executive Order 1996-1, Regulatory Review and Promulgation

In accordance with the requirements of Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the amendments, the Board solicited input and suggestions from the regulated community by providing drafts to interested associations and organizations, which represent the professions, educational institutions and interested individuals. The Board reviewed and considered all comments and suggestions by interested parties received during the regulatory development process. The final-form regulations address a compelling public interest as described in this preamble and otherwise comply with Executive Order 1996-1.

F. Fiscal Impact and Paperwork Requirements.

There should be no adverse fiscal impact or additional paperwork requirements incurred by the Board, political subdivisions or the private sector.

G. Sunset Date

The Board continuously monitors its regulations. Therefore, no sunset date has been assigned.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Board submitted a copy of the notice of proposed rulemaking on June 13, 1998, published at 28 Pa.B. 2693—2697, to IRRC and to the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

In compliance with section 5(c) of the Regulatory Review Act, the Board also provided IRRC and the Committees with copies of the comments received, as well as other documents. In preparing these final-form regulations, the Board has considered the comments received from IRRC and the public. No comments were received from the Committees.

These final-form regulations were deemed approved by the House and Senate Committee on June 6, 2000. IRRC met on June 22, 2000, and approved the regulations in accordance with section 5.1(d) of the Regulatory Review Act (71 P. S. § 745.5a(d)).

I. Contact Person

Interested persons may obtain information regarding the amendments by writing to Ann Steffanic, Board Administrator, State Board of Nursing, P. O. Box 2649, 124 Pine Street, Harrisburg, PA 17105-2649.

J. Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) This amendment does not enlarge the purpose of proposed rulemaking published at 28 Pa.B. 2693.

(4) These amendments are necessary and appropriate for administration and enforcement of the authorizing acts identified in Part B of this Preamble.

K. Order

The Board, acting under its authorizing statutes, orders that:

(1) The regulations of the Board, 49 Pa. Code Chapter 21, are amended by amending §§ 21.1, 21.18, 21.141 and 21.148 and by adding §§ 21.4a, 21.18a, 21.146a and 21.148a to read as set forth in Annex A.

(Editor's Note: The proposal to add §§ 21.18b and 21.148b, included in the proposal at 28 Pa.B. 2693, has been withdrawn by the Board.)

(2) The Board shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General as required by law.

(3) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(4) This order shall take effect on publication in the *Pennsylvania Bulletin*.

M. CHRISTINE ALICHNIE, PhD, RN
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 30 Pa.B. 3534 (July 8, 2000).)

Fiscal Note: Fiscal Note 16A-5110 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 21. STATE BOARD OF NURSING

Subchapter A. REGISTERED NURSES

GENERAL PROVISIONS

§ 21.1. Definitions.

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

Act—The Professional Nursing Law (63 P. S. §§ 211—225), which establishes standards for nursing schools and the conduct of nursing programs.

Approved—Approved by the Board.

Board—The State Board of Nursing of the Commonwealth.

Diagnosing—Identification of and discrimination between physical and psychosocial signs and symptoms essential to effective execution and management of the nursing regimen.

Human responses—Those signs, symptoms and processes which denote the interaction of the individual with an actual or potential health problem.

Patient (includes residents and clients)—A person, other than a spouse or immediate family member, who receives professional services from a registered nurse, regardless of whether the nurse receives remuneration for the services.

Practice of professional nursing—Diagnosing and treating human responses to actual or potential health problems through such services as casefindings, health teaching, health counseling, provision of care supportive to or restorative of life and well-being, and executing medical regimens as prescribed by a licensed physician or dentist. The term does not include acts of medical diagnosis or prescription of medical therapeutic or corrective measures, except as may be authorized by rules and regulations jointly promulgated by the State Board of Medicine and the Board, which rules and regulations will be implemented by the Board.

Professional relationship—

(i) For a registered nurse not involved in providing mental health services, the relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between a registered nurse and a patient and ending with the patient's discharge from or discontinuance of services by the nurse or by the nurse's employer. The administration of emergency medical treatment or transitory trauma care will not be deemed to establish a professional relationship.

(ii) For a registered nurse involved in providing mental health services, the relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between the nurse and patient and ending 2 years after discharge from or discontinuance of services. For a patient who is a minor, a professional relationship shall be deemed to exist for 2 years or until 1 year after the age of majority, whichever is longer, after discharge from or discontinuance of services.

Registered nurse—A nurse licensed under this subchapter to practice in this Commonwealth.

Sexual impropriety—The term includes the following offenses:

(i) Making sexually demeaning or sexually suggestive comments about or to a patient, including comments about a patient's body or undergarments.

(ii) Unnecessarily exposing a patient's body or watching a patient dress or undress, unless for therapeutic purposes or the patient specifically requests assistance.

(iii) Examining or touching genitals without the use of gloves when performing an otherwise appropriate examination.

(iv) Discussing or commenting on a patient's potential sexual performance or requesting details of a patient's sexual history or preferences during an examination or consultation, except when the examination or consultation is pertinent to the issue of sexual function or dysfunction or reproductive health care. Discussion of a patient's sexual practices and preferences shall be fully documented in the patient's chart.

(v) Soliciting a date from a patient.

(vi) Volunteering information to a patient about one's sexual problems, preferences or fantasies.

Sexual violation—The term includes the following offenses:

(i) Sexual intercourse between a registered nurse and a patient during the professional relationship.

(ii) Genital to genital contact between a nurse and a patient during the professional relationship.

(iii) Oral to genital contact between a nurse and a patient during the professional relationship.

(iv) Touching breasts, genitals, or any other body part for any purpose other than appropriate examination or treatment, or using prolonged or improper examination techniques, or after the patient has refused or withdrawn consent.

(v) Encouraging a patient to masturbate in the presence of the nurse or masturbating while a patient is present.

(vi) Providing or offering to provide drugs or treatment in exchange for sexual favors.

(vii) Using or causing the use of anesthesia or any other drug affecting consciousness for the purpose of engaging in conduct that would constitute a sexual impropriety or sexual violation.

Treating—Selection and performance of those therapeutic measures essential to the effective execution and management of the nursing regimen and execution of the prescribed medical regimen.

§ 21.4a. Procedural matters.

(a) The consent of the patient to any sexual impropriety or violation is not a defense to any disciplinary charge for violation of the act or this subchapter.

(b) Evidence of specific instances, opinion evidence or reputation evidence of a patient's past sexual conduct is not admissible in proceedings brought under § 21.18(b)(9) (relating to standards of nursing conduct). The Board may consider sexual relationships between the nurse and the patient occurring prior to the professional relationship.

(c) A nurse who attempts to raise as a defense an argument that conduct prohibited as a sexual violation or sexual impropriety was necessary or appropriate to the treatment of any patient shall be required to demonstrate competency in practice which relates directly to the treatment of sexual function or dysfunction. This competence may be demonstrated through educational training and supervised clinical experience. Appropriate discussions of sexual matters between a nurse and a patient shall be fully documented in patient records.

§ 21.18. Standards of nursing conduct.

(a) A registered nurse shall:

(1) Undertake a specific practice only if the registered nurse has the necessary knowledge, preparation, experience and competency to properly execute the practice.

(2) Respect and consider, while providing nursing care, the individual's right to freedom from psychological and physical abuse.

(3) Act to safeguard the patient from the incompetent, abusive or illegal practice of any individual.

(4) Safeguard the patient's dignity, the right to privacy and the confidentiality of patient information. This stan-

dard does not prohibit or affect reporting responsibilities under 23 Pa.C.S. Chapter 63 (relating to the Child Protective Services Law), the Older Adults Protective Services Act (35 P. S. §§ 10211—10224) and other statutes which may mandate reporting of this information.

- (5) Document and maintain accurate records.
- (b) A registered nurse may not:
 - (1) Knowingly aid, abet or assist another person to violate or circumvent a law or Board regulation.
 - (2) Discriminate, while providing nursing services, on the basis of age, marital status, sex, sexual preference, race, religion, diagnosis, socioeconomic status or disability.
 - (3) Knowingly permit another individual to use his license or temporary permit for any purpose or knowingly permit the unlicensed person under the registered nurse's jurisdiction or supervision to misrepresent that the individual is a licensed nurse.
 - (4) Misappropriate equipment, materials, property, drugs or money from an employer or patient.
 - (5) Solicit, borrow or misappropriate money, materials or property from a patient or the patient's family.
 - (6) Leave a nursing assignment prior to the proper reporting and notification to the appropriate department head or personnel of such an action.
 - (7) Knowingly abandon a patient in need of nursing care. Abandonment is defined as the intentional deserting of a patient for whom the nurse is responsible.
 - (8) Falsify or knowingly make incorrect entries into the patient's record or other related documents.
 - (9) Engage in conduct defined as a sexual violation or sexual impropriety in the course of a professional relationship.
- (c) A registered nurse who fails to comply with an obligation or prohibition under this section is subject to disciplinary and corrective measures under section 14 of the act (63 P. S. § 224).
- (d) The Board may, in addition to any other disciplinary or corrective measure set forth in this section, levy appropriate civil penalties as authorized by section 13(b) of the act (63 P. S. § 223(b)) upon a nurse found to have engaged in conduct constituting a sexual impropriety or sexual violation.

§ 21.18a. Impaired professional program.

When the Board is empowered to take disciplinary or corrective action against a nurse for conduct defined as a sexual violation or sexual impropriety, the nurse will not be eligible for placement into an impaired professional program under section 14.1 of the act (63 P. S. § 224.1).

**Subchapter B. PRACTICAL NURSES
GENERAL PROVISIONS**

§ 21.141. Definitions.

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

Act—The Practical Nurse Law (63 P. S. §§ 651—667) which establishes standards for the education of practical nurses and the practice of practical nursing.

Approved—Approved by the Board.

Board—The State Board of Nursing of this Commonwealth.

LPN—Licensed practical nurse. A nurse licensed under this subchapter to practice in this Commonwealth.

Patient (includes residents and clients)—A person, other than a spouse or immediate family member, who receives professional services from a licensed practical nurse, regardless of whether or not the nurse receives remuneration for the services.

Practice of practical nursing—The performance of selected nursing acts in the care of the ill, injured or infirm under the direction of a licensed professional nurse, a licensed physician or a licensed dentist which do not require the specialized skill, judgment and knowledge required in professional nursing.

Professional relationship—The relationship which shall be deemed to exist for a period of time beginning with the first professional contact or consultation between a licensed practical nurse and a patient and ending with the final professional contact between them. The administration of emergency medical treatment or transitory trauma care will not be deemed to establish a professional relationship.

Sexual impropriety—The term includes the following offenses:

- (i) Making sexually demeaning or sexually suggestive comments about or to a patient, including comments about a patient's body or undergarments.
- (ii) Unnecessarily exposing a patient's body or watching a patient dress or undress, unless for therapeutic purposes or the patient specifically requests assistance.
- (iii) Examining or touching genitals without the use of gloves when performing an otherwise appropriate examination.
- (iv) Discussing or commenting on a patient's potential sexual performance or requesting details of a patient's sexual history or preferences during an examination or consultation, except when the examination or consultation is pertinent to the issue of sexual function or dysfunction or reproductive health care. Discussion of a patient's sexual practices and preferences shall be fully documented in the patient's chart.
- (v) Soliciting a date from a patient.
- (vi) Volunteering information to a patient about one's sexual problems, preferences or fantasies.

Sexual violation—The term includes the following offenses:

- (i) Sexual intercourse between a licensed practical nurse and a patient during the professional relationship.
- (ii) Genital to genital contact between a nurse and a patient during the professional relationship.
- (iii) Oral to genital contact between a nurse and a patient during the professional relationship.
- (iv) Touching breasts, genitals or any other body part for any purpose other than appropriate examination or treatment, or using prolonged or improper examination techniques, or after the patient has refused or withdrawn consent.
- (v) Encouraging a patient to masturbate in the presence of the nurse or masturbating while the patient is present.
- (vi) Providing or offering to provide drugs or treatment in exchange for sexual favors.

(vii) Using or causing the use of anesthesia or any other drug affecting consciousness for the purpose of engaging in any conduct that would constitute a sexual impropriety or sexual violation.

§ 21.146a. Procedural matters.

(a) The consent of the patient to any sexual impropriety or violation is not a defense to any disciplinary charge for violation of the act or this subchapter.

(b) Evidence of specific instances, opinion evidence, or reputation evidence of a patient's past sexual conduct is not admissible in proceedings brought under § 21.148(b)(9) (relating to standards of nursing conduct). The Board may consider sexual relationships between the nurse and the patient occurring prior to the professional relationship.

(c) A nurse who attempts to raise as a defense an argument that conduct prohibited as a sexual violation or sexual impropriety was necessary or appropriate to the treatment of a patient shall be required to demonstrate competency in practice which relates directly to the treatment of sexual function or dysfunction. This competence may be demonstrated through educational training and supervised clinical experience. Appropriate discussions of sexual matters between a nurse and a patient shall be fully documented in patient records.

§ 21.148. Standards of nursing conduct.

(a) A licensed practical nurse shall:

(1) Undertake a specific practice only if the licensed practical nurse has the necessary knowledge, preparation, experience and competency to properly execute the practice.

(2) Respect and consider, while providing nursing care, the individual's right to freedom from psychological and physical abuse.

(3) Act to safeguard the patient from the incompetent, abusive or illegal practice of any individual.

(4) Safeguard the patient's dignity, the right to privacy and the confidentiality of patient information. This standard does not prohibit or affect reporting responsibilities under 23 Pa.C.S. Chapter 63 (relating to the Child Protective Services Law), the Older Adults Protective Services Act (35 P. S. §§ 10211—10224) and other statutes which may mandate reporting of this information.

(5) Document and maintain accurate records.

(b) A licensed practical nurse may not:

(1) Knowingly aid, abet or assist another person to violate or circumvent a law or Board regulation.

(2) Discriminate, while providing nursing services, on the basis of age, marital status, sex, sexual preference, race, religion, diagnosis, socioeconomic status or disability.

(3) Knowingly permit another individual to use his license or temporary permit for any purpose or knowingly permit the unlicensed person under the licensed practical nurse's jurisdiction or supervision to misrepresent that the individual is a licensed nurse.

(4) Misappropriate equipment, materials, property, drugs or money from an employer or patient.

(5) Solicit, borrow or misappropriate money, materials or property from a patient or the patient's family.

(6) Leave a nursing assignment prior to the proper reporting and notification to the appropriate department head or personnel of such an action.

(7) Knowingly abandon a patient in need of nursing care. Abandonment is defined as the intentional deserting of a patient for whom the nurse is responsible.

(8) Falsify or knowingly make incorrect entries into the patient's record or other related documents.

(9) Engage in conduct defined as a sexual violation or sexual impropriety in the course of a professional relationship.

(c) Failure to comply with an obligation or prohibition imposed by this section is subject to disciplinary and corrective measures under section 16 of the act (63 P. S. § 666).

(d) The Board may, in addition to any other disciplinary or corrective measure set forth in this section, levy appropriate civil penalties as authorized by section 15 of the act (63 P. S. § 665) upon a nurse found to have engaged in conduct constituting a sexual impropriety or sexual violation.

§ 21.148a. Impaired professional program.

When the Board is empowered to take disciplinary or corrective action against a practical nurse for conduct defined as a sexual violation or sexual impropriety, the nurse will not be eligible for placement into an impaired professional program under section 16.2 of the act (63 P. S. § 666.2).

[Pa.B. Doc. No. 00-1558. Filed for public inspection September 8, 2000, 9:00 a.m.]

STATE BOARD OF PHARMACY

[49 PA. CODE CH. 27]

Fees

The State Board of Pharmacy (Board) amends § 27.91 (relating to schedule of fees) by revising certain application fees to read as set forth in Annex A.

A. Effective Date

The amendment takes effect upon publication of the final-form regulation in the *Pennsylvania Bulletin*.

B. Statutory Authority

The amendment is authorized under section 8.2 of the Pharmacy Act (63 P. S. § 390-8.2).

C. Background and Purpose

Expenses of the Board which are related to processing individual applications or providing certain services directly to individual licensees or applicants are funded through fees which are based on the cost of providing the service. The fee is charged to the person requesting the service.

A recent systems audit within the Bureau of Professional and Occupational Affairs determined that the application and service fees did not accurately reflect the actual cost of processing the applications and performing the services. A detailed explanation of the background of these fees as well as a description of the fees was published at 29 Pa.B. 1613 (March 27, 1999).

D. Summary of Comments and Responses on Proposed Rulemaking

Following publication of proposed rulemaking at 29 Pa.B. 1613, the Board did not receive any comments from the general public. The Board received comments from

the House Professional Licensure Committee (HPLC) and the Independent Regulatory Review Commission (IRRC). The following is the Board's response to those comments.

Administrative Overhead Costs

IRRC requested that the Board and the Bureau of Professional and Occupational Affairs (Bureau) thoroughly examine their cost allocation methodology for administrative overhead and itemize the overhead costs to be recouped by these fees. IRRC commented that although the methodology was reasonable, there was no indication that the fees would recover the actual overhead costs because there was no relationship to the service covered by the fees and because the costs were based upon past expenditures rather than projected expenditures. IRRC expressed the view that there was no certainty that the projected revenues of the new fee would meet or exceed projected revenues, as required under the Board's enabling statute.

As IRRC noted, the adoption of a Bureau-wide averaged overhead for similar services was made when fees were established in 1989 rulemaking. This methodology was approved by the House and Senate oversight committees as well as IRRC. Legislative reviewers expressed a preference to "cost out" both user fees and operating revenue fees based upon actual, documented and verifiable factors as opposed to projected expenses or budgets that might never materialize. Thus, the Bureau has recommended and State Boards have adopted fee schedules which are based upon actual expenditures. Legislative reviewers at that time felt that a procedure for "rounding up" actual fees would be a sufficient cushion to provide any necessary surplus in nonbiennial revenue years and prior to the biennial reconciliation required under board statutes. The Bureau and the boards have used this methodology over 5 biennial reconciliation periods and have discovered this methodology results in relatively stable and reasonable fees.

The Bureau did consider a suggestion that the Bureau look into other methods of distributing administrative overhead expenses. Results obtained by applying a time factor were compared with the current methodology. The current method recouped 22% of the administrative overhead expenses versus 25% using a ratio based on a time factor. Board staff time varies between 23% and 28% to process a request for services for which user fees are charged. When this time factor calculation is combined with the licensee population, the result is wildly varying costs for different licensees who are receiving the same services. For example, using that method to produce a verification letter would cost \$34.58 for a landscape architect as compared with a cost of \$10.18 for a cosmetologist. Based upon this analysis the administrative overhead charge of \$9.76 applied to verifications and certifications represented a fair allocation because the work product is essentially the same and because documented experience supports the charge.

Certification and Verification Fee

The HPLC questioned under what circumstances the Board certifies an examination score. The HPLC and IRRC also requested an explanation of the difference between a verification and certification and an explanation of what accounted for the difference in fees.

The certification of a score is made at the request of a licensee when the licensee is seeking to obtain a license in another state based upon a license in this Commonwealth which had been issued as a result of passing a uniform National or regional examination in this Com-

monwealth. Generally, the state of the original license is the only source of the score of the licensee. Testing agencies do not maintain this information. The licensing laws of many states include provisions that a license will be granted by reciprocity or endorsement based on licensure in another state only if the board or agency determines that the qualifications are the same or substantially similar in both states. Many state agencies have interpreted these provisions to require that licensees have attained a score equal to or exceeding the passing rate in that jurisdiction at the time of original licensure. For this reason, these states require that the Pennsylvania Board and other boards certify the examination score the applicant achieved on the license examination.

The difference between the verification and certification fees is based on the amount of time required to produce the document requested by the licensee. States request different information when making a determination as whether to grant a license based on reciprocity or endorsement from another state. The Bureau has been able to create two documents from its records that meet all of the needs of the requesting state. When the licensee applies to the other state, the licensee receives information as to what documentation and form is acceptable in the requesting state. The Bureau then advises the licensee of the type of document the Bureau can provide and the fee. In the case of a verification, the staff produces the requested documentation by a letter, usually computer generated, which contains the license number, date of original issuance and current expiration date, and status of the license. The letters are printed from the Bureau's central computer records and sent to the Board staff responsible for handling the licensee's application. The letters are sealed, folded and mailed in accordance with the directions of the requestor. The Bureau estimates the average time to prepare this document to be 5 minutes.

The Bureau uses the term "certification fee" to describe the fee for a request for a document, again generally to support applications for reciprocity or endorsement to other states or for employment or training in another state. A certification document contains information specific to the individual requestor. It may include dates or location where examinations were taken, or examination scores achieved or hours and location of training. The information is entered onto a document which is usually supplied by the requestor. The average time to prepare a certification is 45 minutes. This period of time is required because a number of resources, such as files, microfilm and rosters must be retrieved and consulted to provide the information. The Board staff then seals and issues this document.

E. Fiscal Impact and Paperwork Requirements

The amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The amendments will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

F. Sunset Date

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

G. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Board submitted a copy of the notice

of proposed rulemaking, published at 29 Pa.B. 1088, to IRRC and to the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment. In compliance with section 5(c) of the Regulatory Review Act, the Board also provided IRRC and the Committees with copies of the comments received as well as other documentation.

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

The final-form regulation was approved by the House Committee on May 16, 2000, and deemed approved by the Senate Committee. IRRC met on May 25, 2000, and approved the amendments in accordance with section 5.1(e) of the Regulatory Review Act (71 P. S. § 745.5a(e)).

H. Contact Person

Further information may be obtained by contacting Melanie Zimmerman, Executive Secretary, State Board of Pharmacy, P. O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-4863.

I. Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) These amendments do not enlarge the purpose of proposed rulemaking published at 29 Pa.B. 1088.

(4) These amendments are necessary and appropriate for administration and enforcement of the authorizing acts identified in Part B of this Preamble.

J. Order

The Board, acting under its authorizing statutes, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 27, are amended by amending § 27.91 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General as required by law.

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

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

MICHAEL A. PODGURSKI,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 30 Pa.B. 2965 (June 10, 2000).)

Fiscal Note: Fiscal Note 16A-548 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 27. STATE BOARD OF PHARMACY

FEES

§ 27.91. Schedule of fees.

An applicant for a license, certificate, permit or service shall pay the following fees at the time of application:

Application for pharmacy intern certificate	\$30
Application for pharmacist license	\$40
North American Pharmacist Licensure Examination (NAPLEX)	\$250
Multistate Pharmacy Jurisprudence Examination (MPJE)	\$85
Certification of examination scores or internship hours	\$25
Verification of licensure	\$15
Assistant pharmacist biennial renewal	\$120
Registered pharmacist biennial renewal	\$120
Registered pharmacist late renewal penalty	\$25
New pharmacy permit application	\$100
Reinspection of new pharmacy after failure at first inspection	\$90
Pharmacy permit change without inspection	\$30
Pharmacy permit change when inspection required	\$95
Change in pharmacy ownership or Board of Directors	\$30
Verification of permit	\$15
Biennial renewal of pharmacy permit	\$75
Pharmacy permit late renewal penalty	\$25

[Pa.B. Doc. No. 00-1559. Filed for public inspection September 8, 2000, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program

The Department of Agriculture (Department) hereby gives notice of the procedures and requirements under which it will award grants under the Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program (Program). In summary, the Program is intended to provide owners of commercial nurseries producing stone fruit trees reimbursement for 15% of the losses they will sustain as a result of the destruction of peach trees, nectarine trees and other stone fruit trees as part of the Department's Plum Pox Virus (PPV) eradication effort. The Program complements a forthcoming initiative of the United States Department of Agriculture (USDA) to reimburse commercial stone fruit producers and commercial nurseries producing stone fruit trees for 85% of these losses.

The formula under which payments will be made under the Program is identical to the formula to be employed by USDA in making its payments. This notice restates statutory authority and provides background information.

Authority

Section 208 of the General Appropriation Act of 2000, act of May 24, 2000 (P. L. __, No. 21A) appropriates the sum of \$3.1 million to the Department for fruit tree indemnity payments relating to the PPV.

Background

The PPV, a plant pest indigenous to Europe, is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable. The PPV has been detected on stone fruit trees located in Latimore, Huntington, Tyrone and Menallen Townships (Adams County), and in South Middleton and Dickinson Townships (Cumberland County). The PPV has the potential to cause serious damage to the stone fruit production and stone fruit nursery industries within this Commonwealth. The PPV is transmitted from infected trees by aphids and by budding or grafting with PPV-infected plant material.

The Department has used its authority under the Plant Pest Act (3 P. S. §§ 258.1—258.27) to establish a quarantine with respect to the townships where PPV has been detected. Quarantine orders were published at 29 Pa.B. 5735 (November 6, 1999) and 30 Pa.B. 3269 (July 1, 2000), and may be revised in the future as the Department's effort to contain and eradicate this plant pest moves forward. The quarantine orders prohibit the movement of stone fruit trees and stone fruit budwood within the quarantined areas, and prohibit the movement of stone fruit trees and stone fruit budwood out of the quarantined areas.

There is no known control for the PPV other than the destruction of infected trees and the aphids that can carry the disease. The Program is intended to implement the Department's statutory authority to compensate fruit tree owners for a portion of the losses they will experi-

ence as a result of having to destroy stone fruit trees at the order of this Department.

The Department has, with the assistance of agricultural economists from the Pennsylvania State University, worked with the USDA to develop a PPV loss reimbursement formula that is acceptable to both the Department and the USDA and that reasonably reflects the losses a commercial nursery producing stone fruit trees would sustain with respect to stone fruit nursery stock destroyed to combat the PPV. In summary, there are two separate formulas, one for the 2000 nursery crop and one for the 2001 nursery crop.

The formula for reimbursing losses with respect to year 2000 stone fruit nursery stock destroyed by order of the Department addresses only peach and nectarine trees, since these are the only types of year 2000 stone fruit nursery stock affected by these orders. The formula is as follows:

With respect to year 2000 peach and nectarine nursery stock, Department will calculate the number of peach or nectarine trees in the referenced nursery stock, subtract 5% from this figure (to reflect that, on average, 5% of a given peach and nectarine stone fruit nursery crop of this age is culled from the crop, unsold), multiply this number of trees by the net value of \$4.55-per-tree, and pay the owner 15% of that sum.

The formula for reimbursing losses with respect to year 2001 stone fruit nursery stock destroyed by order of the Department distinguishes between "peach and nectarine" trees and "apricot and plum" trees. The formula is as follows:

With respect to year 2001 peach and nectarine nursery stock, Department will calculate the number of such trees in the referenced nursery stock, subtract 22% from this figure (to reflect that, on average, 22% of a given peach and nectarine stone fruit nursery crop of this age is either culled from the crop or fails to bud), multiply this number of trees by the net value of \$3.30-per-tree, and pay the owner 15% of that sum.

With respect to year 2001 apricot and plum nursery stock, Department will calculate the number of such trees in the referenced nursery stock, subtract 32% from this figure (to reflect that, on average, 32% of a given apricot and plum stone fruit nursery crop of this age is either culled from the crop or fails to bud), multiply this number of trees by the net value of \$4.75-per-tree, and pay the owner 15% of that sum.

The forgoing formulas are the same formulas that will be applied by the USDA, with the exception that the USDA will reimburse affected owners 85% of their losses, rather than 15%.

The Program will employ a grant application form to distribute grant funds. This procedure is substantively identical to that employed by the Department in awarding grants under its Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program (30 Pa.B. 4014 (August 5, 2000)) and its Commercial Orchard and Fruit Tree Nursery Indemnity Program (30 Pa.B. 48 (January 1, 2000)) related programs that reimburses certain individuals for lost profits and for the costs of removing infected trees or applying pesticides or herbicides at the order of the Department, respectively.

Eligibility

A person who is an owner of a commercial fruit tree nursery is eligible to apply for a grant under the Program.

Applications

A person who wishes to apply for a grant under the Program may download an application form from the Department's website: www.pda.state.pa.us. The Department will also provide grant application forms upon request telephoned to the Department's Bureau of Plant Industry, at (717) 772-5203, or upon written request to the following address: Pennsylvania Department of Agriculture, ATTN: Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

An application for a grant under the Program will require the following information of an applicant:

1. The name and address of the applicant.
2. Verification that the applicant is an owner of a commercial stone fruit tree nursery.
3. A description of the location of the stone fruit nursery stock with respect to which a grant is sought.
4. Verification that the stone fruit nursery stock with respect to which a grant is sought was ordered destroyed by order of the Department or the USDA, Animal and Plant Health Inspection Service, Plant Protection and Quarantine (USDA-APHIS-PPQ), for purposes of controlling or containing PPV.
5. Verification that prior to the destruction of the stone fruit nursery stock the applicant and the Department conducted a physical inspection of the nursery stock to assess the number of stone fruit trees, by species and crop year (whether year 2000 or year 2001) to be destroyed, and had agreed upon the accuracy of this information, in writing.
6. A breakdown of the total numbers of stone fruit nursery stock, by species and crop year (whether year 2000 or year 2001) of trees.
7. Verification that the stone fruit nursery stock was, in fact, destroyed in accordance with the order of the Department or the USDA-APHIS-PPQ.
8. A signature acknowledging that representations made in the application are true, and further acknowledging that the criminal punishments and penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) apply to any false statement made in the application.

An applicant shall submit a complete application form to the Department at the mailing address set forth earlier in this section.

Review of Applications

The Department will review and approve or disapprove any complete, timely grant application within 30 days of receipt. The Department will stamp or otherwise identify each grant application to record the date and the order in which these applications are received. The Department will consider grant applications in the order they are received. The Department will approve a grant application if all of the following criteria are met:

1. The application is complete and provides the Department all the information necessary to a reasoned review of the document.
2. There are sufficient unencumbered funds available from the \$3.1 million appropriation contained in the Appropriation Act of 2000 Act to fund the grant amount sought in the reimbursement grant application.

Notice of Decision

The Department will, within 10 days of completing its review, mail a grant applicant written notice as to whether the grant application is approved. If the application is not approved, the written notice will specify the basis for disapproval.

Expiration of Appropriation

Any portion of the \$3.1 million appropriation funding the Program that is not used by June 30, 2001, shall lapse into the General Fund. If a grant application is not approved by the Department by that date, it shall be disapproved on the basis that funding has lapsed.

No Right or Entitlement to Funds.

The appropriation of funds under the Appropriation Act of 2000 does not create in any person a right or entitlement to a grant from these funds. Departmental approval of a grant application is the event that establishes entitlement of the applicant to the grant funds sought, provided appropriated funds are available in an amount adequate to fund the grant.

Additional Information

Further information may be obtained by contacting the Pennsylvania Department of Agriculture, Attn: Lyle B. Forer, Director, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5203.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 00-1560. Filed for public inspection September 8, 2000, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 29, 2000.

BANKING INSTITUTIONS
Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-23-00	Northwest Savings Bank Warren Warren County	Warren	Approved
	Purchase of Assets/Assumption of Liabilities of Nine (9) Branch Offices of Sovereign Bank, F.S.B., Wyomissing, Located at:		
#5557	47 Turner Street Austin Potter County	50 South Main Street Mansfield Tioga County	
#5558	302 North East Street Coudersport Potter County	61 Main Street Wellsboro Tioga County	
#5559	30 West Street Galeton Potter County	16 Main Street Wellsboro Tioga County (Drive-Up Facility)	
#5560	51 Academy Street Shinglehouse Potter County	100 East Main Street Westfield Tioga County	
#5561	53 Main Street Lawrenceville Tioga County		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-10-00	Mid Penn Bank Millersburg Dauphin County	2615 N. Front St. Harrisburg Dauphin County	Opened
8-17-00	Wayne Bank Honesdale Wayne County	Lords Valley Plaza Route 739 Blooming Grove Twp. Pike County	Opened

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-21-00	Somerset Trust Company Somerset Somerset County	<i>To:</i> 1416 Scalp Avenue Johnstown Richland Township Cambria County <i>From:</i> 3220 Elton Road Johnstown Richland Township Cambria County	Effective

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-23-00	United Bank of Philadelphia Philadelphia Philadelphia County	Three Branches at the Following Locations: 4806 Frankford Ave. Philadelphia Philadelphia County	Approved

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
8-28-00	Firstservice Bank Lansdale Montgomery County	Amendment to Article 2 provides for a change in the principal place of Business	Approved and Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
		<i>From:</i> 139 South Broad St., Lansdale, Montgomery Co., PA 19446-3814;	
		<i>To:</i> 90 N. Main St., Doylestown, Bucks Co., PA 18901; Article 5 changes the par value of Common Stock from \$4.00 per share to \$1.00 per share and Preferred Stock from \$0.40 per share to \$0.10 per share; and Article 6 increases the number of authorized shares of Common Stock to 25,000,000 at \$1.00 per share and Preferred Stock to 25,000,000 at \$0.10 per share.	

SAVINGS INSTITUTIONS**Articles of Amendment**

<i>Date</i>	<i>Name of Association</i>	<i>Purpose</i>	<i>Action</i>
8-25-00	ADP Savings Association Allentown Lehigh County	Provides for a change in principal place of business	
		<i>From:</i> 881 Marcon Blvd., Allentown, Lehigh County, PA 18103;	
		<i>To:</i> 1125 Virginia Drive, Fort Washington, Montgomery County, PA 19034-7506.	Approved and Effective

CREDIT UNIONS**Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
8-28-00	Lancaster Postal Employees Credit Union Lancaster Lancaster County	1000 West Valley Road Southeastern Chester County	Filed

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 00-1561. Filed for public inspection September 8, 2000, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Lower Delaware River Conservation Plan

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the "Lower Delaware River Conservation Plan" (Plan) and is placing the portion of the Delaware River Watershed studied in the Plan in Bucks County, on the Pennsylvania Rivers Conservation Registry (Registry).

The Heritage Conservancy submitted the Lower Delaware River Conservation Plan and other required information to gain Registry status.

After review of the Plan and other information, the DCNR has determined that the DCNR Rivers Conservation Program requirements have been satisfied and places the following on the Registry:

1. A portion of the Delaware River Watershed, located within the municipal boundaries of Bensalem Township, Bristol Borough, Bristol Township, Falls Township, Lower Makefield Township, Morrisville Borough, Tullytown Borough and Yardley Borough, Bucks County—90 square miles.

2. All tributary streams within the Delaware River Watershed area that are located within the municipal boundaries of Bensalem Township, Bristol Borough, Bristol Township, Falls Township, Lower Makefield Township, Morrisville Borough, Tullytown Borough and Yardley Borough, Bucks County.

This action becomes effective today, September 9, 2000. Projects identified in the Lower Delaware River Conservation Plan become eligible for implementation, development or acquisition grant funding through the DCNR Rivers Conservation Program.

A copy of the Final Plan is available for review at:

The Heritage Conservancy
85 Old Dublin Pike
Doylestown, PA 18901-2489
(215) 345-7020

and

Department of Conservation and Natural Resources
Rachel Carson State Office Building
400 Market Street, 6th floor
Harrisburg, PA 17101
(717) 787-7672

Maps and supporting data are on file at the Heritage Conservancy.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 00-1562. Filed for public inspection September 8, 2000, 9:00 a.m.]

Swatara Creek Greenway and River Conservation Plan

The Department of Conservation and Natural Resources (DCNR), Bureau of Recreation and Conservation has approved the "Swatara Creek Greenway and River Conservation Plan" and is placing the Swatara Creek Corridor and all tributaries covered in the Plan in Lebanon and Dauphin Counties, on the Pennsylvania Rivers Conservation Registry (Registry).

Dauphin County submitted the Swatara Creek Greenway and river Conservation Plan and other required information to gain Registry status.

After review of the Plan and other information, the DCNR has determined that the DCNR Rivers Conservation Program requirements have been satisfied and places the following on the Registry:

1. A segment of the Swatara Creek from its confluence with the Quittapahilla Creek and Swatara Creek in East Hanover, North Annville and North Londonderry Townships in Lebanon County to its confluence with the Susquehanna River between the boroughs of Middletown and Royalton in Dauphin County:

- The corridor as defined in the Swatara Creek Greenway and River Conservation Plan.
- The portion of all tributary streams within the river corridor as defined in the Swatara Creek Greenway and River Conservation Plan.

This action becomes effective today, September 9, 2000. Projects identified in the Swatara Creek Greenway and River Conservation Plan become eligible for implementation, development or acquisition grant funding through the DCNR Rivers Conservation Program.

A copy of the Final Plan is available for review at:

Dauphin County Parks and Recreation Department
100 Fort Hunter Road
Harrisburg, PA 17110-1093
(717) 599-5188

and

Department of Conservation and Natural Resources
Rachel Carson State Office Building
400 Market Street, 6th Floor
Harrisburg, PA 17101
(717) 787-7672

Maps and supporting data are on file at the Dauphin County Parks and Recreation Department.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 00-1563. Filed for public inspection September 8, 2000, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Availability of 2000-2001 Vocational-Technical Equipment Grant

On May 2, 2000, section 10 of Act 16 added section 1855 to the Public School Code of 1949 to provide vocational education equipment grants for Fiscal Year (FY) 2000-2001. Applications for FY 2000-2001 Vocational-Technical Equipment Grant are now available.

Project Period: July 1, 2000 to June 30, 2001

Maximum Amount Per Application: School districts meeting the eligibility criteria and vocational technical-schools may apply for a maximum of \$12,500 for each eligible program.

Available Funds: \$10 million

1. Eligibility Requirements

Funding is available on a competitive basis to all school entities (AVTS and school districts) that maintain enrollments in eligible programs.

2. Requirements for Funding

Each grant will be awarded by the Department of Education on a matching basis, two State dollars for every local dollar. The local match can be supported by either local school funds or contributions from business and industry. Federal funds may not be used as a match.

3. Applications Deadline

Applications are due September 29, 2000, by 5 p.m.

4. How to apply

Guidelines will be on the Vocational-Education website or a printed copy may be requested from the address listed under Number 5 below. A complete application consists of the following: narrative-two pages, PDE-3032E (2-sided form includes equipment list) and Rider O.

5. Questions Concerning the Grant Application

Questions concerning the grant application or requests for printed copies should be addressed to: Dr. Albert Happ, General Vocational Education Advisor, Department of Education, Bureau of Vocational-Technical Education, Division of Advisory and Approval Services, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 787-5293, e-mail: 1-A-bvtefunding@state.pa.us.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 00-1564. Filed for public inspection September 8, 2000, 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 wastewater into the surface waters of this Commonwealth unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations the Department of Environmental Protection (Department) proposes to issue a permit to discharge subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the 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 the exact basis of a comment and 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. Notices 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 and other information are on file and may be inspected and arrangements made for copying at the office indicated above the application.

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

Applications for National Pollutant Discharge Elimination System (NPDES) Permit to Discharge to State Waters.

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

PA 0057975. Sewage, **Neal Cohen**, 605 Stenton Avenue, Flourtown, PA 19031.

This application is for issuance of an NPDES permit to discharge treated sewage from Neal Cohen single residential sewage treatment plant in Whitemarsh Township, **Montgomery County**. This is a new discharge to groundwater. Overflow will be chlorinated prior to discharge into a dry swale which is an unnamed tributary of Wissahickon Creek. The first downstream potable water supply intake from this facility is the Queen Lane intake on the Schuylkill River.

The proposed effluent limits for Outfall 001, based on an average flow of 400 gpd are as follows:

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

Other Conditions:

The EPA waiver is in effect.

Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.

PA 0031364. Sewerage, **Wallenpaupack Area School District**, HC 6, Box 6075, Hawley, PA 18428.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Lake Wallenpaupack in Palmyra Township, **Pike County**.

The receiving stream is classified for the following uses: High quality, cold water, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the proposed downstream potable water supply (PWS) considered during the evaluation is Delaware River Intake for Stroudsburg/East Stroudsburg Authority.

The proposed effluent limits Outfall 001, based on a design flow of .04 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10.0	20.0
Total Suspended Solids	30.0	60.0
NH ₃ -N		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Phosphorous as "P"	2.0	4.0
Total Residual Chlorine	1.2	2.8
Dissolved Oxygen	a minimum of 7 mg/l at all times	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	

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 0021075 00-1. SIC Code 4952, Sewage, **Borough of Myerstown**, 101 East Washington Avenue, Myerstown, PA 17067-1142.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to the Tulpehocken Creek, in the Borough of Myerstown, **Lebanon County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 1.6 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	6.5	—	13
(11-1 to 4-30)	19.0	—	39
Total Phosphorus	1.0	—	2.0
Total Residual Chlorine	0.5	—	1.6
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	3,500/100 ml as a geometric average		

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

The EPA waiver is not in effect.

PA 0083526, SIC Code 3714, Industrial waste, **R. H. Sheppard Company, Inc.**, 101 Philadelphia Street, Hanover, PA 17331.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Oil Creek, in Hanover Borough, **York County**.

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

The proposed effluent limits for Outfalls 001 and 002, prior to the confluence with Oil Creek:

Temperature °F as a Daily Average:

January	83	July	138
February	88	August	142
March	162	September	125
April	181	October	110
May	147	November	84
June	191	December	74

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
Flow	monitor and report	

The proposed effluent limits for Outfalls 001 and 002, prior to the confluence with Oil Creek:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Copper (Interim)	monitor and report	monitor and report	—
Copper (Final)	0.037	0.074	0.093
pH	from 6.0 to 9.0 inclusive		

The proposed effluent limits for Outfalls 003 and 004 for stormwater are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		monitor and report	
COD		monitor and report	
TSS		monitor and report	
Phosphorus, Total		monitor and report	
Total Kjeldahl Nitrogen		monitor and report	
Dissolved Iron		monitor and report	
Oil and Grease		monitor and report	
pH (S. U.)		monitor and report	

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

The EPA waiver is in effect.

Northcentral Region: Environmental Program Manager, Water Management, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3666.

PA 0024091-A2, Sewerage, SIC 4952, **Millville Municipal Authority**, P. O. Box 30, Millville, PA 17846.

This proposed action is to amend the NPDES permit for an existing discharge of sewage to Little Fishing Creek in Millville Borough, **Columbia County**. This amendment will allow the acceptance of White Pines Landfill leachate.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Bloomsburg located on Fishing Creek, 5 river miles downstream.

The proposed effluent limits Outfall 001, based on a design flow of 0.14 mgd, are:

<i>Discharge Parameter</i>	<i>Minimum (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (Std Units)	within the range 6.0 to 9.0				
Total Cl ₂ Residual		monitor/report			monitor/report
Fecal Coliform (5-1 to 9-30)		200#/100 ml as a geometric average			
(10-1 to 4-30)		2000#/100 ml as a geometric average			
CBOD ₅		25	40		50
TSS		30	45		60
NH ₃ -N (7-1 to 10-31)		10	15		20
(11-1 to 6-30)		20	30		60

The proposed effluent limits Outfall 001, based on a design flow of 0.25 mgd, are:

<i>Discharge Parameter</i>	<i>Minimum (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)					
pH (Std Units)	within the range 6.0 to 9.0				
Total Cl ₂ Residual		.41			1.35
Fecal Coliform (5-1 to 9-30)		200#/100 ml as a geometric average			
(10-1 to 4-30)		2000#/100 ml as a geometric average			
CBOD ₅		15	22.5		30
TSS		30	45		60
NH ₃ -N (6-1 to 10-31)		5	7.5		10
(11-1 to 5-31)		15	22.5		30
Dissolved Oxygen	6.0				

The proposed additional effluent limits Outfall 001 expanded to a design flow of 0.25 mgd, based on a plant upgrade with the acceptance of 50,000 gpd of landfill leachate, are:

<i>Discharge Parameter</i>	<i>Average Monthly (ug/l)</i>	<i>Instantaneous Maximum (ug/l)</i>
Arsenic	140	280
Beryllium	28	56
Cadmium	3.2	6.4
Chromium, VI	29	58
Copper	32	64
Lead	9.0	18
Mercury	0.034	0.068
Nickel	445	890
Selenium	14	28
Silver	7.3	14.6
Zinc	210	420
Phenolics (Total Phenols)	56	112
2-Chlorophenol	.28	.56
Benzene	15	30.0
Chlorobenzene	56	112
Chloroform	90	180
PCBs, Total	0.00060	0.0012
Aluminum	1,400	2,800
Total Iron	4,200	8,400
2-Hexanone	12,000	24,000
Methylethyl Ketone	5,600	11,200

Other Conditions:

1. Condition requiring a pretreatment agreement between POTW and landfill.
2. Condition requiring submission of pretreatment process design to the Department.

The EPA waiver is in effect.

Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3666.

PA 0014575. Industrial waste, SIC 4941, **Jersey Shore Area Joint Water Authority**, P. O. Box 5046, Jersey Shore, PA 17740.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to Larrys Creek in Anthony Township, **Lycoming County**.

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

The proposed effluent limits Outfall 001, based on a design flow of 0.05 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lbs/day)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
TSS	30	60	75		
Total Iron	2	4	5		

Parameter	Concentration (mg/l)			Mass (lbs/day)	
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
Total Manganese	1	2	2.5		
Total Aluminum	4	8	10		
Total Chlorine	Dechlorinate		0.05		
pH	6.0—9.0 at all times.				

The EPA waiver is in effect.

PA 0009270. Industrial waste, SIC 2041, **Heinz Pet Products**, 6670 Lowe Street, Bloomsburg, PA 17815.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to Susquehanna River in South Centre Township, **Columbia County**.

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

The proposed effluent limits Outfall 001, based on a design flow of 0.671 mgd are:

Parameter	Concentration (mg/l)			Mass (lb/day)	
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
BOD ₅			300	821	1,642
TSS			360	998	1,997
Oil & Grease	15	30	30		
Ammonia-N	7.8	13.3			
Total Chlorine (5-1 to 9-30)	0.5		1.6		
Fecal Coliforms (5-1 to 9-30)	200				
pH	6.0—9.0 at all times				

The EPA waiver is not in effect.

PA 0209147. Sewerage, SIC 4952, **Centre Hall/Potter Sewer Authority**, P. O. Box 497, Centre Hall, PA 16828-0497.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to an unnamed tributary of Sinking Creek in Potter Township, **Centre County**.

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

The proposed effluent limits Outfall 001, based on a design flow of 0.28 mgd, are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
	CBOD ₅ (6-1 to 10-31)	20	30
(11-1 to 5-31)	25	40	50
TSS	30	45	60
Ammonia-N (6-1 to 10-31)	6	9	12
(11-1 to 5-31)	18	27	36
Total Cl ₂ Residual			
Fecal Coliforms: (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

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

PA 0031054. Sewage, **Ligonier Valley School District**, 120 East Main Street, Ligonier, PA 15658.

This application is for renewal of an NPDES permit to discharge treated sewage from Laurel Valley School Complex STP in St. Clair Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.018 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	15.0			30.0
(11-1 to 4-30)	25.0			50.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	19,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4	—		3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0096954. Sewage, **Interstate 79 Associates**, 4839 Campbells Run Road, Pittsburgh, PA 15205.

This application is for renewal of an NPDES permit to discharge treated sewage from Meadowlands Park Sewage Treatment Plant in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Chartiers 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: West View Municipal Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0435 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	8.0			16.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.7			1.7
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: If/when the plant is expanded to a design flow of 0.087 mgd, the following effluent limitations will apply:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.4			10.9
Dissolved Oxygen	not less than 4.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0103233. Sewage, **Moniteau School District, Dassa McKinney Elementary School**, 1810 West Sunbury Road, West Sunbury, PA 16061.

This application is for renewal of an NPDES Permit, to discharge treated waste to unnamed tributary to South Branch Slippery Rock Creek in Clay Township, **Butler 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 Salvation Army Camp Allegheny on Slippery Rock Creek located at river mile 3.2, approximately 45.5 miles below point of discharge.)

The proposed discharge limits Outfall No. 001, based on a design flow of 0.00500 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	2.5	5
(11-1 to 4-30)	7.5	15
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	3,500/100 ml as a geometric average	
Total Residual Chlorine (Interim)	monitor and report	
(Final)	0.4	0.9
Dissolved Oxygen	minimum of 5 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0209902. Sewage. **Michael J. and Ina B. Mailliard**, 19099 Adamsville Road, Cochranon, PA 16314.

This application is for renewal of an NPDES Permit, to discharge treated sewage to Unnamed to Sandy Creek in Greenwood Township, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: Warm Water Fishes, aquatic life, water supply and recreation. (For the purpose of evaluating effluent requirements for TDS, 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, approximately 42 miles below point of discharge.)

The proposed discharge limits, based on a design flow of 450 gpd, are:

Outfall No. 001

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

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0050342	The Quick Group 1045 N. Westend Blvd. Quakertown, PA 18951	Montgomery County Upper Pottsgrove Town- ship	Sprogels Run	
PA0029243	Chatham Acres Nursing Home East London Grove Avenue Chatham, PA 19318-0001	Chester County London Grove Township	East Branch White Clay Creek	

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

**Applications under the Pennsylvania Clean
Streams Law**

(Part II Permits)

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

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

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

Applications received for Industrial Waste and Sewage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

A. 3800402. Sewage, submitted by **Township of Annville**, P. O. Box 320, Annville, PA 17003 in North Annville Township, **Lebanon County** to rerate their existing sewage treatment plant was received in the Southcentral Region on August 21, 2000.

A. 2200404. Sewage, submitted by **Londonderry Township General Authority**, 783 South Geyer's Church Road, Middletown, PA 17057 in Londonderry Township, **Dauphin County** to construct the Lytle Farm Pump Station/Conveyance System to Derry Township Southwest Sewage Treatment Plant was received in the Southcentral Region on August 22, 2000.

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

A. 6575412-A3. Industrial waste, **Menasha Packaging, Yukon Plant**, Route 70, P. O. Box 418, Yukon, PA 15698. Application for the modification and operation of the Waste Water Treatment Facility/Dechlorination unit

to serve the Yukon Facility located in Sewickley Township, **Westmoreland County**.

INDIVIDUAL PERMITS

(PAS)

NPDES Individual

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

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

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

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

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

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

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

NPDES Permit PAS10-G432. Stormwater. **A. Hayes Aikens, Atwin Investments**, 211 Pennsylvania Avenue, Malvern, PA 19355, has applied to discharge stormwater from a construction activity located in Malvern Borough, **Chester County**, to Little Valley Creek (EV).

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

Clinton County Conservation District, 216 Spring Run Rd., Rm. 104, Mill Hall, PA 17751, (570) 726-3798, Ext. 5.

NPDES Permit PAS101919. Stormwater. **Bureau of Abandoned Mine Reclamation**, Rachel Carson State Office Bldg., P. O. Box 847, Harrisburg, PA 17105-8476, has applied to discharge stormwater from a construction activity located in Noyes and Leidy Townships, **Clinton County** to Stony Run, Drury Run and Brewery Run.

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.

5046492. Earth Springs Water Company, 348 Merchant Street, Ambridge, PA 15003. Development of a new bottled water system located in Ambridge Borough, **Beaver County**.

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

A. 4300504. Public Water Supply. **Jamestown Municipal Authority**, Borough of Jamestown, 406 Jackson Street, Box 188, Jamestown, PA 16148. Proposal involves the installation of a water well to be utilized as a replacement to Water Well No. 1 for the municipal potable water system. Activity will be contained on an area less than 0.7 acre, completed on Authority property. Activity is located in Jamestown Borough, **Mercer County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

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

ChiRex Technology Center, Inc., Charlestown Township, **Chester County**. Steven L. Tanen, HydroScience, Inc., Center City Executive Centre, 607 Washington Street, Reading, PA 19601, has submitted a Notice of Intent to Remediate site soil contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Local News* on July 31, 2000.

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

Pennsylvania Power & Light Company (PP&L)—Distribution Pole #53582N43190 (between Elm and Ann Streets), West Pittston Borough, **Luzerne County**. PPL Electric Utilities Corporation, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The notice indicates that the site will be remediated to meet the Statewide human health standard.

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

Pulsar Petroleum of Reading, Inc., Muhlenberg Township, **Berks County**. Storb Environmental Incorporated, 410 North Easton Road, Willow Grove, PA 19090-2511, Richard L. and Connie M. Bashore, 3243 West View Drive, Reading, PA 19603, and Pulsar Petroleum of Reading, Inc., Shippers Road, P. O. Box 159, Macungie, PA 18062 have submitted a Notice of Intent to Remediate groundwater contaminated with BTEX and PHCs. The applicants propose to remediate the site to meet the

site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle/Reading Times* on July 17, 2000.

Vivian Mendenhal Residence, Sadsbury Township, **Lancaster County**. Vivian Mendenhal, 15 Sadsbury Avenue, Christiana, PA 17509 and Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 have submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX and PAHs. The applicants propose to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal/Lancaster New Era* on June 14, 2000.

Koppenhaver Residence, Montgomery Township, **Franklin County**. Rick and Debra Koppenhaver Residence, 11311 Clay Lick Road, Mercersburg, PA 17236, and Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 have submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX and PHCs. The applicants propose to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *The Mercersburg Journal* on March 1, 2000.

John Root Property, formerly Eby's Service Station, East Petersburg Borough, **Lancaster County**. John Root, 2065 State Street, East Petersburg, PA 17520 and RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603 have submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated with lead, BTEX and PHCs. The applicants propose to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal/Lancaster New Era* on December 28, 1999.

Hollidaysburg Car Shop and Reclamation Plant, Hollidaysburg Borough and Frankstown Township, **Blair County**. Pennsylvania Lines LLC, Three Commercial Place, Norfolk, VA 23510-9241 and Consolidated Rail Corporation, Two Commerce Square, 2001 Market Street, Philadelphia, PA 19101-1416 have submitted a Notice of Intent to Remediate site soils, groundwater and sediment contaminated with PCBs, lead, heavy metals, solvents, BTEX, PHCs and PAHs. The applicants propose to remediate the site to meet a combination of the Statewide health and site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror* on July 27, 2000.

Distribution Pole 40258S26257 (Site 115), City of Lancaster, **Lancaster County**. PPL, Two North Ninth Street, Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster New Era/The Intelligencer* on August 23, 2000.

Dart Container Corporation, Upper Leacock Township, **Lancaster County**. Dart Container Corporation, 60 East Main Street, Leola, PA 17540 and ARM Group Inc., 561 West Chocolate Avenue, Hershey, PA 17033 have submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, BTEX and PHCs.

The applicants propose to remediate the site to meet a combination of the background, Statewide health and site-specific standards requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster New Era/The Intelligencer* during the week of August 21 or August 28, 2000.

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

Goldschmidt Industrial Chemical Corporation, Borough of McDonald, **Washington County**. Goldschmidt Industrial Chemical Corporation, 941 Robinson Highway, McDonald, PA 15057 and D. Scott Rasmussen, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 have submitted a Notice of Intent to Remediate soil contaminated with heavy metals. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Washington Observer Reporter* on August 8, 2000.

Hankison International, Chartiers Township, **Washington County**. Hankison International, 75 Museum Road, Washington, PA 15301, Hansen, Inc., 2600 Neville Road, Pittsburgh, PA 15225 and Karen E. Souza, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 have submitted a Notice of Intent to Remediate soil contaminated with lead, heavy metals and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Washington Observer Reporter* on August 16, 2000.

SOLID AND HAZARDOUS WASTE BENEFICIAL USE DETERMINATIONS

Beneficial Use determinations received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the regulations for municipal and residual waste.

Northwest Regional Office: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6848.

Notice Received. Notice received from the **PA Department of Transportation—Engineering District 1-0**, P. O. Box 398, Oil City, PA 16301, to beneficially use coal ash as a structural fill. The coal ash will be used in the reconstruction project on Interstate 79 near Exit 41 in Summit Township, **Erie County**.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Northwest Regional Office: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6848.

Applications submitted under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.

An application to repermit and expand the Tri-County Landfill was received from **Tri-County Landfill**, 159 TCI Park Drive, Grove City, PA 16127, located in Pine and Liberty Townships, **Mercer County**, Permit No. 101295. Application was accepted by the Regional Office on August 22, 2000.

REQUEST FOR PROPOSALS FOR MUNICIPAL SOLID WASTE CAPACITY

The following notices are placed through the Department of Environmental Protection as required by section 502(d) of Act 101 of 1988: the Municipal Waste Planning, Recycling and Waste Reduction Act.

Request for Proposals for Municipal Solid Waste Disposal Services

Columbia County Bloomsburg, Pennsylvania

In accordance with Pennsylvania's Municipal Waste Management Regulations, 25 Pa. Code Chapter 272 et seq., Columbia County has determined that waste disposal capacity for municipal solid waste (MSW) including construction/demolition waste (C/D) and sewage sludge generated within the County is required for a period of 10 years. To that end, the County intends to enter into an agreement for MSW disposal services for a term of 10 years, with the County having the option to rebid the requested services at any time after the initial 5 years of the Agreement upon 6 months prior notice. In the event that the County elects to rebid the requested services, the Contractors selected as a result of this Request For Proposals (RFP) will have the options of rebidding or may notify the County in writing of their intent to continue to provide the services under their submission made in response to this RFP. Columbia County is hereby soliciting proposals for disposal of county generated MSW, estimated to begin on January 1, 2001.

Sealed proposals will be received by the Columbia County Commissioners at the Columbia County Courthouse, Bloomsburg, PA 17815 until 2 p.m. prevailing time on October 11, 2000. All proposals will be publicly opened by the Columbia County Commissioners at 2 p.m. on October 19, 2000, at the County Courthouse.

Copies of the RFP may be purchased on or after September 11, 2000, only from the Columbia County Planning Commission at 702 Sawmill Road, Suite 104, Bloomsburg, PA 17815, (570) 389-9146, by payment of a nonrefundable amount of \$100 per proposal. Proposers should make checks payable to Columbia County.

All sealed proposals must include an executed Noncollusion Affidavit and Proposal Bond as provided in Section D of the Proposal package.

All proposals must be made on the Proposal Form and be in accordance with the Instructions to Proposers contained in this RFP. The Proposer is required to submit one original and four copies of the Proposal to Columbia County at the address listed below. Envelopes containing the proposals must be sealed and clearly labeled to show the name and address of the proposer, the statement, "Proposal for Municipal Solid Waste Disposal Services" and be addressed to Columbia County Commissioners, Columbia County Courthouse, 35 West Main Street, Bloomsburg, PA 17815, Attention Gail Kipp, Chief Clerk.

Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals.

Columbia County reserves the right to reject any or all proposals, to waive any irregularities and/or informalities in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

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

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

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

OPERATING PERMITS

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

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

OP-23-0001B: Sunoco, Inc. (R&M) (Delaware Avenue and Green Streets, Marcus Hook, PA 19061) on November 24, 1999, for approval of Facility VOC/NO_x RACT in Marcus Hook Borough, **Delaware County**.

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

48-309-027E: Essroc Cement Corp. (3251 Bath Pike, Nazareth, PA 18064) for operation of a cement kiln, milling, cooling operation and associated air cleaning devices at Plant No. 1 in Lower Nazareth Township, **Northampton County**.

48-309-104: Essroc Cement Corp. (3251 Bath Pike, Nazareth, PA 18064) for operation of Pack Machines 1 and 4 and associated air cleaning devices at Plant No. 3 in Nazareth Borough, **Northampton County**.

48-309-107: Essroc Cement Corp. (3251 Bath Pike, Nazareth, PA 18064) for operation of a transfer tower and associated air cleaning device at Plant No. 1 in Lower Nazareth Township, **Northampton County**.

48-309-108: Essroc Cement Corp. (3251 Bath Pike, Nazareth, PA 18064) for operation of a clinker load-out and associated air cleaning device at Plant No. 1 in Lower Nazareth Township, **Northampton County**.

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

01-03013: Zeigler Bros., Inc. (P. O. Box 95, Gardners, PA 17325) for a Natural Minor Operating Permit for an aquaculture and specialty feed processing facility in Tyrone Township, **Adams County**.

01-03014: Zeigler Bros., Inc. (P. O. Box 95, Gardners, PA 17325) for a Natural Minor Operating Permit for an aquaculture and specialty feed processing facility in East Berlin Borough, **Adams County**.

01-03020: HADCO, Division of Genlyte Thomas Group, LLC (P. O. Box 128, Littlestown, PA 17340) for a Natural Minor Operating Permit for a lighting product manufacturing facility in Littlestown Borough, **Adams County**.

01-03022: Agricultural Commodities, Inc. (1585 Granite Station Road, Gettysburg, PA 17325) for a Natural Minor Operating Permit for a poultry feed processing facility in Straban Township, **Adams County**.

01-03023: Trimen Industries, Inc. (1276 Red Hill Road, P. O. Box 309, New Oxford, PA 17350) for a Natural Minor Operating Permit for an iron foundry in Oxford Township, **Adams County**.

06-03005: Morton International, Inc. (P. O. Box 15209, Reading, PA 19612-5209) for a Natural Minor Operating Permit for a plastic powder coating manufacturing facility controlled by various fabric collectors in Reading City, **Berks County**.

06-05088: EJB Paving & Materials Co. (1119 Snyder Road, West Lawn, PA 19609) for a Synthetic Minor Operating Permit for two bituminous asphalt concrete plants controlled by fabric collectors in Ontelanunee Township, **Berks County**. Both sources are subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

21-03040: Raskas Foods, Inc. (208 East Dykeman Road, Shippensburg, PA 17257) for a Natural Minor Operating Permit for two natural gas fired boilers located in Shippensburg Township, **Cumberland County**.

28-03019: Sunnyway Foods, Inc. (P. O. Box 219, Greencastle, PA 17325) for a Natural Minor Operating Permit for an incinerator with an afterburner in the Greencastle Borough, **Franklin County**.

36-03048: Hubbard Feeds, Inc. (424 North Riverfront Drive, P. O. Box 8500, Mankato, MN 56001) for a Natural Minor Operating Permit for a livestock feed manufacturing facility in East Hempfield Township, **Lancaster County**.

36-03079: Neffsville Veterinary Clinic, Ltd. (2555 Lititz Pike, Lancaster, PA 17601-3797) for a Natural Minor Operating Permit for a pathological incinerator in Manheim Township, **Lancaster County**.

36-03080: Rohrer's Quarry, Inc. (70 Lititz Road, P. O. Box 365, Lititz, PA 17543) for a Natural Minor Operating Permit for a crushed stone and quarrying operation in Penn and Warwick Townships, **Lancaster County**.

36-03087: A. H. Hoffman, Inc. (P. O. Box 12400, Lancaster, PA 17605-2400) for a Natural Minor Operating Permit for a vermiculite expansion facility in East Lampeter Township, **Lancaster County**.

36-03089: Flint Ink Corp. (216 Greenfield Road, Lancaster, PA 17601) for a Natural Minor Operating Permit for a printing ink manufacturing facility in Lancaster City, **Lancaster County**.

36-03101: Pennfield Corp. (3579 Hempland Road, Lancaster, PA 17601) for a Natural Minor Operating Permit for a poultry feed processing facility in East Hempfield Township, **Lancaster County**.

36-03107: Pennfield Corp. (1088 Main Street, Mount Joy, PA 17552) for a Natural Minor Operating Permit for a livestock feed processing facility in Mount Joy Borough, **Lancaster County**.

36-05011: Mobile Oil Corp., Lancaster Terminal (1360 Manheim Pike, Lancaster, PA 17601) for a Synthetic Minor Operating Permit for a petroleum product terminal in Manheim Township, **Lancaster County**.

67-03026: Precision Components Corp. (P. O. Box 15101, York, PA 17405-7101) for a Natural Minor Operating Permit for a fabricated plate work facility in York City, **York County**.

67-03054: York Mold, Inc. (3865 N. George Street, Manchester, PA 17345) for a Natural Minor Operating Permit for an automatic extruded billet process in East Manchester Township, **York County**.

67-03057: Redco Corp. (207 Redco Avenue, P. O. Box 110, Red Lion, PA 17356) for a Natural Minor Operating Permit for a truck rim manufacturing facility in Red Lion Borough, **York County**.

67-03061: Harris Hub, Division of Dresher, Inc. (915 Woodland View Dr., York, PA 17402) for a Natural Minor Operating Permit for a metal household furniture manufacturing facility in York City, **York County**.

67-03070: Lower Allen Township Authority (120 Limekiln Road, New Cumberland, PA 17070-2428) for a Natural Minor Operating Permit for a wastewater treatment facility in Fairview Township, **York County**.

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

47-303-003: HRI, Inc. (P. O. Box 155, State College, PA 16804-0155) for the operation of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Liberty Township, **Montour County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

Notice of Intent to Issue Title V Operating Permits

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

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

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

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

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

09-00027: Fres-Co System USA, Inc. (3005 State Road, Telford, PA 18969-1033) in West Rockhill Township, **Bucks County**. The facility's major emission points include three rotogravure printing and associated support equipment, which emit major levels of volatile organic compounds and hazardous air pollutants.

09-00030: MSC Pre Finish Metals Inc. (120 Enterprise Avenue, Morrisville, PA 19067) in Falls Township, **Bucks County**. The facility's major emission points include prime and finish coil coaters and bake ovens, coil coating cleanup, nine space heaters, three storage tanks, two thermal oxidizers, laminator/embosser and various de minimis VOC which emit major levels of volatile organic compounds.

15-00002: Quebecor Printing Atglen, Inc. (4581 Lower Valley Road, Atglen, PA 19310) in West Sadsbury Township, **Chester County**. The facility's major emission points include seven rotogravure printing presses, two heatset web offset printing presses, a flexographic plate-maker, hard chromium electroplating baths and KCH chrome demister, three parts cleaning tanks and air stripper system which emits major levels of volatile organic compounds. This facility is also subjected to the Federal National Emissions Standards for Hazardous Air Pollutants (NESHAPS) regulations for publishing and printing industries (40 CFR 63, Subpart 63).

09-00024: Tullytown Resource Recovery Facility (200 Bordentown Road, Tullytown, PA 19007) in Tullytown Borough, **Bucks County**. The facility's major emission points include landfill and an enclosed flare that emit major levels of volatile organic compounds and nitrogen oxides.

23-00012: Epsilon Products Co. (Post Road and Blueball Avenue, Marcus Hook, PA 19061) in Marcus Hook Borough, **Delaware County**. The facility's major emission points include six storage silos and two polypropylene manufacturing sources that emit major levels of volatile organic compounds and particulate matter.

15-00046: Sunoco, Inc. (R&M) (1824 Horseshoe Pike, Honey Brook, PA 19344) in West Brandywine Township,

Chester County. The facility's major emission points include five above ground storage tanks that emit major levels of volatile organic compounds.

15-00091: McAvoy Vitriified Brick Co. (75 McAvoy Lane, Phoenixville, PA 19460) in Schuylkill Township, **Chester County**. The facility's major emission points include brick dryer and kiln, grinder, brick sandblasting and hammermills that emit major levels of particulate matter and sulfur oxides.

23-00009: Boeing Military Aircraft & Missile Systems Group—Rotocraft Program Management Center (P. O. Box 16858, Philadelphia, PA 19142-0858) in Ridley Township, **Delaware County**. The facility's major emission points include boilers, emergency generators, spray booths, composite manufacturing and Nital Etch process tanks that emit major levels of volatile organic compounds, nitrogen oxides and particulate matter.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 19635-3481, (814) 332-6940.

61-00011: Merisol Antioxidants, LLC (Route 8, Rouseville Road, Oil City, PA 16301) located in Cornplanter Township, **Venango County**. Merisol's facility is primarily involved in the production of industrial organic chemicals. The facility's air emission sources include material handling and storage tanks, reactors, furnaces and a natural gas fired boiler. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Volatile Organic Compounds and Hazardous Air Pollutants (Cresols). The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

10-00037: Crompton Corp. (100 Witco Lane, Petrolia, PA 16050) located in Petrolia Borough, **Butler County**. Crompton's facility is primarily involved in the production of white mineral oil, nonparaffin waxes and petrolatums. The facility's air emission sources include material handling and storage tanks, reactors, furnaces and boilers. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Nitrogen Oxides and Volatile Organic Compounds. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

42-00004: American Refining Group, Inc. (77 North Kendall Ave., Bradford, PA 16701) located in Bradford, **McKean County**. American Refining's facility is a petroleum refinery. The facility's air emission sources include material handling and storage tanks, reactors, a crude unit and boilers. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit Sulfur Oxides, Nitrogen Oxides, Volatile Organic Compounds, Hazardous Air Pollutants and Particulate Matter less than 10 microns in diameter. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

37-00013: Southdown, Inc. (2001 Portland Park, Wampum, PA 16157) located in Wampum Borough, **Lawrence County**. Southdown's facility is primarily used for the production of portland cement. The facility's air emission sources include material handling equipment, three (3) cement kilns and clinker coolers. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Sulfur Oxides, Nitrogen

Oxides, and Particulate Matter less than 10 microns in diameter. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

10-00021: INDSPEC Chemical Corp. (133 Main Street, Petrolia, PA 16050) located in Petrolia Borough, **Butler County**. INDSPEC's facility is primarily used for the production of organic chemicals. The facility's air emission sources include material handling and storage equipment, reactors and boilers. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Sulfur Oxides, Nitrogen Oxides, Volatile Organic Compounds, Hazardous Air Pollutants and Particulate Matter less than 10 microns in diameter. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

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-15-0104: Tasty Baking Oxford, Inc. (700 Lincoln Street, Oxford, PA 19363) for construction of Production Line No. 1 in Oxford Borough, **Chester County**.

OP-46-0025: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) for a minor operating permit modification of tower scrubbers in Upper Merion Township, **Montgomery County**.

PA-23-0001P: Sunoco, Inc. (Delaware Avenue and Green Streets, Marcus Hook, PA 19061) for modification of low NO_x burners for RACT No. 6 Boiler in Marcus Hook Borough, **Delaware County**.

PA-46-0115B: Knoll, Inc. (1235 Water Street, East Greenville, PA 18041) for installation of a 500 Kw Standby Emergency Generator in East Greenville Borough, **Montgomery County**.

PA-23-0040B: Laurel Pipe Line Co., L.P. (3398 Garnet Mine Road, Boothwyn, PA 19061) for construction of two Petroleum Breakout Tanks in Bethel Township, **Delaware County**.

PA-23-0091: Union Packaging, LLC (6250 Baltimore Avenue, Yeadon, PA 19050) for construction of Rotogravure Printing Press No. 1 in Yeadon Borough, **Delaware County**.

46-320-034GP: North Wales Press (411 Elm Street, North Wales, PA 19454) for construction of Lithographic Printing Presses in North Wales Borough, **Montgomery County**.

PA-09-0074A: PCR Enterprises, Inc. (401 Fairview Avenue, Quakertown, PA 18951) for construction of a spray booth in Quakertown Borough, **Bucks County**.

PA-46-0035B: SmithKline Beecham Pharmaceuticals (709 Swedeland Road, King of Prussia, PA 19406) for installation of an emergency electric generator in Upper Merion Township, **Montgomery County**.

PA-23-0001Q: Sunoco, Inc. (R&M) (Delaware Avenue and Green Street, Marcus Hook, PA 19061) for modification of a FCCU Feed Heater and Boilers in Marcus Hook Borough, **Delaware County**.

09-310-061GP: Haines & Kibblehouse, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) for construction of a portable crushing plant Nordberg in Hilltown Township, **Bucks County**.

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

48-322-001C: Grand Central Sanitary Landfill, Inc. (1963 Pen Argyl Road, Pen Argyl, PA 18072) for modification of the landfill to increase the daily capacity in Plainfield Township, **Northampton County**.

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

06-03077A: FM Brown's Sons, Inc. (205 Woodrow Avenue, Sinking Spring, PA 19608-0116) for a grain cleaning and mixing operation controlled by a fabric collector in Sinking Spring Borough, **Berks County**.

06-03118: UGI Utilities, Inc. (P. O. Box 13009, Reading, PA 19612-3009) for construction of an electric generator firing natural gas in Reading City, **Berks County**.

21-05026A: Carlisle SynTec Incorporated (P. O. Box 7000, Carlisle, PA 17013) for installation of a fabric filter at Plant 4 in Carlisle Borough, **Cumberland County**.

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

PA-10-285B: Northwest Sanitary Landfill (1436 West Sunbury Road, West Sunbury, PA 16061) for modification to the existing plan approval to downsize the design capacity of the future enclosed flare in Clay Township, **Butler County**.

Notice of Intent to Issue a Plan Approval and Amend a Title V Operating Permit

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a plan approval (**PA-25-070D**) to **Gunite EMI Corp.** (603 West 12th Street, Erie, PA 16501) for their plant located in the city of Erie, **Erie County**. The facility currently has applied for a Title V permit. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

Gunite EMI Corp. is eliminating all except one of its grinding operations. Consequently, it is eliminating Control Devices C17B, C17C and C17D. Instead, Gunite is going to use the #11 Cleaning Mill. Presently, the #11 Cleaning Mill emits indoors. Gunite has submitted a plan approval to allow it to emit #11 Cleaning Mill outdoors, offsetting the increase in emissions with the decrease from eliminating the grinding area. Gunite Corp., EMI Plant is controlling the one remaining grinder with the dust collector from the #11 Cleaning Mill. The three control devices, which are being eliminated, had a combined flow of 30,000 cfm and a particulate limit of 0.04 gr/dscf. They operated for 6,912 hours in 1999 and their estimated emissions were 35.5 TPY. The #11 Cleaning Mill control device has a flow of 11,500 cfm, a proposed particulate limit of 0.02 gr/dscf, and it will operate for up to 8,760 hours per year for total particulate emissions of 8.64 TPY. The net result of the changes will be a reduction in particulate emissions of 26.9 TPY.

REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

Reasonable Available Control Technology (RACT)

Beaver County

The Department of Environmental Protection will hold a public hearing at 10 a.m. in their offices at 400 Waterfront Drive, Pittsburgh, PA on October 20, 2000, to receive comments on the proposed approval of Reasonably Available Control Technology (RACT Proposal) submitted by **PBS Coals, Inc.**, 1576 Stoystown Road, P. O. Box 260, Friedens, PA, for the Shade Creek Preparation Plant in Shade Township, **Somerset County**, PA.

PBS Coals, Inc., **RACT OP-56-000-166**, has proposed to meet the Presumptive RACT requirements of 25 Pa. Code § 129.93(b)(2)—perform an annual adjustment or tune-up on the combustion process of the thermal dryer that is in operation at this facility.

Those wishing to present testimony during the hearing should contact Community Relations Coordinator, Betsy Mallison, at (412) 442-4182 by October 19, 2000, to register.

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

Those who are unable to attend the hearing, but wish to comment should provide written comments to Francis D. Condrick, Air Pollution Control Engineer, PA Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Comments should be submitted within 30 days of the date of this publication.

Copies of the RACT application and proposed operating permit are available for review from 8 a.m. to 4 p.m. in the Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made by calling (412) 442-4000.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to these 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 such 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 §§ 86.31—86.34 and 77.121—77.123 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. These 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, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

Coal Applications Received:

4077SM7. Permit Revision, New Enterprise Stone & Lime Company, Inc. (P. O. Box 77, New Enterprise, PA 16664), to make changes to the mining and reclamation plan including highwall/pit lengths and depths, handling of overburden and waste material, and backfill configuration in Jenner Township, **Somerset County**, affecting 145.76 acres, receiving stream Roaring Run and Quemahoning Creek, application received August 21, 2000.

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

Coal Applications Received

63900101. Amerikohl Mining, Inc. (P. O. Box 427, Acme, PA 15610). Renewal application received for continued reclamation of a bituminous surface mine located in Fallowfield Township, **Washington County**, affecting 43.0 acres. Receiving streams: unnamed tributary to Maple Creek and Maple Creek. Renewal application received: August 21, 2000.

63000101. Mulligan Mining, Inc. (5945 Puddingstone Lane, Bethel Park, PA 15102). Application received for commencement, operation and reclamation of a bituminous surface mine located in Smith Township, **Washington County**, proposed to affect 158.7 acres. Receiving streams: unnamed tributaries to Harmon Creek and Raccoon Creek to the Ohio River. Application received: August 21, 2000.

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

Coal Applications Received

14980101. 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 157.9 to 207.4 acres. The permit is located in Snow Shoe Township, **Centre County**. Receiving streams: Sandy Run. Application received August 22, 2000.

17000107. Shud's Coal Hounds, Inc. (R. R. 1, Box 301, Houtzdale, PA 16651), commencement, operation and restoration of a bituminous surface mine-auger permit in Woodward and Bigler Townships, **Clearfield County** affecting 152.5 acres. Receiving streams: unnamed streams to Upper Morgan Run and Goss Run. Application received August 21, 2000.

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

Coal Applications Received

10820139. Quality Aggregates, Inc. (200 Neville Road, Pittsburgh, PA 15225). Renewal of an existing bituminous surface strip, coal ash placement and beneficial use of fly ash operation in Venango Township, **Butler County**, affecting 102.8 acres. Receiving streams: Three unnamed tributaries of Seaton Creek to Seaton Creek. Application received August 21, 2000.

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

Coal Mining Applications Received

32841302. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Greenwich No. 1 North/No. 2 South Mine in Green Township, **Indiana County** to transfer the existing permit from Pennsylvania Mines Corp. to Pennsylvania Mines, LLC, no additional discharges. Application received July 16, 2000.

14831301. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Rushton Mine in Rush Township, **Centre County** to transfer the existing permit from Pennsylvania Mines Corp. to Pennsylvania Mines, LLC, no additional discharges. Application received July 17, 2000.

17851501. Sky Haven Coal, Inc. (R. D. 1, Box 180, Penfield, PA 15849), to renew the existing permit for the Clearfield Siding in Boggs Township, **Clearfield County** to renew existing permit, no additional discharges. Application received July 17, 2000.

32830701. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Greenwich No. 2 CRDA in Green Township, **Indiana County** to transfer the existing permit from Pennsylvania Mines Corp. to Pennsylvania Mines, LLC, no additional discharges. Application received July 18, 2000.

32901602 I-22 Processing, Inc. (One Energy Place, Suite 2200, Latrobe, PA 15650), to transfer the permit for the Route 22 Tipple in Burrell Township, **Indiana County** to transfer the existing permit from North

Cambria Fuel Company to I-22 Processing, Inc., no additional discharges. Application received August 14, 2000.

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

Noncoal Applications Received

2966BSM50. Kaiser Refractories (R. R. 1, Box 35, Ohiopyle, PA 15470-9616). NPDES renewal application received for a large noncoal surface mine located in Stewart Township, **Fayette County**, affecting 169.8 acres. Receiving streams: Unnamed tributary to Laurel Run to Meadow Run to the Youghiogheny River. Renewal application received: August 17, 2000.

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

Noncoal Applications Received

10960302. The Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing clay, limestone, coal and sandstone operation in Marion Township, **Butler County** affecting 1,151.0 acres. Receiving streams: Unnamed tributary to North Branch Slippery Rock Creek and three unnamed tributaries to Black Creek. Renewal of NPDES Permit No. PA0227200. Application received August 23, 2000.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Applications Received

7874SM1T. BPB America, Inc. (P. O. Box 663, Pittston, PA 18640-0633), transfer of an existing quarry operation from The Celotex Corporation in Hanover Township, **Lehigh County** affecting 22.7 acres, receiving stream—none. Application received August 22, 2000.

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

Industrial Minerals NPDES Permit Renewal Application Received

32900301. Edward C. Griffith Quarrying, Inc. (R. D. 1, Box 176, Rochester Mills, PA 15771), renewal of NPDES Permit No. PA0598712, North and East Mahoning Townships, **Indiana County**, receiving streams unnamed tributary to Little Mahoning Creek. NPDES Renewal Application received August 23, 2000.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401 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 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.

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

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

E09-807. Encroachment. **County of Bucks**, 55 East Court Street, Doylestown, PA 18901. To perform the following activities in and along the east bank of the Neshaminy Creek (TSF-MF), and within the Bucks County Playwicki Park: 1. To maintain approximately 1,225 linear feet of riprap stream bank stabilization; 2. To construct and maintain 600 linear feet of riprap stream bank stabilization; 3. To remove approximately 3,800 square yards of gravel bar to the elevation of the streambed. The site is located in the Bucks County Playwicki Park approximately 1,500 feet east of the intersection of Bridgetown Pike and Langhorne Avenue (Langhorne, PA Quadrangle N: 9.5 inches; W: 11.3 inches) in Middletown Township, **Bucks County**.

E46-872. Encroachment. **William Marvin**, Old York Road Little League, P. O. Box 11255, Elkins Park, PA 19027. To maintain approximately 2,000 cubic yards of fill placed for the construction of Ellis Gimbel Field and to construct and maintain 50 linear feet of timber retaining wall within the 100-year floodplain of Tacony Creek (WWF) located approximately 1,100 feet southwest of the intersection of Church Road and New Street (Frankford, PA-NJ Quadrangle N: 12.5 inches; W: 16.35 inches) in Cheltenham Township, **Montgomery County**.

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

E07-297. Encroachment. **Raymond Black**, 108 Himes Lane, Duncansville, PA 16635. To construct and maintain a single span bridge to be constructed with two flat bed railroad cars having a clear span of 65.0 feet and an underclearance of 5.7 feet across Poplar Run (CWF) and to authorize previously placed fill in 0.02 de minimis acre of associated wetlands for the purpose of providing private access to an existing residential property located along the north side of SR 3003 about 0.6 mile east of Puzzletown (Hollidaysburg, PA Quadrangle N: 1.2 inches; W: 14.6 inches) in Freedom Township, **Blair County**.

E07-335. Encroachment. **PennDot 9-0**, 1620 Juniata Street, Hollidaysburg, PA 16648. To remove an existing structure and to construct and maintain a bridge having a span of 31.5 feet and an underclearance of 6.25 feet across the channel of South Dry Run (WWF) at a point at SR 0164-04B (Roaring Springs, PA Quadrangle N: 18.9 inches; W: 10.1 inches) in Freedom Township, **Blair County**.

E34-096. Encroachment. **Monroe Township**, R. D. 1, Richfield, PA 17086. To maintain an existing 8-foot cul-

vert in the channel of Quaker Run (CWF) at a point immediately upstream of T-510 (Richfield, PA Quadrangle N: 6.2 inches; W: 11.3 inches) in Monroe Township, **Juniata County**.

E67-689. Encroachment. **York Township**, 25 Oak Street, York, PA 17402. To construct and maintain approximately 264 linear feet of stream enclosure of an unnamed tributary to Mill Creek (WWF) for the realignment of Chambers Road for the purpose of traffic safety. The project begins near Radiantlight Drive intersection to Starview Heights residential development (York, PA Quadrangle N: 13.55 inches; W: 5.35 inches) in York Township, **York County**.

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

E32-423. Encroachment. **Indiana County Commissioners**, 825 Philadelphia Street, Indiana, PA 15701-3942. To remove the existing structure known as Josephine Bridge No. 61B, and to construct and maintain a dual span bridge having a clear span of 19.71 meters each and an underclearance of 6.1 meters across Blacklick Creek (TSF). Also, to construct and maintain a temporary causeway and cofferdam during construction. The structure is located on T-660 at a point approximately 0.35 mile north of the intersection of T660 and S.R. 2017 (Bolivar, PA Quadrangle N: 18.55 inches; W: 8.7 inches) in Burrell Township, **Indiana County**.

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

E25-617. Encroachment. **Erie Yacht Club**, Erie, P. O. Box 648, Erie, PA 16512-0648. To make the following improvements to the existing Erie Yacht Club Marina in Presque Isle Bay, Lake Erie at the foot of Ravine Drive approximately 1 mile east of the base of the Presque Isle peninsula (Swanville, PA Quadrangle N: 22.3 inches; W: 0.8 inch) in the City of Erie, **Erie County**:

1. To dredge six areas of the existing marine basin removing a total of approximately 25,000 cubic yards of sediment and shale to establish and maintain bed elevations ranging from 560.0 feet USGS to 564.0 feet USGS.
2. To install and maintain a 370-foot-long by 6-foot-wide pile anchored floating dock along and parallel to the western side of the western marina jetty.

DAM SAFETY

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

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

D55-046A. Dam. **PPL Montour LLC** (Two North Ninth Street, Allentown, PA 18101-1179). To modify, operate and maintain Ash Pond No. 2 across tributary to Susquehanna River (WWF), for the purpose of modifying spillway section by installing a low level outlet to eliminate long term ponding on the Ash, but still provide flood control. (Sunbury, PA Quadrangle N: 18.5 inches; W: 12.5 inches) in Monroe Township, **Snyder County**.

ENVIRONMENTAL ASSESSMENT

Request for Environmental Assessment approval under 25 Pa. Code § 105.15 and request for certification under section 401 of the Federal Water Pollution Control Act.

Northcentral Regional Office: Soils and Waterways Section, 208 W. Third St., Suite 101, Williamsport, PA 17701, (570) 327-3574.

EA41-002NC. Environmental Assessment. **Jersey Shore Borough**, 232 Smith Street, Jersey Shore, PA 17740. Stream Restoration. The project proposes to stabilize 900-feet of a degraded unnamed tributary to West Branch, Susquehanna River for the restoration of degraded stream banks, flood plain and wetlands. The restoration work shall consist of constructing 70-feet of low flow channel, a 30-foot wide floodplain and four wetland areas. The project is located along the eastern right-of-way of SR 0220 at the southern terminus of Wylis Street (Jersey Shore, PA Quadrangle N: 14.11 inches; W: 1.48 inches) in Jersey Shore Borough, **Lycoming County** (Baltimore District, U. S. Army Corps of Engineers). Approval of an Environmental Assessment is requested in conjunction with Section 105.12(a)(16), Dam Safety and Waterway Management, regarding restoration activities.

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, Market Street State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

NPDES Permit No. PA0029912. Sewage. **PA Department of Public Welfare**, P. O. Box 2675, Harrisburg, PA 17105 is authorized to discharge from a facility located at Embreeville Complex Wastewater Treatment Plant in Newlin Township, **Chester County** into the West Branch of Brandywine Creek.

NPDES Permit No. PA0056383. Sewage. **Todd Rabenold**, 1241 Roundhouse Road, Quakertown, PA 18951. Is authorized to discharge from a facility located at Haycock Township, **Bucks County** to unnamed tributary to Dimple Creek.

NPDES Permit No. PA0050423. Sewage. **Villa Maria House of Studies**, 1140 King Road, Immaculata, PA 19345. Is authorized to discharge from a facility located at East Whiteland Township, **Chester County** to an unnamed tributary to Ridley Creek.

NPDES Permit No. PA0054011. Sewage. **Ronald B. Hillegass**, R. D. 2, P. O. Box 2623, East Greenville, PA 18041. Is authorized to discharge from a facility located at Upper Hanover Township, **Montgomery County** into an unnamed tributary to Perkiomen Creek.

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

NPDES Permit PA-0062383. Industrial Waste. **3 Springs Water Company, Inc.**, 1800 Pine Run Road, Laurel Run, PA 18702 is authorized to discharge from a facility located in Laurel Run Borough, **Luzerne County**, to an unnamed tributary to Pine Creek.

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

Permit No. PA0086215. Sewerage. **Peifer Brothers, Shalako Mobile Home Park**, P. O. Box 550, Elizabethtown, PA 17022 is authorized to discharge from a facility located in Lower Windsor Township, **York County** to the receiving waters named Cabin Creek.

Permit No. PA0030511. Sewerage. **Bermudian Spring School District**, 7335 Carlisle Pike, York Springs, PA 17372-0501 is authorized to discharge from a facility located in Huntingdon Township, **Adams County** to the receiving waters named Mud Run.

Permit No. 2196404 (transfer #1). Sewage. **Adrian L. and Ellen D. Oliver**, 2110 Longs Gap Road, Carlisle, PA 17013. This permit approves the construction of sewage treatment facilities in North Middleton Township, **Cumberland County**.

Permit No. 0600402. Sewage. **Borough of Topton**, 205 South Callowhill Street, Topton, PA 19052. This permit approves the construction of sewage treatment facilities in Topton Borough, **Berks County**.

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

NPDES Permit PA0046167. Sewerage. **Crown Lycoming Service Associates**, Pasquerilla Plaza, Johnstown, PA 15907-0897. Renewal granted to applicant to discharge from facility located at Muncy Township, **Clearfield County**.

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

NPDES Permit No. PA0028177. Sewage. **McCandless Township Sanitary Authority** authorized to discharge from a facility located at A & B Sewage Treatment Plant, McCandless Township, **Allegheny County** to receiving waters named unnamed tributary to Pine Creek.

NPDES Permit No. PA0092550. Sewage. **Bradys Bend Township Water & Sewer Authority**, R. D. 1, Box 60A, East Brady, PA 16028 is authorized to discharge from a facility located at Bradys Bend Sewage Treatment Plant, Bradys Bend Township, **Armstrong County** to receiving waters named Sugar Creek.

NPDES Permit No. PA0098710. Sewage. **DecoLife Manufacturing, Ltd.**, 958 Mercer Road, Beaver Falls, PA 15010 is authorized to discharge from a facility located at DecoLife Manufacturing, Ltd. STP, North Sewickley Township, **Beaver County** to receiving waters named an unnamed tributary of Thompson Run.

NPDES Permit No. PA0203696. Sewage. **South Side Area School District**, 4949 S. R. 151, Hookstown, PA 15050 is authorized to discharge from a facility located at South Side Area School Sewage Treatment Plant, Greene Township, **Beaver County**, to receiving waters named Tributary of Little Traverse Creek.

NPDES Permit No. PA0203734. Sewage. **Lance Catterall and Charles Simkovich**, 27 Grove Street, Pittsburgh, PA 15202 is authorized to discharge from a facility located at Catterall and Simkovich Small Flow STP, Franklin Park Borough, **Allegheny County** to receiving waters named unnamed tributary of Rippling Run.

Permit No. 3200401. Sewerage. **Green Township Municipal Authority**, Box 129, Commodore, PA 15729. Construction of collection system, pump stations and wastewater treatment plant located in Green Township, **Indiana County** to serve Starford Pump Station, Fairgrounds Pump Station and Green Township Municipal Authority STP.

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

NPDES Permit No. PA0025356. Sewage. **Borough of Mercer**, 147 North Pitt Street, Mercer, PA 16137 is authorized to discharge from a facility located in Mercer Borough, **Mercer County** to the Neshannock Creek.

NPDES Permit No. PA0093301. Sewage. **Penn Township Elementary School, South Butler School District**, P. O. Box 657, Saxonburg, PA 16056 is authorized to discharge from a facility located in Penn Township, **Butler County** to an unnamed tributary to Thorn Creek.

NPDES Permit No. PA0210161. Industrial Waste. **Pennsylvania-American Water Company—Butler**, 296 Oneida Valley Road, Butler, PA 16001 is authorized to discharge from a facility located in Oakland Township, **Butler County**, to Thorn Creek and Connoquenessing Creek.

WQM Permit No. 6100404. Sewage. **Cornplanter Township, Quaker State Pump Station**, R. R. 1, Box 98A, Oil City, PA 16301. This project is for the replacement of the Quaker State Pump Station in Cornplanter Township, **Venango County**.

WQM Permit No. 4300404. Sewage. **Jamestown Municipal Authority**, P. O. Box 188, Jamestown, PA 16134. This project is for the expansion of an already existing sewage treatment facility in Jamestown Borough, **Mercer County**.

WQM Permit No. 4300407. Sewerage, **James R. Ondo SRSTP**, 211 West Jamestown Road, Greenville, PA 16125. Construction of James R. Ondo SRSTP located in West Salem Township, **Mercer County**.

WQM Permit No. 2500410. Sewerage, **Robert T. and Gayle S. Sheets SRSTP**, 109 High Street, Edinboro, PA 16412. Construction of Robert T. and Gayle S. Sheets SRSTP located in Washington Township, **Erie County**.

WQM Permit No. 2000410. Sewerage, **Christopher E. and Georgianna M. Carr SRSTP**, 6198 Fisher Road, Conneautville, PA 16406. Construction of Christopher E. and Georgianna M. Carr SRSTP located in Conneaut Township, **Crawford County**.

INDIVIDUAL PERMITS

(PAR)

The following parties have submitted (1) Notices of Intent (NOIs) for Coverage under (1) General NPDES Permit(s) to discharge wastewater into the surface of the 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 EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

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

List of NPDES and/or other General Permit Type

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater From Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site

List of NPDES and/or
other General Permit Type

PAG-10 General Permit for Discharge Resulting From Hydrostatic Testing of Tanks and Pipelines
PAG-11 (TO BE ANNOUNCED)
PAG-12 Concentrated Animal Feeding Operations (CAFOs)

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 or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Caln Township Chester County	PAR10-G378	Longview Development 992 Old Eagle School Road Wayne, PA	Brandywine Creek (TSF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Pocopson Township Chester County	PAR10-G380	Steve Laurullo 1130 Pocopson Road West Chester, PA	Brandywine Creek (WWF, MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
London Grove Chester County	PAR10-G367	Kent Farm Associates 107 Commons Court Chadds Ford, PA	West Branch White Clay Creek (WWF, MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Caln Township Chester County	PAR10-G374	Rouse Chamberlin Associates 500 Exton Commons Exton, PA 19341	Valley Creek (CWF, MF) East Branch Brandywine Creek (WWF, MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Worcester Township Montgomery County	PAR10-T660	T & S Development 593 Bethlehem Pike Suite E Montgomeryville, PA 18936	Tributary to Towamencin Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Whitemarsh Township Montgomery County	PAR10-T651	Colonial School District 230 Flourtown Rd. Plymouth Meeting, PA	Unnamed Tributary to Schuylkill River (WWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Worcester Township Montgomery County	PAR10-T622	Parec Homes 731 Skippack Pike Blue Bell, PA	Unnamed Tributary to Stony Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lansdale Borough Montgomery County	PAR10-T639	Progress Development, LP 595 Skippack Pike Suite 100 Blue Bell, PA 19422	Towamencin Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Providence Township Montgomery County	PAR10-T646	Rittenhouse Road Associates, LP 1101 DeKalb Pike Wayne, PA	Unnamed Tributary to Schuylkill River (CWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lehigh County Lynn Township	PAR10Q146	Olde Homestead Golf Club, Inc. Carl D. Snyder P. O. Box 222, 6598 Route 309 New Tripoli, PA 18066	Ontelaunee Creek CWF	Lehigh CD (610) 391-9583
Southampton Township Franklin County	PAR-10-M220	William Swarhout Kopher Development Corp. 7650 Molly Pitcher Highway Shippensburg, PA 17239	Rowe Run CWF	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Licking Creek Fulton County	PAR-10-2810	School House Village 3011 Georgetown Road Baltimore, MD 21230	Sindeldecker Branch to Licking Creek CWF	Fulton County CD 216 North Second Street McConnellsburg, PA 17233 (717) 485-3547
South Londonderry Twp. Lebanon County	PAR-10-P130	Carl E. & Shirley Keener P. O. Box 235 Colebrook, PA 17015	UNT to Conewago Creek TSF	Lebanon County CD 2120 Cornwall Rd., Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 3

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 or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Philadelphia County City of Philadelphia	PAR600057	Oscar's Auto Parts 6145 W. Passyunk Avenue Philadelphia, PA 19153	Schuylkill River	DEP Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Chester County West Sadsbury Township	PAR130012	Quebecor World Atglen, Inc. 4581 Lower Valley Road Atglen, PA 19310	Unnamed Tributary to Valley Creek	DEP Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Montgomery County Marlborough Township	PAR600061	Green Lane Auto Sales and Parts, Inc. 3000 Geryville Pike Pennsburg, PA 18073	Unnamed Tributary to Stony Run Creek	DEP Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lancaster County Marietta Borough	PAR203537	Pennecast Corporation P. O. Box 303 Marietta, PA 17547-0303	Susquehanna River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Newberry Township	PAR603516	Charles C. Aumiller Aumiller's West, Inc. 964 Old Rossville Road Lewisberry, PA 17339	UNT to Bennett Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Manor Township	PAR323509	Armstrong World Industries, Inc. 2500 Columbia Avenue Lancaster, PA 17604-3209	UNT to Little Conestoga Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Springfield Township	PAR143509	Adhesives Research, Inc. P. O. Box 100 Glen Rock, PA 17327-0100	UNT Seaks Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Williamsburg Borough	PAR143504	Westvaco Envelope Division P. O. Box 3300 Springfield, PA 01101	Juniata River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
York County York City	PAR403503	Envirite of Pennsylvania, Inc. 730 Vogelsong Road York, PA 17404-1725	Codorus Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Huntingdon County Mount Union Borough	PAR203573	Bonney Forge Corporation Route 522 South P. O. Box 330 Mount Union, PA 17066	UNT To Juniata 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 or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
West Salem Township Mercer County	PAG048683	James R. Ondo 211 West Jamestown Road Greenville, PA 16125	Tributary Big Run	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Wilmington Township Lawrence County	PAG048362	Peter A. and Jana D. Groothuis R. R. 1, Box 35 New Wilmington, PA 16142	Unnamed Tributary of Little Neshannock Creek	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Farmington Township Warren County	PAG048363	Frederick G. III and Debra D. Backhus 1948 Jackson Run Road Warren, PA 16365	Unnamed Tributary to Jackson Run	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Conneaut Township Crawford County	PAG048685	Christopher E. and Georgianna M. Carr 6198 Fisher Road Conneautville, PA 16406	Unnamed Tributary to Conneaut Creek	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Washington Township Erie County	PAG048686	Robert T. and Gayle S. Sheets 109 High Street Edinboro, PA 16412	Unnamed Tributary to Darrows Creek	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lancaster County East Hempfield Township	PAG053535	Boeing Capital Corporation Formerly McDonnell/ Douglas Finance Corp. 3760 Kilroy Airport Way Suite 500 Long Beach, CA 90806	Little Conestoga Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Indiana County Indiana Borough	PAG056148	John E. Midkiff 481 Hammersmith Drive Indiana, PA 15701	Tributary to Two Lick Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-9

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Westmoreland County Hempfield Township	PAG096106	George Hapchuk d/b/a Hapchuk Sanitation R. D. 10, Box 276 Greensburg, PA 15601		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).

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

The Department has completed its review of the Act 537 **Sewage Facilities Plan for Pocono Township, Monroe County**, dated August 2000. The Department has found that the Plan is acceptable and granted planning approval on August 21, 2000.

The Plan was initially prepared to include the Route 611 Corridor, but was later broadened to include the entire Township for certain Plan categories. The Plan includes a draft On-Lot Sewage Disposal Systems Management Ordinance for the entire Township. The Ordinance provides for pumping of septage from the septic tanks and inspection of septic tanks/absorption systems.

The Department's review of the Plan has not identified any significant environmental impacts resulting from the proposals. In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.2(a)), and Chapter 71 of the Department's Regulations, 25 Pa. Code Chapter 71, the Department will hold the Township responsible for the complete and timely implementation of the chosen alternative, as stated in the Plan Summary and in Section 8.1 Implementation Schedule of the Plan.

SAFE DRINKING WATER

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

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

Permit No. 1000503. Public Water Supply. **T. D. Kelly Company, Abbey Woods Development**, P. O. Box 407, Zelenople, PA 16063. Permit issued for an increase in the capacity of the system by the addition of 2 wells. Abbey

Woods Development is located in Jackson Township, **Butler County**. *Type of Facility:* Public Water Supply. *Consulting Engineer:* Don A. Gilmore, P.E., Dakota Engineering Assoc., Inc., 35 Wilson Street, Suite 200, Pittsburgh, PA 15223 (412) 784-9228. *Construction Permit Issued:* August 23, 2000.

Permit No. 4300503. Public Water Supply. **Consumers PA Water Company—Shenango Valley Division**, 665 South Dock Street, Sharon, PA 16146 has been issued a permit for the upgrade of both Boyd and Mitchell Road booster pump stations in Shenango Township, **Mercer County**. *Type of Facility:* Community Water Supply. *Consulting Engineer:* Jack N. Walter, P. E., Consumers PA Water Company, 665 South Dock St., Sharon, PA 16146. *Permit to Construct Issued:* August 23, 2000.

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Sandy Lake Asbestos Site

Stoneboro Borough, Mercer County

Under section 1113 of the Pennsylvania Hazardous Sites Cleanup Act (35 P. S. § 6020.1113) (HSCA), notice is hereby provided that the Department of Environmental Protection (Department) has agreed to a de minimis Consent Order and Agreement (Agreement) with the Chicago Pneumatic Tool Company (CPTC), concerning the resolution of CPTC's liability for the Sandy Lake Asbestos Site (Site). The Site is located on a 31.75-acre parcel between the former Penn Central Railroad Line and Route 845 in Stoneboro Borough, **Mercer County**.

In the past, asbestos containing wastes were disposed at the Site and this waste contaminated the environment at the Site. Asbestos is defined in section 103 of HSCA (35 P. S. § 6020.103) as a "hazardous substance." The Department expects to incur approximately \$275,000 to remove the asbestos wastes for proper disposal offsite. As a past owner of the Site during the time of the release and threatened release of hazardous substances at the Site, CPTC is a "responsible person" as defined in section 103 of HSCA. Under the terms of the Agreement, CPTC shall pay the Department \$10,000 to resolve its liability at the Site.

The Department anticipates that it will remove the asbestos wastes from the Site in September 2000. This response will help mitigate the threat to human health and the environment posed by the asbestos wastes there.

The specific terms of this settlement are set forth in the Agreement between CPTC and the Department. The Department will receive and consider comments relating to the Agreement for 60 days from the date of this Public Notice. The Department has the right to withdraw its consent to the Agreement if the comments concerning the Agreement disclose facts or considerations which indicate that the Agreement is inappropriate, improper or not in the public interest.

After the public comment period, the Department's settlement with CPTC shall be effective upon the date that the Department notifies CPTC, in writing, that this Agreement is final and effective in its present form, and that the Department has filed a response to significant written comments to the Agreement, or that no such comments were received.

The Agreement is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted, in writing, to James W. Weaver, Project Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335. Further information may be obtained by contacting Mr. Weaver at (814) 332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 654-5984.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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

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

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

The Department has received the following final reports:

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

ChiRex Technology Center, Inc., Charlestown Township, **Chester County**. Steven L. Tanen, HydroScience, Inc., Center City Executive Centre, 607 Washington Street, Reading, PA 19601, has submitted a Final Report concerning remediation of site soil contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Eastern Industries Oley Quarry, Oley Township, **Berks County**. Columbia Petroleum Corporation, 225 East Main Street, Richland, PA 07087 and Eastern Industries, Inc., 4401 Camp Meeting Road, Center Valley, PA 18034 have submitted a Final Report within 90 days of a release concerning remediation of site soils contaminated with BTEX, PAHs and PHCs. The report is intended to document remediation of the site to the Statewide health standard.

Vivian Mendenhal Residence, Sadsbury Township, **Lancaster County**. Vivian Mendenhal, 15 Sadsbury Avenue, Christiana, PA 17509 and Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 have submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with BTEX and PAHs. The report is intended to document remediation of the site to the site-specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresiden-

tial exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan and report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports.

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

Landhope Realty Property, New Garden Township, **Chester County**. John Kollmeier, Brownfield Associates, Inc., P. O. Box 80, Lewisville, PA 19351, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX and petroleum hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on August 10, 2000.

Sunoco Inc., (R&M) Marcus Hook Refinery-Phillips Island, Marcus Hook Borough, **Delaware County**. Ralph T. Golia, P.G., URS Corporation, 2325 Maryland Road, 2nd Floor, Willow Grove, PA 19090, has submitted a Remedial Investigation Report, Risk Assessment Report, and Cleanup Plan concerning remediation of site soil contaminated with lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The reports were approved by the Department on August 16, 2000.

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

F. W. Woolworth Company Mid-Atlantic Distribution Center, East Cocalico Township, **Lancaster County**. First Industrial Realty Trust, Inc., 6360 Flank Drive, Harrisburg, PA, Venator Group, Inc., 233 Broadway, New York, NY, and Atlantic Environmental Solutions, Inc., 86 Hudson Street, Hoboken, NJ 07030 have submitted a final report concerning the remediation of site soils and groundwater contaminated with BTEX and PHCs. The final report did not demonstrate attainment of the Statewide health standard, and was disapproved by the Department on August 4, 2000.

Bertolino Building Site, City of Harrisburg, **Dauphin County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, Girard Estate, 21 South 12th Street, Philadelphia, PA 19107, and Hudson Investment, 2450 Shenango Valley Freeway, Hermitage, PA 16148 have submitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX and PAHs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on August 15, 2000.

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

Dana Corporation—Building 93, Berwick Borough, **Columbia County**. RMT, Inc., on behalf of its client Dana Corporation, 2424 West State Boulevard, Fort Wayne, IN 46808, has submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PHCs and PAHs. The Cleanup Plan was approved by the Department on August 21, 2000.

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

Neville Chemical Company, Neville Township, **Allegheny County**. Thomas F. McKnight, Neville Chemical Company, 2800 Neville Road, Pittsburgh, PA 15225 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with lead, BTEX and other. The Remedial Investigation Report was approved by the Department on August 11, 2000.

SOLID AND HAZARDOUS WASTE OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101546. Potter County Transfer Station, Potter County Solid Waste Authority (2504 SR 49 W., Ulysses, PA 16948). Renewal of permit for a municipal waste transfer facility located in Ulysses Township, **Potter County**, issued in the regional office on August 24, 2000.

AIR QUALITY OPERATING PERMITS

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

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

GP3-2-07-03014: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) authorized use of a general permit for construction/operation of a portable nonmetallic mineral processing plant consisting of an impact crusher and two supporting conveyor belts in Taylor Township, **Blair County**.

GP3-2-31-03002: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) authorized use of a general permit for construction/operation of a portable nonmetallic mineral processing plant consisting of a feed hopper, jaw crusher, double deck screen and five supporting conveyor belts in Spruce Creek Township, **Huntingdon County**.

GP7-36-03118: Continental Press, Inc. (520 E. Bainbridge Street, Elizabethtown, PA 17022) authorized use of a general permit for construction/operation of a sheetfed offset lithographic printing press in Elizabethtown Borough, **Lancaster 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.

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

V95-007: PECO Energy Co.—Southwark Station (2501 South Delaware Avenue, Philadelphia, PA 19148) issued a Title V Operating Permit on August 15, 2000, for operation of an electric utility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four 233 MMBTU/hr combustion turbines.

V99-002: ST Services Terminal (67th Street and the Schuylkill River, Philadelphia, PA 19153) issued a Title V Operating Permit on August 17, 2000, for operation of a bulk liquid storage and distribution terminal in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a 30 MMBTU/hr thermal fluid heater, a 20 MMBTU/hr thermal fluid heater, a vapor incinerator, 12 petroleum products storage tanks, truck loading, nongasoline marine loading, barge cleaning and washwater treatment.

S97-012: Hahnemann University Hospital (Broad and Vine Streets, Philadelphia, PA 19102) issued a Synthetic Minor Operating Permit on July 31, 2000 for a facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a 200 lbs/hr pathological incinerator, four boilers each rated at less than 5 MMBTU/hr, nine emergency generators and three fire pumps.

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-09-0009: Webcraft Technologies, Inc. (4371 County Line Road, Chalfont, PA 18914) on August 15, 2000, for Facility Major VOC Synthetic NO_x in New Britain Township, **Bucks County**.

OP-46-0176: A. Talone, Inc. (318 West. Lancaster Avenue, Ardmore, PA 19003) on August 25, 2000, for Facility VOC/NO_x RACT in Lower Merion Township, **Montgomery County**.

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

V96-022: University of Pennsylvania Health System—Presbyterian Medical Center (51 North 39th Street, Philadelphia, PA 19104) on August 21, 2000, for a Title V facility in the City of Philadelphia, **Philadelphia County**. The operating permit issued September 23, 1999, has been administratively amended to remove a condition that was included in the original permit but is not applicable to the facility.

V95-085: Episcopal Hospital (100 East Lehigh Avenue, Philadelphia, PA 19125) on August 21, 2000, for a Title V facility in the City of Philadelphia, **Philadelphia County**. The operating permit issued September 23, 1999, has been administratively amended to remove a condition that was included in the original permit but is not applicable to the facility.

Operating Permits Minor Modification 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.

08-313-049A: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 18848-0504) on August 22, 2000, to incorporate conditions established in Plan Approval 08-313-049C for three bulk nitric and hydrochloric acid storage tanks, a hydrochloric acid railcar unloading operation and associated air cleaning devices (a venturi scrubber and a packed bed scrubber) in Towanda Borough, **Bradford County**.

PLAN APPROVALS

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

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

PA-46-0031A: SmithKline Beecham Research Co. (450 Cresson Road, Oaks, PA 19426) on August 17, 2000, for operation of two Emergency Generators in Upper Providence Township, **Montgomery County**.

PA-09-0121: Conte Luna Foods (40 Jacksonville Road, Warminster, PA 18974) on August 17, 2000, for operation of a bag filter dust collector in Warminster Township, **Bucks County**.

PA-15-0103: Christiana Cabinetry (504 Rosemont Avenue, Atglen, PA 19310) on August 18, 2000, for operation of three spray booths in Atglen Borough, **Chester County**.

PA-15-0014C: Norwood Industries, Inc. (57 Morehall Road, Malvern, PA 19355) on August 18, 2000, for operation of an air cleaning control device in East Whiteland Township, **Chester County**.

PA-09-0028C: Fibermark, Inc. (45 North Fourth Street, Quakertown, PA 18951) on August 24, 2000, for operation of a Surface Coater No. 11 in Quakertown Borough, **Bucks County**.

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

48-313-087: Praxair Distribution, Inc. (145 Shimersville Road, Bethlehem, PA 18015) on August 16, 2000, for construction of a nitric oxide production plant and associated air cleaning device in Bethlehem, **Northampton County**.

48-399-043A: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042) on August 16, 2000, for modification of an apron dryer in Wilson Borough, **Northampton County**.

35-313-007B: Tredegar Film Products (P. O. Box 499, Carbondale, PA 18407) on August 21, 2000, for installation of air cleaning devices on film products Lines 3 and 4 in Carbondale, **Lackawanna County**.

48-399-045: Spray-tek LLC (344 Cedar Avenue, Middlesex, NJ 08846) on August 21, 2000, for construction of a spray drying system and associated air cleaning device at 3010 Avenue B in Bethlehem, **Northampton County**.

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

01-03025: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809) on August 21, 2000, for construction of two scalping screens controlled by wet suppression at the Fairfield Quarry in Hamiltonban Township, **Adams County**.

06-01003I: Lucent Technologies, Inc. (P. O. Box 13396, Reading, PA 19612) on August 21, 2000, for construction of a photocenter and modification of photolithographic operations controlled by a catalytic oxidizer at their Reading facility in Muhlenberg Township, **Berks County**.

36-320-023B: R. R. Donnelley & Sons, Co. (1375 Harrisburg Pike, Lancaster, PA 17601) on August 22, 2000, for construction of two web offset lithographic printing presses with heatset dryers controlled by a regenerative thermal oxidizer at the Lancaster Financial Printing Division in Lancaster City, **Lancaster County**.

36-03076B: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) on August 23, 2000, for installation of a new screen and bin controlled by a baghouse and wet suppression system in East Earl Township, **Lancaster County**. These sources are subject to 40 CFR Part 60, Subpart OOO—Standard of Performance of Nonmetallic Mineral Processing Plants.

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.

14-313-039: Rutgers Organics Corp. (201 Struble Road, State College, PA 16808) on August 18, 2000, to clarify the conditions under which an air cleaning device (a regenerative thermal oxidizer) will operate, clarify what scrubbing solution is to be used in a scrubber, delete reference to a reaction vessel which will not be used in the respective process, change a reaction vessel identification, authorize the substitution of an alternate process condenser on a reaction vessel and authorize the installation of a process condenser on a reaction vessel in College Township, **Centre County**.

49-313-049M: Merck & Co., Inc. (P. O. Box 600, Danville, PA 17821-0600) on August 22, 2000, to modify the required operating conditions for a volatile organic compound scrubber and to extend the authorization to operate various pieces of pharmaceutical process equipment on a temporary basis until December 20, 2000 in Riverside Borough, **Northumberland County**.

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

operate air contamination sources and associated air cleaning devices.

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

62-312-014A: United Refining Co. (Bradley and Dobson Streets, P. O. Box 780, Warren, PA 16365) on August 30, 2000, for a gasoline loading rack in Warren, **Warren County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to these 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

03000105. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine and coal preparation/processing facility located in Cowanshannock Township, **Armstrong County**, affecting 87.2 acres. Receiving streams: five unnamed tributaries to Huskins Run to Huskins Run to Cowanshannock Creek to the Allegheny River. Application received: May 10, 2000. Permit issued: August 23, 2000.

65960105. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717-7960). Renewal issued for continued reclamation only of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 165.6 acres. Receiving streams: unnamed tributary to Stony Run and also Stony Run. Application received: July 12, 2000. Renewal issued: August 25, 2000.

65840111. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717-7960). Renewal issued for continued reclamation only of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 282.0 acres. Receiving streams: unnamed tributaries to Stony Run. Application received: July 12, 2000. Renewal issued: August 25, 2000.

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

Coal Permits Issued

17840126. E. P. Bender Coal Company, Inc. (P. O. Box 594, Carrolltown, PA 15722), renewal of an existing bituminous surface mine permit in Jordan Township, **Clearfield County** affecting 341.7 acres. Receiving streams: tributary to Comfort Run and Comfort Run to

North Witmer Run to Clearfield Creek to West Branch Susquehanna River. Application received June 26, 2000. Permit issued August 22, 2000.

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

Coal Permits Issued

37840104. The Ambrosia Coal and Construction Co. (R. R. 1, Box 422, Edinburg, PA 16116). Renewal of an existing bituminous surface, auger, and tippel refuse disposal operation in North Beaver Township, **Lawrence County** affecting 280.0 acres. This renewal is issued for reclamation only. Receiving streams: Three unnamed tributaries to Hickory Run. Application received: November 18, 1999. Permit Issued: August 22, 2000.

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

Coal Mining Permits Issued

30841320. Dana Mining Co. of PA, Inc. (P. O. Box 1209, Morgantown, WV 26507), to revise the permit for the Dooley Run Mine in Dunkard Township, **Greene County** to delete 317 acres and add 84 acres to SCP and add 15.65 acres to underground permit, no additional discharges. Permit issued August 16, 2000.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Coal Permits Issued

54743007R3. Schuylkill Reclamation Corporation (P. O. Box 434, Gilberton, PA 17934), renewal of an existing anthracite surface mine operation in Branch and Cass Townships, **Schuylkill County** affecting 326.0 acres, receiving stream—West Creek. Renewal issued August 23, 2000.

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

Noncoal Permits Issued

37940305. Troy Sand & Gravel, Inc. (R. R. 2, Box 226B, Golf Course Road, Volant, PA 16156). Transfer of an existing large noncoal strip operation from Donald Temple in Plain Grove Township, **Lawrence County** affecting 35.5 acres. Receiving streams: Unnamed tributary to Taylor Run. Application received: March 14, 2000. Permit Issued: August 18, 2000.

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

Small Industrial Minerals Applications Issued

56000801. Lynn Custer (1218 East Main Street, Berlin, PA 15530), for commencement, operation and restoration of a small noncoal surface mine in Allegheny Township, **Somerset County**, affecting 2.0 acres, receiving stream unnamed tributary to Hillegas Run, application received July 31, 2000, issued August 23, 2000.

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

Small Industrial Minerals Permits Issued

18000802. James W. Johnson, R. R. 1, Box 418, Lock Haven, PA 17745, commencement, operation and restoration of a Small Industrial Minerals (Topsoil), permit in Wayne Township, **Clinton County** affecting 2 acres. Receiving streams: Henry Run, tributary to West Branch Susquehanna River. Application received June 15, 2000. Permit issued August 22, 2000.

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

Small Noncoal (Industrial Minerals) Permits Issued

61002802. Keith A. Klingler (R. D. 2, Box 181G, Titusville, PA 16254). Commencement, operation, and restoration of a small sand and gravel operation in Cherrytree Township, **Venango County** affecting 30.0 acres. Receiving streams: Unnamed tributary to Oil Creek. Application received: June 12, 2000. Permit Issued: August 22, 2000.

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

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

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

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

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

E15-606. Encroachment. Richard Minge, P. O. Box J, Newtown Square, PA 19073. To perform the following activities associated with the construction of a driveway for a single family residence across an unnamed tributary to Crum Creek (HQ-CWF) and 0.18 acre of adjacent wetlands (PFO/PEM):

1. To maintain three 24-inch corrugated metal pipe culverts across the watercourse and adjacent wetlands to accommodate driveway crossing No. 1;
2. To relocate and maintain six 12-inch corrugated metal pipe culverts across wetlands to accommodate driveway crossing No. 2;
3. To relocate and maintain eight 12-inch corrugated metal pipe culverts across wetlands to accommodate driveway crossing No. 3;

4. To maintain twin 36-inch corrugated metal pipe culverts across the watercourse and adjacent wetlands to accommodate driveway crossing No. 4.

The site is located approximately 2,400 feet west of the intersection of South Valley Road and Grubbs Mill Road (Valley Forge USGS Quadrangle N: 3.5 inches, W: 12.8 inches) in Willistown Township, **Chester County**. The permittee is required to provide a minimum of 0.33 acre of replacement wetlands.

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

E39-380. Encroachment. **Penn's Chase, Inc.**, 1150 South Cedar Crest Boulevard, Allentown, PA 18103-7909. To remove the existing structure and to construct and maintain a 42-inch diameter RCP stormwater outfall structure along the right (eastern) bank of Little Lehigh Creek and to construct and maintain a concrete encased 8-inch-diameter D.I.P. sanitary sewer line across Little Lehigh Creek. The project is associated with the Penn's Meadow Residential Subdivision and is located along Willow Lane, approximately 0.3 mile north of Sauerkraut Lane (Allentown West, PA Quadrangle N: 6.9 inches; W: 8.6 inches), in Lower Macungie Township, **Lehigh County**.

E39-383. Encroachment. **Albert L. Granger**, 8568 Mohr Lane, Fogelsville, PA 18051. To excavate approximately 0.4 acre within the floodway of a tributary to Hassen Creek to create an impoundment area for a nonjurisdictional dam; to excavate and grade within the floodway of a tributary to Hassen Creek to create 0.04 acre of wetlands associated with the stream restoration/mitigation area; to install and maintain an 8-inch-diameter waterline across two tributaries to Hassen Creek; and to construct and maintain an 18-inch-diameter HDPE stormwater outfall structure. The project is located at the Glasbern Inn on the north side of T-533, approximately 0.7 mile west of its intersection with T-596 (Topton, PA Quadrangle N: 17.0 inches; W: 5.0 inches), in Weisenburg Township, **Lehigh County**. The issuance of this permit also constitutes approval of the environmental assessment for a nonjurisdictional dam.

E39-384. Encroachment. **Liberty Property Trust**, 1510 Valley Center Parkway, Suite 240, Bethlehem, PA 18017. To place fill in a de minimis area of wetlands equal to 0.04 acre for the construction of a 3-story office building and associated parking. The project is located north of the intersection of Saucon Valley Road and Executive Valley Parkway (Allentown East, PA Quadrangle N: 9.2 inches; W: 6.3 inches), in Upper Saucon Township, **Lehigh County**.

E40-536. Encroachment. **Huntsville Limited Partnership**, P. O. Box 27, 200 East Front Street, Nanticoke, PA 18634. To place fill in a body of water having a surface area of approximately 0.07 acre; to construct and maintain 27 linear feet of 30-inch HDPE stormwater line in wetlands; and to construct and maintain a 24-inch diameter HDPE stormwater outfall structure along the right bank of a tributary to Black Creek. The project, known as the Fairfield Inn Hotel, is located on the southern side of S. R. 0093, approximately 0.4 mile east of its intersection with S. R. 0081 (Conyngham, PA Quadrangle N: 19.1 inches; W: 4.0 inches), in Sugarloaf Township, **Luzerne County**.

E40-550. Encroachment. **Thomas F. and Janie I. Eustice**, Pole 289, Box 3043, Harveys Lake, PA 18618-9789. To remove the existing structure and to construct

and maintain a pile supported, private recreational dock and boathouse having a surface area of approximately 1,260 S. F. and extending 40 feet from the shore of Harveys Lake. The project is located along the southern shore at Pole 289 (Harveys Lake, PA Quadrangle N: 18.2 inches; W: 5.9 inches) in Harveys Lake Borough, **Luzerne County**.

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

E08-361. Encroachment. **Barry W. McLaughlin**, R. R. 3, Box 230, Mifflinburg, PA 17844. To operate and maintain an existing driveway culvert pipe 61 inches high by 56 inches wide by 23 feet 5 inches long in Alba Creek on the east side of Alba Mountain Road approximately 1700 feet northwest of the intersection of Route 14 with Alba Mountain Road (Canton, PA Quadrangle N: 15.25 inches; W: 11.6 inches) in Canton Township, **Bradford County**. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-459. Encroachment. **Transcontinental Gas Pipeline Corporation**, 2800 Post Oak Boulevard—Level 10, Houston, TX 77056. To repair, operate and maintain an existing 24-inch diameter gas pipeline beneath Sugar Run for the transmission of natural gas. The repair work shall consist of constructing a concrete jacket over the existing pipeline for a maximum length of 40 feet. If Sugar Run is flowing at the time of the repair operations, the injection rate of concrete into the jacket in cubic yards per hour shall not exceed the stream flow in cubic yards per minute. The project is located along the western right-of-way of S. R. 2061 approximately 2,000 feet north of Huddy Hill Road and S. R. 2061 intersection (Picture Rocks, PA Quadrangle N: 3.0 inches; W: 4.25 inches) in Penn Township, **Lycoming County**. This permit also authorizes the restoration of the Sugar Run streambed with R-8 riprap. The permittee shall implement an impermeable membrane or equally effective method that ensures stream flow is not lost within the voids of the riprap. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E63-494. Encroachment. **Joseph Frank**, 422 Glenn Avenue, Carnegie, PA 15106-3422. To construct and maintain a pedestrian walking bridge having a span of 16.0 feet with a minimum underclearance of 6.0 feet across the channel of Millers Run (WWF) to provide access to applicant property located on the south side of Route 50, just southeast from the intersection of Ridgewood Drive and Route 50 (Canonsburg, PA Quadrangle N: 12.5 inches; W: 11.3 inches) in Cecil Township, **Washington County**. This permit was issued pursuant to Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E18-298. Encroachment. **Eastern States Exploration Company**, P. O. Box 178, Snowshoe, PA 16874. To maintain a 4 foot diameter corrugated plastic culvert installed, under General Permit No. 8, in Twin Run on the access road for General Refractories Well Site No. 7. This project is located approximately 1,400 feet west of Beech Creek Road (Howard NW, PA Quadrangle N: 2.7 inches; W: 9.15 inches) in Beech Creek Township, **Clinton County**.

E43-280. Encroachment. Mercer County, 503 Mercer County Courthouse, Mercer, PA 16137. To remove the existing County Bridge No. 1917 and to construct and maintain a prestressed concrete adjacent box beam bridge having a normal span of 24 feet and an average underclearance of 5.75 feet on a 60 degree skew across a tributary to Magargee Run on T-496 (Clay Furnace Road) approximately 0.76 mile north of S. R. 3020 (Lamor Road) (Sharpville, PA Quadrangle N: 2.3 inches; W: 1.2 inches) in Jefferson Township, **Mercer County.**

SPECIAL NOTICES

Notice of Planning Grant Awards Under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection, hereby announces the following grants to counties pursuant to the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, Section 901 and Section 208 of the Waste Tire Recycling Act (Act 190 of 1996). The awards listed here are based upon applications received by the Department in 1999 and 2000.

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

ACT 101, SECTION 901 PLANNING GRANT

<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
<i>Southeast Region</i>		
Philadelphia	HHW Education	\$124,000
<i>Southcentral Region</i>		
Berks County	HHW Education	\$3,733
Lebanon County	Plan Revision	\$62,835
Dauphin County	Plan Revision	\$104,806
<i>Southwest Region</i>		
Indiana County	Plan Revision	\$37,289

[Pa.B. Doc. No. 00-1565. Filed for public inspection September 8, 2000, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Condemnation and Deposit of Estimated Just Compensation

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, OF RIGHT-OF-WAY, FOR LEGISLATIVE ROUTE IN THE CITY OF PHILADELPHIA

**NOS. 000585 & 000590 & 000591
JULY TERM, 2000**

**EMINENT DOMAIN PROCEEDINGS
—IN REM**

NOTICE OF CONDEMNATION AND DEPOSIT OF ESTIMATED JUST COMPENSATION

NOTICE IS HEREBY GIVEN THAT THE Commonwealth of Pennsylvania, by the Secretary of Transportation, whose address is the Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, Real Property Division, Harrisburg, Pennsylvania, 17120, pursuant to 71 P. S. § 513 (e)(2)(iii) has filed on July 7, 2000 a Declaration of Taking to the above term and numbers, condemning the property shown on the plans of the parcels listed on the Schedule of Property Condemned which have been recorded in the Recorder's Office of the above county at the places indicated on the said Schedule. The name(s) of the owner(s) of the property interest(s) condemned is (are) also shown on the aforesaid Schedule. The Governor has approved the within condemnation by signing on January 11, 1999. The aforesaid plan was reauthorize by signature of the Secretary of Transportation on January 11, 1999. The aforesaid plan was further reauthorized by signature of the Secretary of Transportation on January 11, 1999. The aforesaid plan was further reauthorized by signature of Secretary of Transportation on January 11, 1999, a plan entitled "Drawings Establishing Limited Access Highway and Authorizing Condemnation of Right of Way of Legislative Route 67045 sec. 11A, R/W in Philadelphia County," a copy of which plan was recorded in the Recorder's Office of the aforesaid County on May 1, 1968 in Plan Book 52, at Pages 76 to 86 inclusive, and on February 13, 1986 in Plan Book 80, Page 152, and on August 24, 1999 in Plan Book 83, Page 38.

The purpose of the condemnation is to secure fee simple absolute title and thereby enhance the usefulness of the property for transportation and related public purposes. Plans showing the property condemned from the parcels listed on the said Schedule of Property Condemned have been recorded in the said Recorder's Office at the places indicated on the

said Schedule, where they are available for inspection. The Property interest thereby condemned is designated on the Declaration of Taking heretofore filed. The Commonwealth of Pennsylvania is not required to post security, inasmuch as it has the power of taxation.

Because the identity or whereabouts of the condemnee(s) listed below is (are) unknown or for other reasons he (they) cannot be served, this notice is hereby published in accordance with Section 405(b) of the Eminent Domain Code of 1964 (26 P. S. 1-405(b)).

Claim No.

6705676	YVETTA SMITH, WIDOW	6705689	ISADORE WEISS
6705678	CATHERINE BALABAS, WIDOW	6705690	MITZI EISENBERG
6705679	CLYDE H. STILES & MILDRED W. STILES, H/W	6705691	SAMUEL LIPTON & RUTH LIPTON, H/W
6705680	FRANCES GOMER	6705694	REDEVELOPMENT AUTHORITY OF THE CITY OF PHILADELPHIA
6705681	HERMAN YOUNG & GERTRUDE YOUNG, H/W	6705695	CARL HENDERSON
6705682	REDEVELOPMENT AUTHORITY OF THE CITY OF PHILADELPHIA	6705696	HARVEY SPRINGEL
6705683	MANUEL SAXE	6705786	ADELA N. ROSAS
6705684	LOUIS LEVIN	6705676	YVETTA SMITH, WIDOW
6705685	MARTIN LEVY & ANNA WEISS		
6705687	ALAN W. GORDON & BEATRICE GORDON, H/W		

The power or the right of the Secretary of Transportation of the Commonwealth of Pennsylvania to appropriate the property condemned, the procedure followed by the Secretary of Transportation or the Declaration of Taking may be challenged by filing preliminary objections within thirty (30) days of the date of this notice.

FURTHERMORE, NOTICE IS HEREBY GIVEN THAT the Commonwealth of Pennsylvania, Department of Transportation, pursuant to Section 522 of the Eminent Domain Code of 1964 (26 P. S. §§ 1—522) will no less than twenty (20) days subsequent to the expiration of the statutory period for the filing of preliminary objections to the Declaration of Taking, present a petition to the Court of Common Pleas of the above county to deposit into court the just compensation estimated by the Commonwealth to be due all parties in interest for damages sustained as the result of the condemnation of the property herein involved.

The petition to deposit estimated just compensation may not be presented to the court if the owners of the property herein involved inform the District Right-of-Way Administrator of the District noted below of their existence and/or whereabouts prior to the expiration of the noted period. After estimated just compensation has been deposited into court, the said monies may be withdrawn by the persons entitled thereto only upon petition to the court.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 00-1566. Filed for public inspection September 8, 2000, 9:00 a.m.]

Retention of Engineering Firms

Adams County

Project Reference No. 08430AG2602

The Department will retain an engineering firm for a multi-phase, specific project agreement to provide environmental studies, preliminary engineering, final design, including preparation of bridge, signal and roadway plans, specifications and estimates; shop drawing review and consultation during construction. This project is for the reconstruction of S.R. 0015 Section 013, RT 30 interchange for an approximate length of 1 mile and includes S.R. 0030 for an approximate length of 0.7 mile and for off site improvements that complement the focus area mobility initiative. This project is located on S.R. 0015 from points north and south of the interchanges on and off ramps and on S.R. 0030 from approximately 0.1 mile west of Shealer Road to approximately 0.1 mile west of Smith Road in Straban Township, Adams County. The estimated construction cost of the new interchange is approximately \$20 million.

1. S.R. 0015, Section 013, Adams County Local Name: U.S. 15/U.S. 30 Interchange This project involves the redesign of the U.S. 15/U.S. 30 interchange and any off system improvements necessary to improve overall corridor mobility as result of the redesign. A high level Categorical Exclusion Evaluation document is anticipated.

The Department will consider the following factors, listed in order of importance, during the evaluation of the firms submitting letters of interest:

- a) Specialized experience and technical competence with similar projects and their ability to provide innovative solutions to complex technical problems.
- b) The project team is expected to visit the site and provide an overview of their understanding of possible issues for the project based on their field observations.
- c) Resource availability to meet multiple assignments in a timely manner.
- d) Ability to communicate effectively in various mediums and provide strong public involvement management skills.
- e) Project team management including subconsultants and how the project manager will manage several disciplines and interact successfully with the District.
- f) Past record with respect to cost control, work quality, and ability to meet schedules.

The firm selected may be required to provide a variety of services including the following: project administration; field surveys; plotting of topography and cross sections; utility investigation and coordination; geo-technical studies; core borings, foundation designs; preliminary right-of-way investigation; safety reviews; life cycle cost analysis/pavement survey report; pavement and drainage designs;

value engineering; field views; environmental studies and documentation; hold public meetings, interagency permits; preliminary line, grade and typical section development; and preliminary type, size and location submission; final design activities including final step 9 and TS&L; drainage and roadway design; highway lighting design; highway signing and pavement marking plans; right of way plans, traffic control plans, signal plans; erosion and sedimentation control plans; structural rehabilitation designs and structure designs; and preparation of a plans, specifications, and estimates package; electronic data transfer, engineering services during construction including shop drawing review and consultation services.

The preliminary and final design of this project will be done in English units.

Welcom's Open Plan Software will be used by the Department for project management and tracking.

A project specific Quality Development Plan including a cost control and cost analysis process will be required.

The Department is seeking a multi-disciplined firm with environmental, geo-technical, highway design and structure design experience.

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).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) 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. Barry G. Hoffman, P.E., District Engineer
 Engineering District 8-0
 2140 Herr Street
 Harrisburg, PA 17103-1699
 Attention: Mr. Mark A. Malhenzie

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 twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mark A. Malhenzie, phone number (717) 783-5080, fax number (717) 705-5493.

Chester and Montgomery Counties
Project Reference No. 08430AG2603

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately eighteen (18) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following project:

1. Approximately eight (8) Bituminous Surface Treatment projects for each of the next three (3) years on various highways located throughout Chester and Montgomery Counties.

Department policy requires firms providing construction inspection services to have a Federal Acquisition Regulation (FAR) field overhead rate established. The Department's current policy (SOL-430-91-34) requires a firm to submit their proposed field and office cost allocation

approach, before the beginning of the fiscal year where the separate overhead rates would apply. This approach must comply with the provisions set forth in Part 31 of the Federal Acquisition Regulations (48 CFR Chapter 1) which governs the determination of the eligibility of costs making up the firm's Direct and Indirect Costs.

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 final ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final ranking.

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in Maintenance and Protection of Traffic, bituminous paving, milling, base repair, pavement marking, and utility adjustments.
- b. Department and District 6-0 experience and supervisory experience.
- c. Understanding of Department's requirements, policies, and specifications.
- d. Ability to provide two (2) "CDS" operators or persons capable of inputting data into a personal computer. (TCI Classification) (One operator for each county)
- e. Number of NICET certified inspectors in each payroll classification.
- f. Ability to provide TCIS personnel who are all NECEPT Certified.
- g. Past performance.

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. Several additional inspectors may be needed over the life of the agreement if contractors' paving schedules expand. As of this time, the approximate number of inspectors is as follows:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS)	3 (2)
(NICET Highway Construction Level 3 or equivalent)	
Transportation Construction Inspector (TCI)	11 (7)
(NICET Highway Construction Level 2 or equivalent)	
Technical Assistant—1 (TA-1)	2 (0)
(NICET Highway Construction Level 1 or equivalent)	
Technical Assistant (TA)	2 (0)
(NICET Highway Construction Level 1 or equivalent)	

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 hourly payroll rate for each Department Payroll Classification for calendar year 2000 shall be as shown:

<i>Payroll Classification</i>	<i>Maximum Straight Time Hourly Payroll Rate (Year 2000)</i>
(TCIS)	\$20.34
(TCI)	\$17.05
(TA-1)	\$13.80
(TA)	\$11.72

If applicable, the maximum straight time hourly payroll rate for subsequent calendar years will be established at the scope of work meeting.

The maximum hourly payroll rate is the maximum hourly rate paid to an employee in a specific Department Payroll classification. The Department reserves the right to negotiate hourly payroll rates of compensation of individuals based on knowledge, experience and education up to the payroll classification maximum hourly payroll rate.

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.

The firm selected will be required to supply the following equipment:

- | <i>Quantity</i> | <i>Item</i> |
|-----------------|---|
| (8) | Cellular Phones (for Engineer's employees only) |
| (20) | Pagers |
| (2) | Cameras—Digital—having the following specification: 1024 × 768 minimum resolution, storage on a 3 1/2 floppy disk, pictures date stamped, and storage in JPEG format. (one (1) camera per county) |
| (2) | One full computer system for each county. (Includes soft wear and tables for computers and printers.) |

Quantity Item

- (2) One construction trailer (Field office) for each county. PennDOT will provide the site for the placement of the trailers.
- (2) One complete set of furniture, accessories and a fax and a copy machine for each county.

The Department will directly reimburse the selected engineering firm for the above equipment, for use by the consultant inspection staff at their actual cost not to exceed the maximum direct reimbursement shown below. The engineering firm is required to include their billing rates for each type of equipment in the letter of interest.

- Construction trailer As per invoice each month
- Full computer systems As per invoice
- Sets of furniture As per invoice
- Cell Phone Usage* As per invoice
- Pagers As per invoice
- Camera (digital) As per invoice

If the equipment is self-owned, reimbursement will be based on actual cost of ownership not to exceed the maximum allowable. If equipment is from an outside supplier, the engineer must secure a minimum of three written quotes. The Department reserves the right to request additional quotes.

*Cost of phone and activation fees are not eligible for direct reimbursement

The Department will reimburse for actual miles driven on the project as directed by the Department, and a maximum of \$32.50/day for either mileage to and from the work site or lodging. An inspector will not be reimbursed for a combination of the two (2) during the same day. Mileage will be reimbursed for the most direct route from the inspector's residence or the Consultant's office, whichever is less, to the project site and return at the lesser of the maximum mileage rate established by the Commonwealth or the firm's current policy. The first fifteen (15) miles each day of an inspector's commute from and to his/her residence or the consultant's office to the work location is considered normal commuting travel and will not be eligible for mileage reimbursement. Lodging will be reimbursed at a maximum rate of \$32.50/day, in lieu of mileage, but receipts for all costs must be provided to the Department with the Engineer's invoice. Lodging will only be reimbursed for employees whose home or headquarters is more than 65 miles from the project.

The firm selected will be required to supply the following equipment at no direct cost to the Department: measuring wheels, one (1) asphalt probe thermometer per inspector and one (1) asphalt surface thermometer per inspector.

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	4
TCI	12
TA-1	0
TA	0

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" × 11", one sided (any

pages beyond 3 will not be reviewed by the Department), 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. Andrew L. Warren, District Administrator
 Engineering District 6-0
 7000 Geerdes Blvd.
 King of Prussia, PA 19406-1525

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 twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Lou Calvanese phone number (610) 205-6673, fax number (610) 205-6672.

Bucks, Delaware, and Philadelphia Counties

Project Reference No. 08430AG2604

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately twenty-seven (27) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following project:

1. Approximately twelve (12) Bituminous Surface Treatment projects for each of the next three (3) years on various highways located throughout Bucks, Delaware, and Philadelphia Counties.

Department policy requires firms providing construction inspection services to have a Federal Acquisition Regulation (FAR) field overhead rate established. The Department's current policy (SOL-430-91-34) requires a firm to submit their proposed field and office cost allocation approach, before the beginning of the fiscal year where the separate overhead rates would apply. This approach must comply with the provisions set forth in Part 31 of the Federal Acquisition Regulations (48 CFR Chapter 1) which governs the determination of the eligibility of costs making up the firm's Direct and Indirect Costs.

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 final ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final ranking.

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in Maintenance and Protection of Traffic, bituminous paving, milling, base repair, pavement marking, and utility adjustments.
- b. Department and District 6-0 experience and supervisory experience.
- c. Understanding of Department's requirements, policies, and specifications.
- d. Ability to provide three (3) "CDS" operators or persons capable of inputting data into a personal computer. (TCI Classification) (One operator for each county)

e. Number of NICET certified inspectors in each payroll classification.

f. Ability to provide TCIS personnel who are all NECEPT Certified.

g. Past performance.

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. Several additional inspectors may be needed over the life of the agreement if contractors' paving schedules expand. At this time, the approximate number of inspectors is as follows:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	4 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	17 (11)
Technical Assistant—1 (TA-1) (NICET Highway Construction Level 1 or equivalent)	3 (0)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	3 (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 hourly payroll rate for each Department Payroll Classification for calendar year 2000 shall be as shown:

<i>Payroll Classification</i>	<i>Maximum Straight Time Hourly Payroll Rate (Year 2000)</i>
(TCIS)	\$20.34
(TCI)	\$17.05
(TA-1)	\$13.80
(TA)	\$11.72

If applicable, the maximum straight time hourly payroll rate for subsequent calendar years will be established at the scope of work meeting.

The maximum hourly payroll rate is the maximum hourly rate paid to an employee in a specific Department Payroll classification. The Department reserves the right to negotiate hourly payroll rates of compensation of individuals based on knowledge, experience and education up to the payroll classification maximum hourly payroll rate.

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.

The firm selected will be required to supply the following equipment:

<i>Quantity</i>	<i>Item</i>
(10)	Cellular Phones (for Engineer's employees only)
(27)	Pagers
(3)	Cameras—Digital—having the following specification: 1024 × 768 minimum resolution, storage on a 31/2 floppy disk, pictures date stamped, and storage in JPEG format. (one (1) camera per county)
(3)	One full computer system for each county. (Includes soft wear and tables for computers and printers.)
(2)	One construction trailer (Field office) each for Bucks and Delaware Counties. PennDOT has a location to place the trailer.
(1)	One office in Philadelphia County. PennDOT has no place to put a trailer.
(3)	One complete set of furniture, accessories and a fax and a copy machine for each county.

The Department will directly reimburse the selected engineering firm for the above equipment, for use by the consultant inspection staff at their actual cost not to exceed the maximum direct reimbursement shown below. The engineering firm is required to include their billing rates for each type of equipment in the letter of interest.

- Construction trailer/office As per invoice each mo.
- Full computer systems As per invoice
- Sets of furniture As per invoice
- Cell Phone Usage* As per invoice
- Pagers As per invoice
- Camera (digital) As per invoice

If the equipment is self-owned, reimbursement will be based on actual cost of ownership not to exceed the maximum allowable. If equipment is from an outside supplier, the engineer must secure a minimum of three written quotes. The Department reserves the right to request additional quotes.

*Cost of phone and activation fees are not eligible for direct reimbursement

The Department will reimburse for actual miles driven on the project as directed by the Department, and a maximum of \$32.50/day for either mileage to and from

the work site or lodging. An inspector will not be reimbursed for a combination of the two (2) during the same day. Mileage will be reimbursed for the most direct route from the inspector's residence or the Consultant's office, whichever is less, to the project site and return at the lesser of the maximum mileage rate established by the Commonwealth or the firm's current policy. The first 15 miles each day of an inspector's commute from and to his/her residence or the consultant's office to the work location is considered normal commuting travel and will not be eligible for mileage reimbursement. Lodging will be reimbursed at a maximum rate of \$32.50/day, in lieu of mileage, but receipts for all costs must be provided to the Department with the Engineer's invoice. Lodging will only be reimbursed for employees whose home or headquarters is more than 65 miles from the project.

The firm selected will be required to supply the following equipment at no direct cost to the Department: measuring wheels, one (1) asphalt probe thermometer per inspector and one (1) asphalt surface thermometer per inspector.

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	5
TCI	28
TA-1	0
TA	0

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" × 11", one sided (any pages beyond 3 will not be reviewed by the Department), plus an organizational chart (up to 11" × 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Andrew L. Warren, District Administrator
 Engineering District 6-0
 7000 Geerdes Blvd.
 King of Prussia, PA 19406-1525

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 twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Lou Calvanese, phone number (610) 205-6673, fax number (610) 205-6672.

Bucks County

Project Reference No. 08430AG2605

The Department will retain an engineering firm to provide preliminary engineering, environmental documentation, final design, and services during construction on the following projects:

1. S.R. 4019, Section 57M, Bucks County Local Name: Minsi Trail over a tributary to Morris Run in Hilltown Township This project involves the replacement of the existing single span bridge and the realignment, widening and reconstruction of the structure approaches.

2. S.R. 4019, Section 60M, Bucks County Local Name: Minsi Trail over a tributary to Morris Run in Hilltown Township This project involves the replacement of the existing single span bridge and the realignment, widening, and reconstruction of the structure approaches.

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

- a. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience. The specific experience of individuals employed by the firm shall be considered.
- b. Available staffing for this assignment and the ability to meet the Department's needs.
- c. Specialized experience and technical competence of firm.
- d. Location of Consultant with respect to the District Office.

The firm selected may be required to provide the following engineering, environmental and design services: C.E.E. document preparation; surveys; roadway design, drainage design; preparation of cross-sections; erosion and sedimentation control design; preparation of roadside development plans; right-of-way investigation and plan preparation; structure design; subsurface boring, sampling and testing; preparation of traffic control plans, pavement marking and sign plans; utility coordination; coordination with PennDEP, US Army Corps of Engineers, public agencies, municipal officials, and the public; preparation of final plans, specifications and estimates; shop drawing reviews; alternate structure design reviews; construction consultation, and other engineering services as needed.

The firm selected may be required to perform the following to ensure that a complete environmental investigation has been performed: provide all necessary environmental services, materials and equipment necessary to collect, analyze, organize data, assess impacts, conduct agency and public involvement activities, and prepare reports and mitigation plans. The reports and other written graphic materials to be prepared may include, but are not limited to Section 106 documents; Section 4(f) Evaluations; Mitigation Plans and Reports; coordinating the development of the study(ies) with various agencies and special interest groups; and other environmental services as needed.

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).

This project reference assignment is considered moderately 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. Andrew L. Warren, District Administrator
Engineering District 6-0
7000 Geerdes Blvd.
King of Prussia, PA 19406
Attn: Tim Stevenson

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 twentieth (20th) day following the date of this Notice. The shortlist announcement will take place on October 10, 2000 at 9:30 a.m. in Room 203B at the District 6-0 Office.

Any technical questions concerning the requirements for this project should be directed to Mr. Timothy R. O'Brien, P.E., at (610) 205-6850, fax number (610) 205-6903 or to Mr. Timothy S. Stevenson at (610) 205-6853, fax number (610) 205-6903.

Crawford County

Project Reference No. 08430AG2606

The Department will retain an engineering firm for a multi-phase, specific project agreement to provide environmental studies, preliminary engineering, final design, shop drawing review and consultation during construction for S.R. 0006, Section A03 (Meadville By-pass) in West Mead Township and the City of Meadville, Crawford County, Engineering District 1-0.

The primary purpose of this project is to facilitate truck and commercial traffic movement from the eastern reaches of Crawford County through the City of Meadville, connect with S.R.'s 0006 and 0019 and eventually lead to Interstate 79. This task is anticipated to be realized through a combination of new roadway construction and an upgrade of the existing roadway network.

The selected firm will be required to attend an agency scoping field view(s); update an existing needs analysis; prepare the appropriate environmental documents; perform field surveys; prepare a location study with a preferred alternative; prepare plans, profiles, typical sections and cross-sections; perform a soils and geological investigation; erosion and sedimentation control plans; preliminary design submission; value engineering studies; right-of-way plan submission; utility submission; traffic investigations; type, size and location report(s); prepare structure designs with associated permits; final roadway design; construction plans; and prepare a PS&E (plans, specifications and estimate) submission. Coordination and attendance at various public meetings is required. The consultant will be required to provide material and attend a safety review meeting, attend various field views and provide efficient project management. Services during construction will include, but not limited to; construction consultation, alternatives review and shop drawing review.

It is essential that the selected firm be comprised of a multi-disciplinary team who are capable of performing all manner of engineering and environmental studies and documentation that may be required for a transportation improvement project.

Communication skills will be important when coordinating with local officials, area residents, business owners and special interest organizations.

The Department will consider the following factors, listed in order of importance, during the evaluation of the firms submitting letters-of-interest:

- a) Specialized experience and technical competence of the consultant team. The specific experience of individuals and available staffing for this assignment will be considered.
- b) Method of controlling the quality of submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.

c) Past record of performance with regard to work quality, cost control and ability to meet schedules.

d) Project management skills and public involvement experience. Ability to work effectively with the Department and flexibility in thinking will be a prime consideration.

e) Understanding of the Department's requirements, Design Manuals, policies and specifications.

f) Location of consultant with respect to the District. This will include ability/provisions for quick responses to project needs and District requests.

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

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one-sided, plus an organization chart (up to 11" x 17" in size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. John L. Baker, P.E., District Engineer
Engineering District 1-0
255 Elm Street
P. O. Box 398
Oil City, PA 16301
Attn: Mr. Michael L. McMullen, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30PM prevailing time on the twentieth (20th) day following the date of this Notice. Three (3) copies of the letter of interest are to be included in the submission to the Engineering District 1-0 office.

Any technical questions concerning the requirements for this project should be directed to: Mr. Michael L. McMullen, P.E., telephone number (814) 678-7077 or fax number (814) 678-7030.

Westmoreland County

Project Reference No. 08430AG2607

The Department will retain an engineering firm to provide preliminary engineering, final design and construction consultation services on S.R. 8001, Section B01, 119/819 Interchange, Westmoreland County. This project involves the reconstruction of the existing S.R. 119/819 interchange.

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

a. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience. The specific experience of individuals employed by the firm shall be considered.

b. Available staffing for this assignment and the ability to meet the Department's needs.

c. Specialized experience and technical competence of firm.

d. Location of Consultant with respect to the District Office.

The firms selected may be required to complete the following items and all associated tasks:

1. All Preliminary Engineering Activities including, but not limited to: field surveys; Point of Access Study; public/local officials coordination; traffic studies; type, size and location; design field view; roadway design; hydrologic and hydraulic report; E & S plans; soils and geological reconnaissance; traffic control plans; right-of-way investigation, coordination with utility companies; and all necessary public involvement activities.

2. All studies necessary for the preparation of a Categorical Exclusion Evaluation and associated documents including, but not limited to: cultural resource surveys, wetland delineation and evaluation, Section 106 documents, hazardous waste reports and archeological surveys.

3. Final Design Activities including, but not limited to: foundation submission/core borings/geotechnical engineering report; final structure and roadway plans; signing and pavement delineation marking plans; grading plan; final traffic control plan; pavement and drainage design; final right-of-way plan; specifications and cost estimates, and all necessary public involvement activities.

4. Engineering services during construction including shop drawing reviews, consultation service and review of contractor's design.

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.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organization 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. Michael H. Dufalla, P.E., District Engineer
Engineering District 12-0
P. O. Box 459
North Gallatin Avenue
Uniontown, PA 15401
Attention: Mr. Ronald N. Deems

The Letter of Interest submission for this project reference number must be received at the address listed above by 3 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. Ronald N. Deems, phone number (724) 439-7322, fax number (724) 430-4401.

Washington County

Project Reference No. 08430AG2608

The Department will retain an engineering firm to provide preliminary engineering, final design and construction consultation services on S.R. 8013, Section A01, S.R. I-79, Meadowlands Interchange, Washington County. This project involves the reconstruction of the existing Interstate 79 Interchange.

The Department will consider the following factors, listed in order of importance, during the evaluation of the firms submitting letters of interest:

a. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience. The specific experience of individuals employed by the firm shall be considered.

b. Available staffing for this assignment and the ability to meet the Department's needs.

c. Specialized experience and technical competence of firm.

d. Location of Consultant with respect to the District Office.

The firms selected may be required to complete the following items and all associated tasks:

1. All Preliminary Engineering Activities including, but not limited to: field surveys; Point of Access Study; public/local officials coordination; traffic studies; type, size and location; design field view; roadway design; hydrologic and hydraulic report; E & S plans; soils and geological reconnaissance; traffic control plans; right-of-way investigation, coordination with utility companies; and all necessary public involvement activities.

2. All studies necessary for the preparation of a Categorical Exclusion Evaluation and associated documents including, but not limited to: cultural resource surveys, wetland delineation and evaluation, Section 106 documents, hazardous waste reports and archeological surveys.

3. Final Design Activities including, but not limited to: foundation submission/core borings/geotechnical engineering report; final structure and roadway plans; signing and pavement delineation marking plans; grading plan; final traffic control plan; pavement and drainage design; final right-of-way plan; specifications and cost estimates, and all necessary public involvement activities.

4. Engineering services during construction including shop drawing reviews, consultation service and review of contractor's design.

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.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) 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. Michael H. Dufalla, P.E., District Engineer
Engineering District 12-0
P. O. Box 459
North Gallatin Avenue
Uniontown, PA 15401
Attention; Mr. Richard R. Glass, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 3 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. Richard R. Glass, P.E., phone number (724) 439-7265, fax number (724)430-4401.

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.

For District 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 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 Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

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.

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.

The letter of interest must include full disclosure of any potential conflict of interest by the prime or any subconsultant based on Engineering Involvement Restrictions Guidelines as established in Strike-off Letter No. 433-00-02 published March 27, 2000. If there are no potential conflicts you shall include the following statement: "I have reviewed Strike-off Letter No. 433-00-02 and determine that there are no potential conflicts of interest for anyone on this project team."

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).

Proposed 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.

Letters of Interest for will be considered non-responsive and eliminated from further consideration for any of the following reasons:

1. Letters of Interest not received on time.
2. Project of interest is not identified.
3. An Annual Qualification Package for the prime consultant and all subconsultants is not on file with the organization receiving the Letter of Interest.
4. Conflict of Interest evaluation statement is not included.
5. A Disadvantaged Business Enterprise (DBE) participation goal is established for the Project Reference Number but no DBE/WBE is identified and no good faith effort is included.

6. Firm submitted a Letter of Interest on more than one (1) Joint Venture or a firm submitted a Letter of Interest as a prime and was also included as a subconsultant, to another firm. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm, or firms, involved.

In addition to the above reasons, a Letter of Interest for Construction Inspection Services will be considered non-responsive for any of the following reasons:

1. Prime consultant or any subconsultant does not have a Federal Acquisition Regulation (FAR) Audit Field Overhead Rate on file with the Department.
2. Using an individual's resume without including a letter granting the individual's approval for TCIS and higher positions.
3. Exceeding the maximum number of resumes in a payroll classification.

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. 00-1567. Filed for public inspection September 8, 2000, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, August 24, 2000, and took the following actions:

Regulations Approved:

Pennsylvania State Police # 17-60: Uniform Firearms Act; Licensed Retail Dealers; Firearm Record Forms (amends 37 Pa. Code Chapters 31 and 33).

Environmental Quality Board # 7-338: Water Quality (amends 25 Pa. Code Chapters 92, 93, 95 and 97 and adds a new Chapter 96).

Environmental Quality Board # 7-345: Interstate Ozone Transport Reduction (amends 25 Pa. Code Chapter 123 and adds Chapter 145).

Commissioners Voting: John R. McGinley, Jr., Chairperson, by Proxy; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
August 24, 2000

Pennsylvania State Police Uniform Firearms Act; Licensed Retail Dealers; Firearm Record Forms; Regulation No. 17-60

Approval Order

On April 15, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania State Police (State Police). This rulemaking amends 37 Pa. Code Chapters 31 and 33. The proposed regulation was published in the May 2, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 1, 2000. At its June 22, 2000, public meeting, the Commission voted to disapprove the final-form regulation. On June 30, 2000, the State Police notified the Commission of its intent to revise and resubmit the regulation. On August 2, 2000, the revised final-form regulation was submitted to the Commission.

This regulation implements the Pennsylvania Uniform Firearms Act of 1995 including firearms storage requirements for dealers, the Pennsylvania Instant Check System, confidentiality requirements, license revocation procedures and forms to carry out these requirements.

We have determined this revised regulation is consistent with the statutory authority of the State Police (18 Pa.C.S. §§ 6101 to 6126) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this revised regulation is in the public interest.

By Order of the Commission:

This revised regulation is approved.

Commissioners Voting: John R. McGinley, Jr., Chairperson, by Proxy; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
August 24, 2000

Environmental Quality Board Water Quality; Regulation No. 7-338

Approval Order

On August 11, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapters 92, 93, 95 and 97 and adds a new Chapter 96. The proposed regulation was published in the August 29, 1998 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on August 1, 2000.

This regulation implements recommendations developed through the Regulatory Basics Initiative and serves as the Commonwealth's triennial review of water quality standards as required by Federal law. The regulation streamlines and clarifies existing requirements. It updates the regulations to be consistent with Federal requirements. It also consolidates certain chapters.

We have determined this regulation is consistent with the statutory authority of the EQB (35 P. S. §§ 691.5(b)(1) and 691.402, and 71 P. S. § 510-20) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Commissioners Voting: John R. McGinley, Jr., Chairperson, by Proxy; Alvin C. Bush, Vice Chairperson, by Proxy; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held
August 24, 2000

Environmental Quality Board Interstate Ozone Transport Reduction; Regulation No. 7-345

Approval Order

On February 17, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapter 123 and adds Chapter 145. The proposed regulation was published in the March 6, 1999 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on August 3, 2000.

The EQB is revising its cap and trade regulation to further limit the emission of nitrogen oxides (NO_x) from fossil fuel fired combustion units and electric generating units. The regulation is designed to meet the Environmental Protection Agency's requirement for a NO_x State Implementation Plan.

We have determined this regulation is not contrary to the statutory authority of the Environmental Quality Board (35 P. S. § 4005) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

[Pa.B. Doc. No. 00-1568. Filed for public inspection September 8, 2000, 9:00 a.m.]

Notice of Comments Issued

Section 5(d) and (g) of the Regulatory Review Act (71 P. S. § 745.5(d) and (g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Commission may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (75 P. S. § 745.5a(h) and (i)).

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
16A-662	Navigation Commission for the Delaware River Navigation Licensure and Renewal	8/24/00	7/24/02

Navigation Commission for the Delaware River and its Navigable Tributaries Regulation No. 16A-662

Navigation Licensure and Renewal

August 24, 2000

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Navigation Commission for the Delaware River and its Navigable Tributaries (NCDR) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by July 24, 2002, the regulation will be deemed withdrawn.

1. Section 401.2. Commission offices.—Clarity.

The amendment to Subsection (a) results in an incomplete address for the NCDR's principal office. The state and zip code are being deleted from the regulation. The final-form regulation should retain the state and proper zip code.

2. Section 405.3. Application for licensure or apprenticeship.—Clarity.

This section requires an applicant for licensure or apprenticeship to "submit an application on a form provided by the Commission." For improved clarity, the NCDR should specify where and how potential applicants can obtain copies of the application form.

3. Section 405.4. Examination for sixth-class license.—Reasonableness; Clarity.

Subsection (a)—Entry-level oral or written examination

This subsection is consistent with section 17(a) of the act of March 29, 1803 (55 P. S. § 42(a)) in that the NCDR

can designate at least three first-class pilots to examine an applicant. The subsection also states that the NCDR "will fix the date, time, manner and place of the examination."

In its comments on the regulation, dated August 11, 2000, the House Professional Licensure Committee (House Committee) questions the validity and/or reliability of the procedure in Subsection (a). The subsection states that the three or more NCDR-designated first-class pilots will "conduct or develop an oral or written examination. . . ." However, there are no details concerning the format or length of the examination other than the list of topics in subsection (b). What is meant by the words that the NCDR will "fix" the "manner" of the examination? What is the actual format of these examinations? How are the examination results validated? The NCDR should respond to the House Committee by including the details of the examination procedure and validation process in the regulation.

4. Section 405.5. Classifications of pilots.—Clarity.

This section is being reserved. In the existing regulations, this section lists the classes of pilots and defines them. Under the proposed rulemaking, an individual would have to refer to the statute to find this information. For greater clarity and ease of reference, the NCDR should include in the regulation a reference to the statutory section where the pilot classifications are identified.

5. Section 405.7. Qualifications for license.—Reasonableness; Implementation procedures; Clarity.

Subsection (a)(3)—Annual physical examination

In addition to requiring annual physical examinations, subsection (a)(3) includes this sentence:

Physical examinations may also be ordered by the Commission for any pilot at any time for any cause.

We have three related questions concerning this requirement.

First, the phrase "for any cause" is broad. Is that the intent? The regulation should establish criteria for when an examination may be necessary or provide examples of circumstances when it may be necessary.

Second, it appears that this statement is not necessarily linked to initial licensure or renewal but could be appropriate when there are questions concerning a licensee's "physical qualifications." Should the sentence be moved to § 405.8 relating to physical qualifications?

Third, the Preamble states that when pilots renew their licenses they "customarily submit as proof of a physical examination the 'Merchant Marine Personnel Physical Examination Report' of the U. S. Coast Guard, Form CG-719K (Rev. 3-95)." If this form is useful and meets the requirements of the NCDR, why not list it as a requirement in the regulation? For example, it or successor form could be referenced in this subsection.

Subsection (a)(4)—Random drug testing

This subsection states that applicants for licensure and licensure renewal will "[h]ave participated in a program of random drug testing during the preceding license period that meets the standards of Coast Guard Regulations under 46 CFR Part 16." How will participation be

verified? What type of certification or documentation must the applicant submit and to whom should the documentation be submitted?

Subsection (a)(9)—License fee

This subsection states that applicants will "pay the required license fee." For clarity, this subsection should reference § 405.15 that sets the fee at \$200.

Subsection (c)—Examination requirement

In this subsection, applicants for a sixth-class pilot's license, the entry-level position into the profession, are required to score a passing grade or better on the examination established in § 405.4. We have two questions.

First, what is considered a "passing grade"? The existing requirement that applicants must pass an examination with a score of at least 90% in § 405.4(b) is proposed for deletion in this rulemaking. Is there a new standard?

Second, § 405.7(c) indicates that the NCDR may conduct additional examinations "it deems necessary to establish an applicant's proficiency." Under what circumstance would the NCDR "conduct further oral or written examinations"? Would this occur only when an applicant failed the examination established by § 405.4? If not, we request that the NCDR explain why it is reasonable to further examine an applicant who has obtained a passing grade. What factors or standards will be used to determine that further examination is needed when the applicant has a passing grade? As we noted in Issue #3 related to the examination process, the regulation should include details for the supplemental examination process in this subsection.

6. Section 405.8. Physical qualifications.—Clarity.

Paragraph (3) includes "The absence of any medical condition that may directly affect one's ability to pilot a ship safely" as a physical qualification to be a pilot or apprentice. However, the regulation does not address how the NCDR will make this determination. Does the NCDR use the information submitted on the U. S. Coast Guard, Form CG-719K (Rev. 3-95) in making this determination? If the NCDR uses the information on this form or other information, the appropriate forms or information should be specified in the regulation.

7. Section 405.9. Apprentices.—Consistency with statute; Clarity.

Subsection (a)(1)—Apprentice qualifications

This subsection requires applicants to "be of good moral character." How does the NCDR make this determination? For example, does the NCDR rely on a criminal history check in determining an applicant's "moral character"? In the final-form regulation, the NCDR should identify the factors that will be used to determine "good moral character."

Subsection (b)(1)—Length of apprenticeship

Apprentices are required to serve an apprenticeship of four years. The exception is an apprentice who holds a third mate's license who "may serve an apprenticeship of 3 [three] years." The House Committee compared this phrasing to the statute (55 P. S. § 44(b)) which states that the third mate's "apprenticeship need be no longer than three years." The House Committee suggests that the language of the regulation be consistent with the statute. We agree.

Subsection (b)(4)—Pennsylvania/Delaware Apprentice Training Program

This subsection requires the following:

The pilots who train an apprentice shall file reports with the joint Pennsylvania/Delaware Apprentice Pilot Training Program, who shall file reports with the Commission on the activities and performance of the Pennsylvania apprentices in the apprentice program.

We have three questions regarding this provision. First, how many reports is the pilot required to submit for each apprentice? Second, at what intervals are reports required? Third, what information must be included in the reports? The NCDR should address these questions and clarify the subsection (b)(4) requirements in the final form regulation.

8. Section 405.12. Renewal of license.—Clarity.

Subsection (a)(2) requires an applicant for renewal of a pilot's license to pay the renewal fee. For clarity, this subsection should reference § 405.15 that sets the fee at \$200.

9. Section 405.19a. Docking, undocking and anchoring of vessels.—Statutory authority.

This section imposes requirements on Pennsylvania or Delaware state-licensed pilots. The preamble explains that this section codifies a May 1989 resolution issued by the NCDR. However, we have not identified a provision in the statute which authorizes the NCDR to regulate pilots who are licensed in other states. We request that the NCDR either identify its statutory authority for this provision or delete the reference to "Delaware state-licensed pilots."

10. Section 405.21. Accident Reports.—Reasonableness; Implementation procedures; Clarity.

Subsection (a)—Written report

This subsection states that a pilot "involved in a marine accident shall submit within 5 days a written report of the accident to the Commission." It is assumed that this means within 5 days of the accident. If this is correct, then this subsection should use the same phrasing used in subsection (b) that states that the pilot must make a telephonic report of the accident to the NCDR "within 24 hours of the accident."

Subsection (b)—elephonic report

In addition to a written report, a pilot involved in a marine accident must make a telephonic report. The content requirement for both written and telephonic reports are the same and are clearly established in subsection (c). However, there is nothing that indicates the telephone number that a pilot should use to make the report. Do they call the Philadelphia office or Harrisburg? Is either office open or available for reports on weekends? Could the report be made by e-mail or fax? The regulation should include the telephone number, or state how and where pilots can obtain the number, and whether other electronic transfers are acceptable.

Finally, if the reporting requirements in this section only apply to pilots who are on duty at the time of the accident, then the regulation should be amended to specify "on-duty pilots."

[Pa.B. Doc. No. 00-1569. Filed for public inspection September 8, 2000, 9:00 a.m.]

INSURANCE DEPARTMENT

Blue Cross of Northeastern Pennsylvania and Pennsylvania Blue Shield; Rate Filing

On August 2, 2000, Blue Cross of Northeastern Pennsylvania and Pennsylvania Blue Shield submitted a filing requesting the Insurance Department's approval to increase the approved monthly rates by 39.3% for the Major Medical Nongroup Program. The projected average number of contracts per month during the January 1, 2001, through December 31, 2001, period is approximately 5,600. The proposed increase will generate additional revenue of \$2,358,470. An effective date of January 1, 2001, is requested.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1570. Filed for public inspection September 8, 2000, 9:00 a.m.]

First Priority Health; Rate Filing

On August 2, 2000, First Priority Health submitted a filing requesting the Insurance Department's approval to increase the current 1st quarter approved rates by 25.93% for the Community Rated HMO Program for an effective date of January 1, 2001. The projected average number of contracts per month during the January 1, 2001, through December 31, 2001, period is approximately 50,830 for an estimated number of contract months of 609,959. The projected average number of members per month during the January 1, 2001, through December 31, 2001, period is approximately 113,413 for an estimated number of member months of 1,361,172. The additional revenue to be generated based on the proposed increase is \$53,276,173.

This filing is available for public inspection during normal working hours 1311 Strawberry Square, Harrisburg, PA 17120.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident & Health Insurance, Pennsylvania Insurance Department, within 30 days after the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1571. Filed for public inspection September 8, 2000, 9:00 a.m.]

Great Northern Insurance Company and Pacific Indemnity Company; Homeowners Insurance Rate and Rule Revision

On August 22, 2000, the Insurance Department received from Great Northern Insurance Company and Pacific Indemnity Company a filing for a proposed rate level and rule changes for homeowners insurance.

The Great Northern Insurance Company requests an overall 5.5% increase amounting to \$1,180,000 annually, to be effective upon the Department approval.

The Pacific Indemnity Company requests an overall 5.9% increase amounting to \$690,000 annually, to be effective upon the Department approval.

Unless formal administrative action is taken prior to October 21, 2000, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Pennsylvania Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, (e-mail at xlu@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1572. Filed for public inspection September 8, 2000, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held in the Insurance Department's Regional Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Second Floor Hearing Room, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Jeff Dimaio; file no. 00-181-04725; Shelby Insurance Company; doc. no. P00-08-021; October 4, 2000, at 10 a.m.

Katherine K. Stimeling and Karen Stimeling-Taylor; file no. 00-188-01094; Nationwide Insurance Company; doc. no. P00-03-015; October 5, 2000, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1573. Filed for public inspection September 8, 2000, 9:00 a.m.]

State Farm Fire and Casualty Company; Homeowners Rate Revision

On August 23, 2000, the Insurance Department received from State Farm Fire and Casualty Company a filing for a rate level change for homeowners insurance.

The company requests an overall 2.7% decrease amounting to -\$5,968,000 annually, to be effective January 1, 2001, for new business and March 1, 2001, for renewal business.

State Farm currently uses fire protection class as a rate classification for its homeowners program. State Farm has proposed to eliminate the use of protection class for their homeowners policies by implementing a new subzone rate classification.

Unless formal administrative action is taken prior to October 22, 2000, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Pennsylvania Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1574. Filed for public inspection September 8, 2000, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Pamphlet Laws and Slip Laws Printing and Binding

Sealed proposals will be received by the Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, PA 17120-0033, until 10 a.m., Wednesday, October 25, 2000, and then publicly opened and read, for a contract for printing and binding of the *Pamphlet Laws* and a contract for printing and binding of the *Slip Laws of Pennsylvania* for the contract period beginning January 1, 2001, and ending December 31, 2002, with provision for optional renewal for one additional 2-year period.

Facilities for offset printing and pamphlet binding are required. The *Pamphlet Law* contract requires case binding by Smyth sewing. At the discretion of the Bureau, subcontracting by bidders will be considered.

Bids must be accompanied by a certified or bank cashier's check in the sum of \$1,000. The Bureau reserves the right to reject any or all parts of bids and to waive technical defects in bids. Blanks and information may be obtained upon application to Marilyn Puskarich (717) 787-6060 at the above address.

CARL L. MEASE,
Director

[Pa.B. Doc. No. 00-1575. Filed for public inspection September 8, 2000, 9:00 a.m.]

Pennsylvania Consolidated Statutes Printing, Binding, Storage and Distribution

Sealed proposals will be received by the Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, PA 17120-0033, until 10 a.m., Wednesday, October 25, 2000, and then publicly opened and read, for printing, binding, storage and distribution of the *Pennsylvania Consolidated Statutes* for the contract period beginning January 1, 2001, and ending December 31, 2002, with provision for optional renewal for one additional 2-year period.

Facilities for offset printing, pamphlet binding, storage and periodic mailing or other distribution are required. At the discretion of the Bureau, subcontracting by bidders will be considered.

Bids must be accompanied by a certified or bank cashier's check in the sum of \$1,000. The Bureau reserves the right to reject any or all parts of bids and to waive technical defects in bids. Blanks and information may be obtained upon application to Marilyn Puskarich (717) 787-6060 at the above address.

CARL L. MEASE,
Director

[Pa.B. Doc. No. 00-1576. Filed for public inspection September 8, 2000, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

Drinking Water State Revolving Fund Projects; Public Meeting on Federal FY 2001 Intended Use Plan

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (Department) have prepared the Federal fiscal year (FY) 2001 drinking water program Intended Use Plan (IUP) which includes a list of drinking water projects to be considered for a design and engineering or construction loan from funds Pennsylvania expects to receive from fiscal year 2001 funds approved by Congress to capitalize the Drinking Water State Revolving Fund (DWSRF) program.

The projects to be considered for a loan from the DWSRF must meet the Federal requirements for funding in accordance with section 1452 of the Federal Safe Drinking Water Act (act). Accordingly, the projects included in the IUP are expected to meet the requirements applicable to use of the DWSRF loan funds. Projects listed in the FY 2001 IUP are on Pennsylvania's approved FY 2000/2001 Project Priority List and are expected to proceed with design and engineering or to construction in the near future. Other projects on the DWSRF Project Priority List are projects that are in development or will be developed for future loan consideration. Any project removed from an IUP is maintained on the Project Priority List unless otherwise completed. A copy of the FY 2000/2001 Project Priority List will be available for review in the offices listed below after November 1, 2000.

The FY 2001 IUP has 28 drinking water projects listed with a total dollar value of approximately \$30.8 million. The DWSRF will be capitalized with approximately \$24.6 million of Federal FY 2001 funds from the United States Environmental Protection Agency (EPA) and approximately \$13.9 million of State funds. Some \$6.6 million of available FY 2000 Federal funds and \$7.6 million of available FY 2001 Federal funds will be set aside for program administration costs, technical assistance to small systems, operator training and certification and source water assessment and protection, as authorized under Section 1452 of the act. The IUP also includes a narrative workplan further describing how these set-aside funds will be used.

A public meeting will be held, as described below. After the public meeting and assessment of the comments received, the Final FY 2001 IUP will be completed, and potentially, it may include other projects from the Project Priority List. A project must appear on the PENNVEST approved IUP before it can receive a loan from the DWSRF. A project's readiness to proceed and the reasonable availability of alternative funds also have a bearing on project selection for the IUP. Consequently, the rank ordered list of projects on the Project Priority List does not dictate the order in which projects will be chosen for inclusion in the IUP.

Federal guidance on development of the IUP requires that it be subject to public review and comment before being submitted to the EPA.

The Department has scheduled a public meeting for 10 a.m., October 11, 2000, in the Auditorium of the Rachel Carson State Office Building, located at 400 Market Street, Harrisburg, PA. The meeting is scheduled for the purpose of receiving comments from the public regarding the FY 2001 IUP. Interested persons are invited to express their views on the narrative portion of the IUP, the set-aside workplan or the priority rating or ranking of projects on the IUP at the public meeting. Persons wishing to offer comments should contact the Administrative Services Section, Division of Municipal Financial Assistance, Bureau of Water Supply Management, 11th Floor, Rachel Carson State Office Building, P. O. Box 8466, Harrisburg, PA 17105-8466, (717) 787-6744, or by Internet e-mail (Maisano.Tony@dep.state.pa.us) by 4 p.m., October 10, 2000. Where written statements are prepared and will be submitted at the meeting, speakers will be asked to restrict the oral portion of the statement to a summary of the written comments. Speakers will be called to present their comments generally in the order of receipt of the notice of intent to appear at the meeting.

It is not necessary to appear at the public meeting to present comments on the narrative portion of the IUP, the set-aside workplan or the IUP list of projects. Interested persons may submit written comments to the Department at the address shown above. Written comments will be considered equivalent to oral statements presented at the meeting. To be considered by the Department and PENNVEST, the written comments must be received by the Administrative Services Section on or before the date of the meeting.

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

The FY 2001 DWSRF IUP list of projects follows this notice. A copy of the list, as well as the narrative portion of the IUP and set-aside workplan, are available for public review in the offices listed at the end of this notice and are accessible electronically through the Department's website, as follows:

http://www.dep.state.pa.us/dep/deputate/watermgt/WSM/WSM_TAO/Finan_Tech_Asst.htm

DEP—Southeast Region:
Water Supply Manager
Lee Park, Suite 6010, 555 North Lane, Conshohocken,
PA 19428-2233
(610) 832-6060

DEP—Northeast Region:
Water Supply Manager
2 Public Square, Wilkes-Barre, PA 18711-0790
(570) 826-2511

DEP—Southcentral Region:
Water Supply Manager
909 Elmerton Avenue, Harrisburg, PA 17110
(717) 705-4708

DEP—Northcentral Region:
Water Supply Manager
208 West 3rd Street, Williamsport, PA 17701
(570) 327-3675

Southwest Region:
Water Supply Manager
400 Waterfront Drive, Pittsburgh, PA 15222-4745
(412) 442-4217

Northwest Region:
Water Supply Manager
230 Chestnut Street, Meadville, PA 16335-3481
(814) 332-6899

DEP—Bureau of Water Supply Management,
Division of Municipal Financial Assistance,
Administrative Services Section
11th Floor, RCSOB, 400 Market Street,
Harrisburg, PA 17101
(717) 787-6744

PENNVEST
22 S. Third Street, 4th Floor, Keystone Building,
Harrisburg, PA 17101
(717) 787-8137

JAMES M. SEIF,
Secretary
Department of Environmental Protection
Vice-Chairperson
Pennsylvania Infrastructure Investment Authority
and
PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority

**PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRINKING WATER STATE REVOLVING FUND
FY 2001 INTENDED USE PLAN PROJECT LIST
September 9, 2000**

PROJECT TYPE:

SRC—SOURCE
TRANS—TRANSMISSION SYSTEM
TREAT—WATER TREATMENT PLANT
WS—WATER STORAGE
DS—DISTRIBUTION SYSTEM
OTHER—ADMINISTRATIVE, LEGAL, FINANCIAL, ENGINEERING, ETC.

Rank	PWSID	Applicant Name	PPL Yr	Project Type	County	Region	Assistance\$
1	5329994	INDIANA COUNTY MUN SERVICES AUTH	00	SRC, TREAT	INDIANA	PITTSBURGH	\$455,500
2	4140108	AARONSBURG WATER PIPES INC	00	TRANS, WS, DS, TREAT	CENTRE	WILLIAMS-PORT	\$778,050

Rank	PWSID	Applicant Name	PPL Yr	Project Type	County	Region	Assistance\$
3	4490016	TURBOTVILLE BOROUGH	99	SRC, WS, DS, TREAT	NORTHUMBER- LAND	WILLIAMS- PORT	\$2,068,450
4	4110021	JACKSON TWP WA	00	TRANS, WS, DS	CAMBRIA	PITTSBURGH	\$2,256,669
5	5040081	PA AMERICAN WATER CO (FRANKLIN)	00	DS	BEAVER	PITTSBURGH	\$4,500,000
6	5650036	WESTMORELAND COUNTY MA (PV-03)	00	DS	WESTMORE- LAND	PITTSBURGH	\$2,595,325
7	4110027	PORTAGE BOROUGH MA	00	WS, DS, TRANS	CAMBRIA	PITTSBURGH	\$1,500,000
8	2640051	WOODLAND HILLS ASSOC, INC	00	WS, TREAT, TRANS	WAYNE	WILKES-BARRE	\$150,000
9	4550006	ADAMS TOWNSHIP MA	00	WS, DS, TREAT	SNYDER	WILLIAMS- PORT	\$117,000
10	5020050	SEWICKLEY BOROUGH WA	00	TREAT	ALLEGHENY	PITTSBURGH	\$1,544,327
11	5040006	ALIQUIPPA MWA	00	SRC, TREAT	BEAVER	PITTSBURGH	\$4,393,092
12	6160021	WEST FREEDOM WATER ASSOC	00	TREAT	CLARION	MEADVILLE	\$69,761
13	5650036	WESTMORELAND COUNTY MA (PV-04)	00	DS	WESTMORE- LAND	PITTSBURGH	\$1,008,399
14	7280014	GREENCASTLE AREA FRANKLIN COUNTY MA	00	TRANS	FRANKLIN	HARRISBURG	\$1,225,000
15	6250061	NORTH EAST BOROUGH WATER DEPT	00	SRC, TREAT, TRANS	ERIE	MEADVILLE	\$595,000
16	5300005	CARMICHAELS, MA OF BOROUGH OF	99	WS	GREENE	PITTSBURGH	\$321,500
17	2400016	PARDEESVILLE WATER AS- SOC	00	SRC, DS	LUZERNE	WILKES-BARRE	\$328,869
18	5650049	DERRY BORO MA	00	DS	WESTMORE- LAND	PITTSBURGH	\$820,853
19	4490024	CONSUMERS PA WATER CO (ROARING CREEK)	99	WS, TREAT	NORTHUMBER- LAND	WILLIAMS- PORT	\$651,125
20	5020012	DUQUESNE CITY	00	WS, DS	ALLEGHENY	PITTSBURGH	\$597,000
21	4560038	JENNERSTOWN MA	00	SRC, TREAT, WS, TRANS	SOMERSET	HARRISBURG	\$693,100
22	4550022	SHAMOKIN DAM BOR- OUGH	00	WS, TRANS	SNYDER	WILLIAMS- PORT	\$712,000
23	2080028	CONSUMERS PA WATER CO (SUSQUEHANNA)(PV-02)	99	TRANS	BRADFORD	WILLIAMS- PORT	\$302,942
24	7500022	NEWPORT BORO MA	00	DS	PERRY	HARRISBURG	\$570,000
25	1460073	PHILADELPHIA SUBUR- BAN WC (WAYNE)	00	WS	CHESTER	CONSHOHOCKEN	\$1,174,916
26	3540027	MARY-D COMMUNITY AS- SOCIATION	00	TRANS, DS	SCHUYLKILL	WILKES-BARRE	\$248,255
27	1150098	PHILADELPHIA SUBUR- BAN WC (FERN HILL)(PV- 03)	00	WS	CHESTER	CONSHOHOCKEN	\$791,483
28	5260006	PLEASANT VALLEY WA	97	DS	FAYETTE	PITTSBURGH	\$350,000

\$30,818,616

[Pa.B. Doc. No. 00-1577. Filed for public inspection September 8, 2000, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility

Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before October 2, 2000, as set forth in 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

A-00117026. (Corrected) Traveler's Limo, LLC (130 Main Street, Apartment 1, Chalfont, Bucks County, PA 18914)—persons, in limousine service, between points in the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, and from points in said counties, to points in Pennsylvania, and return. *Attorney:* Richard T. Mulcahey, Jr., Two Penn Center Plaza, Suite 1400, 1500 John F. Kennedy Boulevard, Philadelphia, PA 19102.

A-00117167. Brian Homerosky and Kevin R. Prescott, Copartners, t/d/b/a Southpointe Limousine (211 North Haft Street, Houston, Washington County, PA 15342)—persons in limousine service, between points in the counties of Washington, Greene and Fayette, and from points in said counties, to points in Pennsylvania, and return.

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

A-00117168. Magic Express, Inc. (466 Castle Shannon Boulevard, Pittsburgh, Allegheny County, PA 15234), a corporation of the Commonwealth of Pennsylvania—persons in limousine service: (1) attending funerals, weddings, christening parties and other social functions, and flowers and accessories for such events, between points in Washington County, and from said county to points in the counties of Allegheny, Beaver, Fayette, Greene and return; and (2) between points in the counties of Greene and Washington, and from points in said counties, to points in the county of Allegheny, and vice versa; with right No. 2 subject to the following conditions: (1) that no right, power or privilege is granted to provide service for funeral homes or for persons attending funerals between points in Greene County and originating from points in Greene and Allegheny Counties; and (2) service originating from Greene County to the Pittsburgh International Airport in Allegheny County and from the Pittsburgh International Airport in Allegheny County to Washington and Greene Counties is limited to the use of vehicles with seating capacities of six passengers or more; which is to be a transfer of all of the rights authorized under the certificate issued at A-00111080, F. 1, and F. 1, Am-A to Cecil V. Corson, t/d/b/a C & R Limousine Service, subject to the same limitations and conditions.

A-00117169. Bills Ultimate Limousine, Inc. (12 Mustang Court, Holland, Bucks County, PA 18966), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, for: (1) the Buck Hotel in Bucks County; (2) the Auto Club Cellular in Bucks County; and (3) Little, Michaels and Kennedy, Inc., in Bucks County; to and from points in the county of Bucks, and, for said companies from points in the county of Bucks to the Philadelphia International Airport located partially in the city and county of Philadelphia and the township of Tinicum, Delaware County, and vice versa; which is to be a transfer of all of the rights authorized under the certificate issued at A-00111428 to Thomas S. Mackuse, t/d/b/a T.J.'s Limousine Service, subject to the

same limitations and conditions. *Attorney:* John J. Galagher, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

[Pa.B. Doc. No. 00-1578. Filed for public inspection September 8, 2000, 9:00 a.m.]

Telecommunications

A-310884F0002. United Telephone Company of Pennsylvania d/b/a Sprint and New Edge Network, Inc. Joint Application of the United Telephone Company of Pennsylvania d/b/a Sprint and New Edge Network, Inc. for Approval of an Interconnection and Resale Agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and New Edge Network, Inc., by its counsel, filed on August 21, 2000, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an Interconnection and Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and New Edge Network, Inc. joint petition is on file with the Commission and is available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1579. Filed for public inspection September 8, 2000, 9:00 a.m.]

Telecommunications

A-310942F0002. Verizon Pennsylvania, Inc. and Urban Media of Pennsylvania, Inc. Joint Petition of Verizon Pennsylvania, Inc. and Urban Media of Pennsylvania, Inc. for Approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Urban Media of Pennsylvania, Inc., by its counsel, filed on August 23, 2000, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Urban Media of Pennsylvania, Inc. joint petition is on file with the Commission and is available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1580. Filed for public inspection September 8, 2000, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

- | | | |
|------------------|---|-----------|
| October 23, 2000 | Dennis Denenberg
(Purchase of Service) | 1 p.m. |
| October 25, 2000 | Edward S. Rosenberg
(Disability) | 2:30 p.m. |

Persons with a disability who wish to attend the above-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Marilyn Fuller-Smith, Assistant Executive Director, at (717) 720-4700 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 00-1581. Filed for public inspection September 8, 2000, 9:00 a.m.]

STATE BOARD OF VOCATIONAL REHABILITATION

Public Meeting

The State Board of Vocational Rehabilitation will hold its next public meeting in Philadelphia.

Location: OVR Philadelphia District Office
444 North 3rd Street, 5th Floor
Philadelphia, PA 19123

Date: September 12, 2000

Time: 10:30 a.m.—12 noon (Executive Session)—
closed to the public
1 p.m.—3 p.m. (Public Session)

Persons who require special arrangements (including a sign language interpreter or alternate format), should call Nancy Dutchko at (717) 787-1112 or (800) 442-6351.

JOHNNY BUTLER,
Secretary

[Pa.B. Doc. No. 00-1582. Filed for public inspection September 8, 2000, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

- | | | |
|--------------------|--|--------|
| September 6, 2000 | Mary Duchinski
(Disability Retirement Benefits) | 1 p.m. |
| September 20, 2000 | Willard L. Robinson
(Purchase of Non-Intervening
Military Service) | 1 p.m. |

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 00-1583. Filed for public inspection September 8, 2000, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Open End Contract Geotechnical-Engineering Services Systemwide

Reference No. 3-132

The Turnpike Commission will retain an engineering firm for an Open-End Contract for various geotechnical-

engineering services on various projects primarily in the eastern portion of the State in Districts 3, 4 and 5. However, the contract will cover the entire Turnpike system. This contract will be for a period of 2 years or \$500,000, whichever occurs first.

The firm may be required to perform, but will not be limited to, the following geotechnical engineering services: review geotechnical work performed by private engineering firms; perform geotechnical design for Commission designed projects; prepare scopes of work; investigate slope movements and other geologic hazards for future programming; install and/or monitor geotechnical instruments; provide geotechnical consultation during and after construction; provide drilling inspection in accordance with PennDOT Design Manual Part 4/Publication 293 qualifications and criteria; provide emergency response to geologic hazards; review and comment on Commission procedures and documents; investigate stability of retaining systems; develop specifications; prepare cost estimates; prepare, using DARWin software, and review pavement designs; respond to requests from construction and maintenance for various types of investigations; perform stability analyses of slopes and retaining structures; prepare erosion and sedimentation plans; perform scour analyses and develop remedial solutions; perform settlement analyses and develop remedial solutions; review contour grading plans; review value engineering proposals; prepare prints and information required for a value engineering review; prepare geotechnical engineering reports; attend field views and prepare minutes; prepare submissions for field view meetings; perform field reconnaissance; plot topography and cross sections; and attend coordination and status meetings with Commission personnel and prepare meeting minutes.

In most cases, the Commission will provide drilling and sampling services through separate open-end drilling contracts. However, the firm may be required to let separate contracts for drilling and will be required to have soil, rock and water testing capabilities including resilient modulus testing. The soil and rock testing must be performed at an AASHTO Materials Reference Laboratory (AMRL) accredited laboratory and the water testing must be performed at a Department of Environmental Protection certified laboratory. Some tests may be required to be performed under a HASP.

The firm may be required to perform two-dimensional resistivity surveys utilizing computerized multiple-electrode (more than four) systems. Data collected must be analyzed using finite element or finite difference two-dimensional modeling programs.

Environmental related work may include, but not be limited to, the following: perform geotechnical investigations under a Health and Safety Plan; develop Health and Safety Plans (HASP) for projects; develop remediation for acid mine drainage (AMD) problems; review preliminary area reconnaissance (PAR's), initial site assessments (ISA's), preliminary site investigations (PSI's), detailed site investigations (DSI's) and waste management plans.

The format and content of all documents, plans and specifications will be consistent with applicable State and Federal regulations and guidelines.

The geotechnical, geological and engineering services identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related scope of work will be outlined for each individual Work Order developed under this Open-End Contract.

Questions and inquiries concerning this Project should be directed to Kenneth M. Heirendt, P.G., Pennsylvania Turnpike Commission, Western Regional Office, at (724) 755-5187 or by e-mail at kheirend@paturndpike.com.

The following factors will be considered by the Commission during the elevation of the firms submitting Letters of Interest for these projects:

- 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 documents 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.

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. A three page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for the 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. An Annual Qualification Package similar to the one submitted to the Department of Transportation for the current year that is in the same district as this project or one that is best suited for this project.

The annual Qualification Package should contain at a minimum the following information for the prime consultant and all subconsultants and 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" × 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 Barry L. Troup, P.E., Assistant Chief Engineer for Design, at the PA Turnpike Commission Administra-

tion Building located at 176 Kost Road, Carlisle, PA 17013-0779. (FedEx address: 176 Kost Road, Carlisle, PA 17013-0779) (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), local time, Friday, September 29, 2000. 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 these solicitations, one firm will be selected for this contract. 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.

BRADLEY L. MALLORY,
Chairperson

[Pa.B. Doc. No. 00-1584. Filed for public inspection September 8, 2000, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development
374 Forum Building
Harrisburg, PA 17120
800-280-3801 or (717) 783-5700

Reader's Guide

Legal Services & Consultation—26

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division
787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)
Vendor Services Section
717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Commodities**LBLA 1271** Combi Oven, Vulcan.

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: Indeterminate 2000-2001
Contact: Arletta K. Ney, Purchasing Agent, (570) 372-5070

PGC-2652 50,000 Working Together for Wildlife embroidered patches for year 2001. Four inches in diameter. Eight colors. Design and color of patches will be provided with bid proposal.

Department: Game Commission
Location: PA Game Commission, Bureau of Information and Education, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: Indeterminate 2000-2001
Contact: Diane Shultz, (717) 787-6594

1110040 Mid-Size Articulated Loader Material Handler. For a copy of bid package fax request to (717) 787-0725.

Department: Agriculture
Location: Farm Show Complex, Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1127120 Personal Listening Device. For a copy of bid package fax request to (717) 787-0725.

Department: Labor and Industry
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1118230 IVIS Plus Badging Station or approved equal. For a copy of bid package fax request to (717) 787-0725.

Department: Game Commission
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1095130 Insulated Trays Classic II Server Black Seco No. 680-2159 Perfect Temp 20/cs and Insulated Tray Covers Classic II Full Cover Grey Seco No. 680-2161 Perfect Temp 10/cs. No Substitute. For a copy of bid package fax request to (717) 787-0725.

Department: Military Affairs
Location: Southwestern PA Veterans Center, Pittsburgh, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1074220 Printing 2001 "Boating Handbook." For a copy of bid package fax request to (717) 787-0725.

Department: Fish and Boat Commission
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1579159 100% Rag, Commonwealth Seal, Watermark Bond Paper, State Seal Bond Paper. 8-1/2" x 11" Size, 20 lb. 500 sheets/ream, 10 reams/carton. For a copy of bid package fax request to (717) 787-0725.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1132070 Producing, Printing and Mailing of "Notice of Enrollment" Forms and Envelopes. For a copy of bid package fax request to (717) 787-0725.

Department: Health
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1121110 Mattress Ticking. For a copy of bid package fax request to (717) 787-0725.

Department: Corrections
Location: Dallas, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1119110 Furniture: Cad/Drafting. For a copy of bid package fax request to (717) 787-0725.

Department: Corrections
Location: Pittsburgh, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

1139210 Various Rubber Roofing Materials. For a copy of bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Danville, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

SERVICES

Agricultural Services—02

PGC-2649 Contractor to plant 2,000 conifer seedlings in a 40 acre Timerstand Improvement Cutting located on State Game Lands No. 217, Lynn Twp., Lehigh County. Bid package can be obtained from agency. Bid must be a lump sum price, inclusive of all costs for material and labor necessary to complete the project as follows: 1,000 Each—3 year old White Pine Seedlings, and 1,000 Each—4 year old Spruce Seedlings. Each seedling is to be planted together with a 2-year release 12-12-12 fertilizer packet. Seedlings must be hand-planted by the contractor in accordance with agency specifications, which are in the bid package. Work complete which does not meet agency specifications will need to be redone at contractor's expense. All work to be completed before any payment will be made.

Department: Game Commission
Location: Pennsylvania Game Commission, Bureau of Administrative Services, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: November 1, 2000 through April 30, 2001
Contact: Diane E. Shultz or Linda E. Beaver, (717) 787-6594

PGC-2650 Rental of the following equipment and operator: One knuckle boom mower and operator, rotary preferenced. Price to include all fuels, supplies, mobilization and demobilization to and from sites. All brush, overhanging limbs, and trees up to approximately 3" in diameter are to be cut. (Complete specifications in bid package which is available from agency.) Work to be coordinated through the Land Manager. Work to be in three areas as follows: State Game Lands No. 141 and No. 129, (approx. 64 hours.) Carbon County; No. 091 and No. 119, (approx. 96 hours) Luzerne County; and No. 038, No. 127, and No. 186, (approx. 120 hours) Monroe County. Bids will be awarded on a "per county" basis.

Department: Game Commission
Location: Pennsylvania Game Commission, Bureau of Administrative Services, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: Work must be completed by June 30, 2001
Contact: Diane E. Shultz or Linda E. Beaver, (717) 787-6594

Construction—09

FDC-438-825 Surface preparation and painting of steel bridge in Swatara State Park, Lebanon County. Work also includes approximately 90 s.y. of grouted rip rap; footing underdrain; removing and replacing wood deck and railing. Note: Requests for bid documents will be taken on or after September 11, 2000.

Department: Conservation and Natural Resources
Location: Union and Swatara Townships
Duration: 270 days
Contact: Construction Management Section, (717) 787-5055

102 Convert an existing 1,200 sf unfinished space to new office area to include: wood partitions with gypsum board finish, suspended ceiling, resilient flooring, lighting fixtures, receptacles, door replacement.

Department: Military Affairs
Location: PA Army National Guard Armory, 225 E. Park Avenue, Sellersville, PA 18960
Duration: June 30, 2001
Contact: Brenda Lower, (717) 861-2118

AE-2786.1, .2, .3, .4 New Construction of a Rest Area Facility on I-80 (westbound) in Carbon County, PA. Construction of a one-story building approximately 3,300 square feet. Associated with the main building is construction of a maintenance water systems building, and construction of an entrance plaza with canopy. There are 4 contracts, which include General Construction, HVAC, Plumbing, and Electrical. The Pre-Bid Conference is scheduled for September 27, 2000 at 10 a.m. and will be held at the PennDOT Engineering District 5-0 office building at 1713 Lehigh St., Allentown. To obtain a copy of the Bid Package Fax the following information to Vikki Mahoney at (717) 783-7971; Requested Contract Number, Company Name, Mailing Address, Contact Person, and Telephone Number.

Department: Transportation
Location: PennDOT, Bureau of Office Services, 555 Walnut St.—8th floor, Harrisburg, PA 17101-1900
Duration: 13 months from Notice to Proceed
Contact: Joseph DeSantis, (717) 787-9213

PGC-2651 Clear and grub approximately 3,200 square feet. Provide labor and materials to construct a compacted earth pad, and a 6 inch deep compacted 2A stone base pad, approximately 2,100 square feet. Provide labor and materials to construct reinforced concrete building foundation, approximately 39 cubic yards. Excavate for electrical supply, trench from main building to storage site, approximately 100 linear feet. Remove and dispose of one 2,000 gallon underground storage tank. Backfill, grade, and seed storage tank site, approximately 800 square feet. Provide asphalt tie-ins and parking lot repairs, approximately 1,200 square feet. Place concrete in pit, approximately 1.26 cubic yards. Grind off existing concrete foundation.

Department: Game Commission
Location: Pennsylvania Game Commission, Southeast Regional Office, 448 Snyder Road, Reading, PA 19605
Duration: Indeterminate 2000-2001
Contact: Michael Stover, (717) 787-9620

948-41MOIREVISED Project Title: Relocation Services. Brief Description: The Commonwealth is seeking proposals for professional moving services to provide all labor, equipment and supervision necessary to relocate about 2,300 employees into the Keystone Office Building as well as surplus furniture, fixtures and equipment within the Harrisburg Region. RFP Price: \$25 per set (includes PA Sales Tax). Checks made payable to: CRSS Constructors. This price is nonrefundable. Firms that have paid for the original RFP will not be charged an additional \$25. Contact CRSS Constructors at Fax: (717) 233-6564 and Phone No. (717) 233-6533 to obtain copies of the RFP Documents. Date for receiving the RFP is Wednesday, August 30, 2000 at 2 p.m.

Department: General Services
Location: Keystone Building, Harrisburg, Dauphin County, PA
Duration: Indeterminate 2000-2001
Contact: Contract and Bidding Unit, (717) 787-6556

DGSA948-342 Project Title: Common Wall Repairs. Brief Description: Repair common stuccoed, brick masonry wall between Armory and Torre Clothing Store. Install new stucco finish over existing stucco and new gravel stop along lower parapet wall. Estimated Range: Under \$100,000. General Construction. Plans Deposit: \$25 per set payable to: Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid Date: Wednesday, September 27, 2000 at 1 p.m.

Department: General Services
Location: PA National Guard Armory, Philadelphia, Philadelphia County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

FDC-407-824 Remove and replace the superstructure of the Pedestrian Trail Bridge over Bushkill Creek at the Jacobsburg Environmental Education Center in Northampton County. Work includes removal of existing bridge; excavating, compacting and backfill; landscaping; cast-in place concrete; stone facing; new pedestrian bridge and wood approach rail. Note: Requests for bid documents will be taken on or after September 11, 2000.

Department: Conservation and Natural Resources
Location: Bushkill Township
Duration: 120 days
Contact: Construction Management Section, (717) 787-5055

DGS377-1SW1 Project Title: Site Clearing for Construction of a Prototypical 1,000 Cell Medium Security Correctional Facility. Brief Description: Work covering approximately 70-acre area of the project site involves clearing and cutting of trees and underbrush to ground level and removal and disposal of the material at an approved off-site disposal area. Equipment utilized will be restricted to hand tools and rubber tire equipment to avoid any earth disturbance and any impact to the delineated wetland areas. Estimated Range: \$100,000 to \$500,000. General Construction. Plans Deposit: \$30 per set payable to: STV Architects/H. F. Lenz Company—Joint Venture. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check or provide your express mail account number to the office listed below. Mail requests to: STV Architects/H. F. Lenz Co.—Joint Venture, 1407 Scalp Avenue, Johnstown, PA 15904-3329, (814) 269-9300. Bid Date: Wednesday, September 27, 2000 at 11 a.m.

Department: General Services
Location: State Correctional Institution, Forest, Forest County, PA
Duration: 40 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

State Bid No. 208 Corbin Russwin Door Hardware.

Department: General Services
Location: Pennsylvania State University, Behrend College at Erie, PA
Duration: Due Date: September 14, 2000
Contact: Steven Blazer, (814) 865-5418

08-JM6001 Furnish and construct a 50' x 64' arch tarp type salt storage building. Build on existing paved surface. Foundation 6' high on three sides of structure can be either: Concrete block (2' x 2' x 6') or Treated lumber knee wall 6' high. Only one end open and three sides closed. Structure must be portable (easy to move). Tarp material to be 10.2 ounce/square yard minimum, interwoven hi-density polyethylene roof tarp with 3-year warranty. Arch supports to be hi-strength tubing 13 gauge.

Department: Transportation
Location: Maintenance District 3-2, 716 Jordan Avenue (P. O. Box 218), Montoursville, PA 17754 (Montoursville stockpile no. 01 Lycoming County)
Duration: 2 weeks
Contact: James McCourt, (570) 368-4281

Engineering—14

08430AG2608 To provide preliminary engineering, final design and construction consultation for S. R. 8013, Section A01 in Washington County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under via Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 12-0
Duration: 30 days after construction completion
Contact: N/A

08430AG2602 A multiphase agreement to provide environmental studies, preliminary engineering, final design and construction consultation for S. R. 0015, Section 013 in Adams County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under via Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 8-0
Duration: 30 days after construction completion
Contact: N/A

08430AG2603 To provide construction inspection and documentation services for various Bituminous Surface Treatment projects located in Chester and Montgomery Counties. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under via Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 6-0
Duration: 36 Months
Contact: N/A

08430AG2604 To provide construction inspection and documentation services for various Bituminous Surface Treatment projects located in Bucks, Delaware and Philadelphia Counties. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under via Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 6-0
Duration: 36 Months
Contact: N/A

08430AG2605 To provide preliminary engineering, environmental documentation, final design and construction consultation for S. R. 4019, Section 57M and S. R. 4019, Section 60M in Bucks County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under via Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 6-0
Duration: 30 days after construction completion
Contact: N/A

BMR-00-01 Notice is given that the Department will retain a contractor to study the effects of longwall mining on overlying streams, wetlands and riparian areas at a selected site in Greene and/or Washington County, PA. The project will consist of selecting a site from a Department list of candidate sites; obtaining premining and current information regarding stream, wetland and riparian resources at the selected site; comparing premining and post mining conditions; and identifying and assessing effects attributable to longwall mining. For a copy of the Request for Proposal for Professional Services, please contact Harold Miller, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461. Faxed requests will be accepted at fax number (717) 783-4675. Estimated contract amount is between \$50,000 and \$100,000. Questions may be directed to Harold Miller at (717) 783-8845, during the hours of 8 a.m. and 4:30 p.m., Monday through Friday.

Department: Environmental Protection
Location: Greene and/or Washington Counties
Duration: 6 months after the notice to proceed
Contact: Harold Miller, (717) 783-8845

08430AG2607 To provide preliminary engineering, final design and construction consultation for S. R. 8001, Section B01 in Westmoreland County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under via Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 12-0
Duration: 30 days after construction completion
Contact: N/A

035A Provide consulting service for the collection of hydrogeologic data for permitting of surface mines and refuse reprocessing operations. Consultant must be prequalified by the Small Operator Assistance Program or Remining Operator's Assistance Program in order to be eligible for this activity. If you would like more information about this program, you may call (717) 787-7007. Persons who require an auxiliary aid, service, or other accommodation may use the Pennsylvania AT&T Relay Service at (800) 654-5984 to be connected to (717) 787-7007.

Department: Environmental Protection
Location: 5th floor Rachel Carson State Office Building, Harrisburg, PA 17105-8461 (Dauphin County)
Duration: July 1, 2000 to June 30, 2001
Contact: Lou DiLissio, (717) 787-7007

State Bid No. 207 Euro-Reef Amplifiers.

Department: General Services
Location: Penn State University, Leonhard Building at University Park, PA
Duration: Due Date: September 12, 2000
Contact: Steven Blazer, (814) 865-5418

08430AG2606 A multi-phase project specific agreement to provide environmental studies, preliminary engineering, final design, shop drawing review and construction consultation for S. R. 0006, Section A03 in West Mead Township and the City of Meadville, Crawford County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under via Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 1-0
Duration: 30 days after construction completion
Contact: N/A

Financial—17

PSERS-009 The Public School Employees' Retirement System (PSERS) is requesting the services of a contractor to satisfy the need for actuarial and pension plan consulting services. Services to include an annual actuarial valuation, a 5 year experience study, determination of the recommended annual employer contribution rate, other actuarial studies and costs estimates as requested by the Board. Contractor must be able to provide qualifications, references and prior experience in public pension funds or equivalent and ability to handle an account of this magnitude. PSERS is a \$50 billion account.

Department: Public School Employees' Retirement System
Location: 5 North 5th Street, Harrisburg, PA 17108
Duration: 5 year
Contact: Rebecca A. Snead, (717) 720-4607

Food—19

BG-078 Fresh baked goods. To be delivered on as-needed basis (at the request of the facility).

Department: Labor and Industry
Location: F.O.B. Shipping Platform, 727 Goucher Street, Johnstown, PA 15905
Duration: January 1 through December 31, 2001
Contact: Christine A. Sloan, Purchasing Agent, (814) 255-8228

B-152 Fresh breads and bread products. To be delivered (Monday through Saturday) only at request of facility.

Department: Labor and Industry
Location: F.O.B. Shipping Platform, 727 Goucher Street, Johnstown, PA 15905
Duration: January 1 through December 31, 2001
Contact: Christine A. Sloan, Purchasing Agent, (814) 255-8228

7319-REBID Fresh bread, rolls and related products—This is a 6-month (twice a year) bid for approximately 500 residents. For a bid package or questions, please fax your request to Becky Clapper, Purchasing Agent, at (814) 696-5395.

Department: Military Affairs
Location: Hollidaysburg Veterans Home, P. O. Box 319, Route 220 at Meadows Intersection, Hollidaysburg, PA 16648-0319
Duration: January 1, 2001 through December 31, 2001
Contact: Becky Clapper, (814) 696-5210

Hazardous Materials—21

359006 Environmental remediation services on an as-needed basis, to include emergency and non-emergency responses. Provide labor, materials, tools, equipment, and incidentals for testing, monitoring, plan development, and remediation services. Services may include, but not be limited to: excavation, storage and/or disposal of contaminated media and waste; extraction and treatment of contaminated groundwater; asbestos building inspections and abatement prior to demolition (demolition not included in this contract); closure of above- and underground storage tank systems; and disposal of residual, municipal, and/or hazardous wastes. Bid package available on September 12, 2000. Fax request with company name, contact name, address, phone, to (717) 783-7971 attn: Vikki Mahoney.

Department: Transportation
Location: Bureau of Office Services, 555 Walnut Street, 8th Floor, Harrisburg, PA 17101-1900
Duration: 3 year term, two 1-year renewal options
Contact: Vikki Mahoney, (717) 787-7001

HVAC—22

08-F-00 HVAC Services for Fayette County Team PA CareerLink/Uniontown. To request a bid package please call (717) 787-2877 or fax request to (717) 787-0688.

Department: Labor and Industry
Location: Department of Labor and Industry, Fayette County Team PA CareerLink/Uniontown, 32 Iowa Street, Uniontown, PA 15401
Duration: 2 year contract October 1, 2000 through September 30, 2002 with one 2-year renewal option
Contact: Cherianita Thomas/BF, (717) 787-2877

023 Purchase and install an oil fired steam boiler with an IBR gross output of 1,904 MBH. Work includes demolition and removal of existing boiler and condensate receiver and pump. The new installation of a cast iron sectional steam boiler and new condensate receiver. The hook up of all appurtenant utilities to boiler (oil, water, electric), a concrete pad and all installation. A 1 hour fire wall.

Department: Military Affairs
Location: PA National Guard Armory, 2048 Eden Road, York, PA 17402
Duration: June 30, 2001
Contact: Brenda Lower, (717) 861-2118

08-E-00 Update electrical wiring at OVR snack bar.

Department: Labor and Industry
Location: 15th Floor, 333 Market Street, Harrisstown Bld. II, Harrisburg, PA
Duration: Indeterminate 2000-2001
Contact: Norman Kee, (717) 705-0450

Janitorial—23

08-016005 Janitorial services for administrative offices, garage offices, conference room, lunchrooms, locker room and restrooms for the Pennsylvania Department of Transportation, Warren/Forest County offices. This is a 1 year contract with three 1-year renewals. Per specifications.

Department: Transportation
Location: Pennsylvania Department of Transportation, 3 miles west of Warren on TR 6, 2579 Pennsylvania Avenue West Extension, Warren, Pennsylvania 16365-0985
Duration: 1 year contract with three 1-year renewals
Contact: Judith E. Renwick, (814) 723-3500

Medical Services—29

SPC701700 To store and distribute vaccine to health care providers for the Pennsylvania Vaccines for Children Program.

Department: Health
Location: Statewide
Duration: 36 months, July 1, 2001 through June 30, 2004
Contact: Vickie Petrina, (717) 787-5681

SP1300380007 Clinical Psychologist—Must have experience in evaluating, consulting, testing, individual and group counseling, crisis intervention, in-services for grades 3-12 for approximately 350 students. An understanding of all current laws and regulations pertaining to clinical psychological services is required. Contractor shall provide a Clinical Psychologist two, half days a week (3.25 hours = 1/2 day). Requirements: A. Counseling and therapy of individual student and groups of students. B. Diagnosis of individual students. C. Consult with parent/physician and make recommendation. D. Make medication recommendation to physician. E. Clinical psychologist may be used for court cases requiring expert witness. F. Respond to referrals made by counseling, staff and parent, superintendent and/or school psychologist. G. Make referral to appropriate treatment facility when needed. H. Prevention strategies of students at risk.

Department: Military Affairs
Location: Scotland School for Veterans' Children, 3583 Scotland Road, Scotland, PA 17254-0900
Duration: November 1, 2000 through May 31, 2001
Contact: Marion E. Jones, (717) 264-7187, ext. 661

Personnel—31

2500-PROT.CHAPLAIN The State Correctional Institution at Dallas requires the services of a part-time Protestant Chaplain to work approximately 300 hours per year mainly on Saturdays.

Department: Corrections
Location: State Correctional Institution, 1000 Follies Road, Dallas, PA 18612
Duration: March 1, 2001 to February 28, 2004
Contact: Robert Faneck, (570) 675-1101, ext. 215

Property Maintenance—33

ME00882123 Contractor required to remove existing asbestos roof shingle, furnish and install 30-lb. impermeate glass reinforced felt and self-sealing fiberglass shingles, install new aluminum roof edge, remove existing metal ventilators, fill in roof openings with new wood decking and cover with a new shingle roof, furnish and install new wood decking for the replacement of rotten wood decking up to and including 10% of the roof area, and furnish and install new continuous ridge vent.

Department: Public Welfare
Location: South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 18261
Duration: 120 calendar days from the effective date of contract
Contact: Jennifer Karper, (717) 749-4012

Sanitation—36

1375007159 Removal of lumber, wooden crates and pallets. Disposal of trash in accordance with current regulations. On call pick-up of 30 cubic yard dumpster furnished by vendor not to exceed 15 dumps per year.

Department: Military Affairs
Location: Ammunition Supply Point, Building 25-20, Ft. Indiantown Gap, Annville, PA 17003-5064
Duration: October 1, 2000 through September 30, 2003
Contact: Gene Ollar, (717) 861-2921

026-0006 Refuse pickup twice weekly at the Department of Transportation Maintenance Building at 101 Locust Street, Coudersport, PA 16915 (Potter County). In addition, one 30 yard rolloff twice per year, once in the spring and once in the fall.

Department: Transportation
Location: 101 Locust Street, Coudersport, PA 16915 (Potter County)
Duration: January 1, 2001 through December 31, 2001 with renewal options for 4 years
Contact: Gary L. Gunzburger, Manager, (814) 274-9181

Security Services—37

110041 This service is to provide three fully uniformed security personnel each in a clearly marked vehicle with a cellular phone. The officers and their vehicles will be stationed at the three southern access points (Stadium Drive, Anderson Street, and Bedford Avenue) to the I-279 HOV lane from 5 a.m. until 10 a.m. (approximate time), Monday through Friday. The purpose of this service is to preclude vehicles from entering the HOV in the wrong direction and assist in the security of the HOV opening devices (gates, signs and cabinets).

Department: Transportation
Location: Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4956
Duration: The contract will be for an original period of 1 year from the effective date. The contract will be renewable by mutual consent for two additional 1 year period
Contact: Dominic Munizza, (412) 429-6034

Vehicle, Heavy Equipment—38

State Bid No. 209 Genie TM234/19 Trailer Mounted Z-Boom.

Department: General Services
Location: Pennsylvania State University, Behrend College at Erie, PA
Duration: Due Date: September 14, 2000
Contact: Steven Blazer, (814) 865-5418

Miscellaneous—39

024-20-150-1000 The Department of Community and Economic Development is seeking the services of a consultant to prepare and submit four regional applications and to provide technical assistance to applicants applying for Federal assistance to the U. S. Department of Housing and Urban Development under the fiscal year 2001 Continuum of Care Homeless Assistance Competition.

Department: Community and Economic Development
Location: Statewide
Duration: One year with the option to renew for 4 additional years
Contact: Donna Enrico, (717) 720-7404

00976017 Hauling, Disposable and Liners for dumpsters for the removal of sludge at Polk Center.

Department: Public Welfare
Location: Polk Center, P. O. Box 94, Polk, PA 16342
Duration: November 15, 2000 through June 30, 2001
Contact: Patty Frank, Purchasing Agent, (814) 432-0229

Tran01 100 KVA Transformers CPR Copper oil filled 1 Phase Transformer H.V. 7620/13200Y; LV120/240 2H.V. Bushings 2 TAPS 2-1/2% AVBN; 37.5 KVA Transformers CPR Copper oil filled 1 Phase transformer H.V. 7620/13200Y; LV240/480 2H.V. Bushings 2 TAPS 2-1/2% AVBN.

Department: Military Affairs
Location: State Armory Board, Bldg. 0-47 Ft. Indiantown Gap, Annville, PA 17003-5002
Duration: Fiscal Year 2000
Contact: Anita Sommer, (717) 861-2928

SP3881040001 Services required for the installation of a woven wire fence in Elk Lick Township, Somerset County.

Department: Conservation and Natural Resources
Location: Forbes Forest District No. 4, P. O. Box 519, Laughlinton, PA 15655-0519
Duration: Upon execution of the contract and terminate June 30, 2001. Work must be accomplished by April 27, 2001
Contact: Don Stiffler, (724) 238-5038

RFP No. TAO-TTS-2000-1 A RFP to procure training support services for the PA water and wastewater operator training, capability enhancement, watershed academy and DEP Water Supply Management staff development programs. The required services include assessment, technical support for the development, maintenance and evaluation of training in technology-based distance education formats, development, administration and delivery of training courses in appropriate formats and training quality assurance services.

Department: Environmental Protection
Location: Harrisburg and Statewide
Duration: The estimated period of the contract is from March 1, 2001, through February 28, 2006; a period of 5 years
Contact: R. Barry Greenawald, (717) 705-4090

RFP 0R-01 This contract would provide service for 4 areas of air quality modeling: conformity determinations, mobile source emissions modeling, inspection/maintenance (I/M) analyses, and air quality support. This area aims to provide PennDOT with technical assistance on Clean Air Act Amendment (CAAA) issues outside of the modeling domain. For information on this project, fax to Roberta Cooper (717) 783-7971 the following: Your name, company name, address, phone number, fax number and e-mail address. Please reference RFP No. 0R-01.

Department: Transportation
Location: Pennsylvania, Harrisburg area
Duration: 5 year contract
Contact: Roberta Cooper, (717) 787-4006

1106 Provide all labor, materials, tools, equipment items and devices to replace the condensate tank.

Department: Military Affairs
Location: PA National Guard Armory, 3205 Lancaster Ave., Philadelphia, PA
Duration: June 30, 2001
Contact: Brenda Lower, (717) 861-2118

99-17 The Department of Transportation, as owner of the Grand Canyon State Airport located in Tioga County, is soliciting proposals for a Fixed Based Operator (qualified contractor) to operate and develop the airport in accordance with State and Federal aviation regulations and laws. Interested contractors may request a copy of the Request for Proposals by faxing their name, company name, address, telephone number and fax number to Vikki Mahoney at (717) 783-7971. Please reference RFP No. 99-17 on your fax.

Department: Transportation
Location: Grand Canyon State Airport, Wellsboro (Tioga County), PA
Duration: 20 years—maximum
Contact: Thomas Schumacher, (717) 783-8906

RFP No. 2001-1RSSE Regional Summer Schools of Excellence (RSSE) programs must target gifted and/or talented youth in elementary, middle and/or secondary levels. They must be enrichment programs offering curriculum activities not ordinarily available in local schools during the school year. The programs may concentrate on single discipline, an integration of discipline, or be multidisciplinary in scope. Eligible RSSE Grant applications are: intermediate units; school districts (serving students in more than one district, except in large cities); colleges or universities; not for profit regional chapters or councils for the arts, culture and/or educational organizations; or consortia of two or more of the above. Applicants may apply for grants to launch new programs or expand or update existing programs. This grant is highly competitive.

Department: Education
Location: Various locations throughout the Commonwealth
Duration: July through August 2001
Contact: Felicia D. Harris, (717) 783-5670

[Pa.B. Doc. No. 00-1585. Filed for public inspection September 8, 2000, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
9985-02 rip No. 2/sup No. 3	09/01/00	Janice Young d/b/a Janice Young's Snack Bar	\$50,000
9985-02 rip No. 2/sup No. 3	09/01/00	R n L Deli/ Restaurant Partners d/b/a R n L Quality Catering	50,000
9985-02 rip No. 2/sup No. 3	09/01/00	Philip J. Landis d/b/a Wizard Catering	50,000
1012110-01	08/29/00	Chemtick Coated Fabrics Inc.	24,800

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
1016110-01	08/29/00	J Weinstein & Sons	76,200
1016110-02	08/29/00	Tabb Textile Co. Inc.	450,600
1052110-01	08/29/00	International Paper Co. d/b/a Xpedx	25,470
1062350-01	08/29/00	Rupprecht & Patashnick Co.	42,350
8176750-01	08/29/00	Moore North America Inc.	163,540
8252390-01	08/29/00	Stepp Manufacturing Co. Inc.	28,460

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 00-1586. Filed for public inspection September 8, 2000, 9:00 a.m.]