

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 27, 1996.

#### BANKING INSTITUTIONS

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-19-96	Citizens Bank & Trust Company Palmerton Carbon County	211 South Best Ave. (Route 145) Walnutport Northampton County	Opened
8-23-96	Farmers First Bank Lititz Lancaster County	WalMart Store 2034 Lincoln Highway East East Lampeter Twp. Lancaster County	Approved

#### SAVINGS ASSOCIATIONS

No activity.

#### CREDIT UNIONS

##### Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
8-26-96	Local #38 and Associates Credit Union Milton Northumberland County	To provide for a change in the field of membership.	Approved And Effective

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-1477. Filed for public inspection September 6, 1996, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Keystone Recreation, Park and Conservation Fund; Land Trust Grant Program

The Department of Conservation and Natural Resources (DCNR) has announced an open application period for a third round of funding for land trust projects from the Keystone Recreation, Park and Conservation (Keystone) Fund. The Keystone Land Trust Grant Program is administered by DCNR's Bureau of Recreation and Conservation.

DCNR has mailed an announcement of this open application period, program manual, and application forms to the following 48 organizations which are prequalified as eligible land trust applicants. The deadline for receipt of completed grant applications by DCNR is 5 p.m. on November 8, 1996. No applications will be accepted by FAX.

Armstrong County Conservancy (Kittanning, PA)

Berks County Conservancy (Wyomissing, PA)

Brandywine Conservancy (Chadds Ford, PA)  
Brandywine Valley Association (West Chester, PA)  
Buck Hill Conservation Foundation (Buck Hill Falls, PA)  
Central Pennsylvania Conservancy (Harrisburg, PA)  
ClearWater Conservancy (State College, PA)  
Conneaut Lake—French Creek Valley Conservancy  
(Conneaut Lake, PA)  
Conservation Fund (Arlington, VA)  
Ecologically Concerned of Zelenople (Butler, PA)  
Edward L. Rose Conservancy (Brackney, PA)  
Farm and Natural Lands Trust (York, PA)  
Fox Chapel Land Conservation Trust (Pittsburgh, PA)  
French and Pickering Creeks Conservation Trust  
(Pottstown, PA)  
Friends of Pennypack Park (Philadelphia, PA)  
Friends of the Wissahickon (Philadelphia, PA)  
Hawk Mountain Sanctuary Association (Kempton, PA)  
Headwaters Charitable Trust (Clearfield, PA)  
Heritage Conservancy (Doylestown, PA)

Hollow Oak Land Trust (Moon Township, PA)  
 Lacawac Sanctuary Foundation (Lake Ariel, PA)  
 Lackawanna River Corridor Association (Mayfield, PA)  
 Lancaster County Conservancy (Lancaster, PA)  
 Loyalhanna Watershed Association (Ligonier, PA)  
 Merrill W. Linn Land and Waterways Conservancy  
 (Lewisburg, PA)  
 Moraine Preservation Fund (Zelienople, PA)  
 Natural Lands Trust (Media, PA)  
 Nature Conservancy (Philadelphia, PA)  
 Neighborhood Gardens Association (Philadelphia, PA)  
 Northcentral Pennsylvania Conservancy (Williamsport,  
 PA)  
 Northern Allegheny Conservation Association (Warren,  
 PA)  
 Open Land Conservancy of Chester County (Paoli, PA)  
 Penn Soil Conservancy Charitable Trust (Clarion, PA)  
 Pennsylvania Environmental Council (Philadelphia, PA)  
 Pennypack Ecological Restoration Trust (Huntingdon  
 Valley, PA)  
 Perkiomen Valley Watershed Association (Schwenksville,  
 PA)  
 Pine Creek Valley Watershed Association (Oley, PA)  
 Rails-to-Trails Conservancy (Harrisburg, PA)  
 Red Clay Valley Association (West Chester, PA)  
 Roaring Run Watershed Association (Spring Church, PA)  
 Schuylkill River Greenway Association (Wyomissing, PA)  
 Scott Conservancy (Pittsburgh, PA)  
 Southern Alleghenies Conservancy (Bedford, PA)  
 Trust for Public Land (Washington, D.C.)  
 Western Pennsylvania Conservancy (Pittsburgh, PA)  
 White Clay Watershed Association (Landenberg, PA)  
 Wildlands Conservancy (Emmaus, PA)  
 Wissahickon Valley Watershed Association (Ambler, PA)

The Keystone Fund was established by passage of the  
 Keystone Recreation, Park and Conservation Fund Act

(Act 1993-50) signed on July 2, 1993. On November 2,  
 1993, the voters of the Commonwealth overwhelmingly  
 approved a public referendum incurring bond indebted-  
 ness by the Commonwealth in the amount of \$50 million  
 to provide for the funding of nature preserves and wildlife  
 habitats, and for improvements to and expansion of state  
 parks, community parks and recreation facilities, historic  
 sites, zoos and public libraries. The Keystone Fund is  
 currently supported by a 15% allocation from the State  
 Realty Transfer Tax revenues. DCNR will receive 10% of  
 the State Realty Transfer Tax allocation for matching  
 grants to assist land trusts with planning and acquisition  
 projects involving natural areas and open space. Approxi-  
 mately \$3 million will be available in this third round of  
 funding for land trust projects.

A land trust is defined in Act 1993-50 as a nonprofit  
 conservation or preservation organization, conservancy or  
 land trust whose primary purpose is the conservation and  
 preservation of open space, park lands or natural areas  
 for public benefit. To qualify for Keystone funding, a land  
 trust must be tax exempt under section 501(c)(3) of the  
 Internal Revenue Code of 1986; registered with the  
 Bureau of Charitable Organizations, PA Department of  
 State; and in existence for at least 5 consecutive years.

Land trusts must prequalify as eligible applicants in  
 accordance with procedures announced at 24 Pa.B. 4216  
 (August 20, 1994). Land trust organizations that are not  
 prequalified for this third round of funding may do so  
 prior to announcement of the next open application  
 period. A prequalification form and instructions may be  
 obtained from the Department of Conservation and Natu-  
 ral Resources, Bureau of Recreation and Conservation,  
 555 Forum Building, Harrisburg, PA 17120 (Telephone  
 (717) 783-2656).

Persons with a disability who wish to submit a land  
 trust prequalification form or grant application and re-  
 quire assistance should contact Darrel J. Siesholtz at  
 (717) 783-2661 to discuss how the Department may best  
 accommodate their needs.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 96-1478. Filed for public inspection September 6, 1996, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection 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 period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Richard Adams at (717) 327-3666. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**PA 0114898.** Sewerage, SIC: 4952, **Madison Township Municipal Authority**, P. O. Box 620, Millville, PA 17846.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Mud Creek in Madison 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Water Authority located at Danville.

The proposed effluent limits for Outfall 001 based on a design flow of 0.02 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Ammonia-N			
(5-1 to 10-31)	2	3	4
(11-1 to 4-30)	6	9	12
Total Residual Cl <sub>2</sub>	0.2		0.5
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—9.0 at all times		

The EPA waiver is in effect.

**PA 0209392.** SIC: 4952, **Richmond Township Municipal Authority**, c/o John Barr, Secretary, 563 Valley Road, Mansfield, PA 16933.

This proposed action is for an NPDES permit for a new discharge of treated sewage to an unnamed tributary to the Tioga River in Richmond Township, **Tioga County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is located at the PA-NY border.

The proposed effluent limits for Outfall 001 based on a design flow of 0.00315 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Total Residual Chlorine	1.0	2.6
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 s.u. at all times	

The EPA waiver is in effect.

**PA 0209406. Eutaw Centre SFTF, Inc.,** R. D. Box 107G, Spring Mills, PA 16875, Potter Township, **Centre County.**

This proposed action is for issuance of an NPDES permit for a new discharge of treated sewage to unnamed tributary of Potter Run in Potter Township, Centre County.

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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Dauphin Consolidated Water Company located at Dauphin Borough, on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.002 mgd, are:

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

Other Conditions: none.

The EPA waiver is in effect.

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

**PA 0034258. Sewage, Hopewell Area School District,** 2121 Broadhead Road, Aliquippa, PA 15001.

This application is for renewal of an NPDES permit to discharge treated sewage from the Hopewell Area School District, Independence School STP, in Independence Township, **Beaver County.**

The following effluent limitations are proposed for discharge to the receiving waters, known as Raccoon 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 Midland Borough Water Association.

Outfall 001: existing discharge, design flow of .006 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	100,000/100 ml as a geometric mean			
Total Residual Chlorine	monitor and report			
1st month—36th month	1.4			
37th month—expiration	3.3			
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0038792. Sewage, Adams Township Municipal Authority,** P. O. Box 265, Sidman, PA 15955-0265.

This application is for renewal of an NPDES permit to discharge treated sewage from the Village of Mine 42 STP in Adams Township, **Cambria County.**

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

Outfall 001: existing discharge, design flow of 0.0296 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	1.4			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0042749.** Sewage, **Jenner Area Joint Sewer Authority**, P. O. Box 202, Jennerstown, PA 15547.

This application is for renewal of an NPDES permit to discharge treated sewage from the Boswell STP in Boswell Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Quemahoning Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Manufacturer's Water Company (Greater Johnstown Water Authority) on the Quemahoning Reservoir.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	8	12		16
(11-1 to 4-30)	24	36		48
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	1.0			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

**PA 0090824.** Sewage, **Laurel Associates**, 521 Fifth Avenue, Suite 2200, New York, NY 10175.

This application is for renewal of an NPDES permit to discharge treated sewage from the Laurel Mall Shopping Center Sewage Treatment Plant in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Gist Run, which are classified as a trout stocked 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 North Fayette County Municipal Authority.

Outfall 001: existing discharge, design flow of .032 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	1.4			3.3

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Dissolved Oxygen	not less than 3.0 mg/l			
pH	6.0—9.0			

*Other Conditions:*

The EPA waiver is in effect.

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 825-2511.*

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

*Allegheny County Conservation District, District Manager, 875 Greentree Rd., Rm. 208 Acacia Bldg., Pittsburgh, PA 15220, telephone (412) 921-1999.*

**NPDES Permit PAS10A091.** Stormwater. **Woodmont Corporation**, 1 Ridgmar Centre—Ste. 900, Fort Worth, TX 76160 has applied to discharge stormwater from a construction activity located in Robinson Township, **Allegheny County**, to Campbells Run.

*Armstrong County Conservation District, District Manager, Armsdale Admin. Bldg., R. R. 8 Box 294, Kittanning, PA 16201-3428, telephone (412) 548-3425.*

**NPDES Permit PAS10B009.** Stormwater. **DEP—Bureau of Abandoned Mine Reclamation**, P. O. Box 149, Ebensburg, PA 15931 has applied to discharge stormwater from a construction activity located in Boggs Township, **Armstrong County**, to Deaver Run into Pine Creek.

*Beaver County Conservation District, District Manager, 1000 Third St., Ste. 202, Beaver, PA 15009-2026, telephone (412) 774-7090.*

**NPDES Permit PAS100234-1.** Stormwater. **Jeb Hughes**, JDN Development Company Inc., 3340 Peachtree Road, 1530 Tower Place, Atlanta, GA 30326 has applied to discharge stormwater from a construction activity located in Center Township, **Beaver County**, to the Ohio River.

*Chester County Conservation District, District Manager, Gov. Serv. Ctr., Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.*

**NPDES Permit PAS10G223.** Stormwater. **Lion Associates LP**, 100 Plaza Drive, Downingtown, PA 19335 has applied to discharge stormwater from a construction activity located in Uwchlan Township, **Chester County**, to Pickering Creek.

**NPDES Permit PAS10G224.** Stormwater. **J. B. Brandolini, Inc.**, 1200 Burningbush Lane, West Chester, PA 19380 has applied to discharge stormwater from a construction activity located in East Goshen Township, **Chester County**, to Ridley Creek.

*Lackawanna County Conservation District, District Manager, 395 Bedford St., Bedford Station, Clarks Summit, PA 18411, telephone (717) 587-2607.*

**NPDES Permit PAS10N020.** Stormwater. **Frank Hubbard**, 4210 Birney Avenue, Moosic, PA 18507 has applied to discharge stormwater from a construction activity located in Moscow Borough, **Lackawanna County**, to UNT to Roaring Brook.

*Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, telephone (610) 820-3398.*

**NPDES Permit PAS10Q124.** Stormwater. **T C A S Inc.**, 1209 Hausman Road, Allentown, PA 18104 has applied to discharge stormwater from a construction

activity located in South Whitehall Township, **Lehigh County**, to Little Lehigh Creek.

*Luzerne County Conservation District, District Manager, Courthouse Annex, 5 Water Street, Wilkes-Barre, PA 18711, telephone (717) 825-1844.*

**NPDES Permit PAS10R022.** Stormwater. **Earth Conservancy**, 101 S. Main Street, Ashley, PA 18706 has applied to discharge stormwater from a construction activity located in Newport Township, **Luzerne County**, to Espy Run.

*Northampton County Conservation District, District Manager, R. R. 4, Nazareth, PA 18064, telephone (610) 746-1971.*

**NPDES Permit PAS10U060.** Stormwater. **Bangor Area School District**, 44 S. 3rd Street, Bangor, PA 18013 has applied to discharge stormwater from a construction activity located in Upper Mount Bethel Township, **Northampton County**, to UNT to the Delaware River.

**NPDES Permit PAS10U061.** Stormwater. **Raymond Yee**, 190 Brodhead Road, Bethlehem, PA 18017 has applied to discharge stormwater from a construction activity in Bethlehem Township, **Northampton County**, to Monocacy Creek.

*Westmoreland County Conservation District, District Manager, Donohoe Ctr., R. R. 12 Box 202B, Greensburg, PA 15601, telephone (412) 837-5271.*

**NPDES Permit PAS10X066.** Stormwater. **Gustine Hempfield Associates, LTD**, 2100 Wharton Street, Ste. 700, Pittsburgh, PA 15203 has applied to discharge stormwater from a construction activity located in Hempfield Township, **Westmoreland County**, to Little Sewickley Creek.

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

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 of Environmental Protection 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 protests. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the 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 1 (800) 654-5984.

---

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

---

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

**4696416.** Sewerage. **West Norriton Township Municipal Authority**, 1634 West Marshall Street, Jeffersonville, PA 19403. Construction of a pumping station and force main to serve Port Indian Road located in West Norriton Township, **Montgomery County**.

**1596203.** Industrial waste. **To-Jo Mushrooms, Inc.**, 974 Penn Green Road, Avondale, PA 19311. Construction of a industrial wastewater treatment plant to serve To-Jo Mushrooms located in New Garden Township, **Chester County**.

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

**A. 0296410.** Sewerage. **Dale and Diana Harris**, R. D. 1, Box 211, Rockwood, PA 15557. Application for the construction and operation of a single residence sewage treatment plant located in the Borough of Plum, **Allegheny County** to serve the Harris residence.

**A. 5696407.** Sewerage. **Matthew J. Maurer**, R. D. 1, Box 90, Hollsopple, PA 15935. Application for the construction and operation of a sewage treatment plant located in the Township of Jenner, **Somerset County** to serve a commercial building.

---

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

---

*Northwest Regional Office: Sanitarian Regional Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.*

**A. 1696503.** Public water supply. **Paint Township**, P. O. Box 128, Shippenville, PA 16254-0128. This proposal involves the construction of a 12 inch water line extension from Oakwood Lane along Rt. 66 to Astro Manufacturing with service being provided to residents along the route. The water line will be PVC C900. The extension will be approximately 7,500 feet long in Paint Township, **Clarion County**. Treated water will be purchased from Corner Water Supply and Service Corporation.

---

**Acknowledgment of Notices of Intent to Remediate**

---

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known contaminants at the

site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

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

**Pennsylvania Power & Light Company (PP&L)**—distribution pole # 42446S49389, Elk Avenue, City of Pottsville, **Schuylkill County**. Lisa Palfrey, Environmental Consultant for PP&L, 2 North Ninth Street, Allentown, PA has submitted a Notice of Intent to Remediate site soils found to be contaminated with polychlorinated biphenyls (PCBs). The applicant proposes to remediate the site to meet the Statewide health standard.

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

*Regional Office: Regional Solid Waste Manager, One Ararat Boulevard, Harrisburg, PA 17110.*

**A. 603447. U. S. Army Corp. of Engineers Raystown**, U. S. Army Corp. of Engineers, (R. R. 1, Box 222, Hesston, PA 16647). Application for operation of agricultural utilization of sewage sludge in Hopewell Township, **Huntingdon County**. Application determined to be administratively complete in the Regional Office August 16, 1996.

**A. 100113. Modern Landfill, Modern Trash Removal of York, Inc.**, (R. D. 9, Mt. Pisgah Road, York, PA 17402). Application for modification of an existing Form R permit in Lower Windsor and Windsor Townships, **York County**. Application determined to be administratively complete in the Regional Office August 20, 1996.

**Applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contaminant sources.**

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**8-318-023C.** Modification of a polyester resin simulated marble vanity top production operation (increase in the amount of allowable volatile organic compound and sty-

rene emissions) by **Rynone Manufacturing Corporation** (P. O. Box 128, Sayre, PA 18840) in Sayre Borough, **Bradford County**.

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

In addition to permit applications, the Bureau of Dams, Waterways and Wetlands (BDWW) and the Regional Office Soils and Waterways Sections have assumed primary responsibility for process requests for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), for projects requiring both a Dam Safety and Encroachments Permits, and a United States Army Corps of Engineers (ACOE) permit. Section 401(a) of the Federal Water Pollution Control Act requires the State to certify that the involved projects will not violate the applicable provision of 33 U.S.C.A. §§ 1301—1303, 1306 and 1307, as well as relevant State requirements. Initial requests for 401 Certification will be published concurrently with the BDWW permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Bureau or Field Office indicated as the responsible office.

**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 requests for certification under section 401 of the Federal Water Pollution Control Act.**

*Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.*

**E07-264.** Encroachment. **Janet M. Krone**, Asst. Treasurer, The PA State University, 113 Physical Plant, University Park, PA 16802. To construct and maintain a pedestrian bridge across Spring Gap Run to provide access from the Juniata Gap parking lot to the campus located off Juniata Gap Road (SR4001) about 0.6 mile northwest of its intersection with Wopsonnock Avenue in the City of Altoona (Altoona, PA Quadrangle N: 7.5 inches; W: 5.3 inches) in Logan Township, **Blair County**.

**E22-354.** Encroachment. **Gary Miller**, Chairperson, Wayne Township Supervisors, P. O. Box E, Halifax, PA 17032. To remove an existing structure and to construct and maintain twin reinforced concrete box culverts having spans of 18-foot and rises of 8-foot in Powell Creek for public highway maintenance purposes located on Union Church Road about 0.4 mile south of its intersection with SR 4013 (Enders, PA Quadrangle N: 16.25 inches, W: 8.70 inches) in Wayne Township, **Dauphin County**.

*Northcentral Regional Office: Soils and Waterways Section, 208 W. Third St., Suite 101, Williamsport, PA 17701, telephone (717) 327-3574.*

**E08-301.** Water obstruction and encroachment. **Smithfield Township**, R. R. 1, Box 49, Milan, PA 18831. To repair the existing structure by replacing and maintaining one abutment and placing riprap along Tomjack Creek on T-710 Pinehill Road approximately 1/4 mile east of SR 4011 (East Troy, PA Quadrangle N: 12.1 inches; W:



0.5 inch) in Smithfield Township, **Bradford County**. Estimated stream disturbance is less than 250.0 linear feet; stream classification TSF.

**E14-293.** Water obstruction and encroachment. **Historical and Museum Comm.**, Pa. Military Museum, P. O. Box 160A, Boalsburg, PA 16827. To construct and maintain a 40 foot long wooden pedestrian bridge with a span of 35 feet and underclearance of 6 feet across Spring Creek. This project is located just downstream of the Boalsburg Pike bridge about 700 feet north of Business Route 322 (State College, PA Quadrangle N: 5.5 inches; W: 6.0 inches) in Harris Township, **Centre County**. Estimated stream disturbance about 5 feet with no wetland impacts; stream classification is HQ-CWF.

**E57-072.** Water obstruction and encroachment. **DCNR**, P. O. Box 8451, Harrisburg, PA 17105. To maintain a precast reinforced concrete box culvert with a clear normal span of 16 feet and average underclearance of 3.3 feet on the west branch of Mill Creek Road approximately 3/4 mile upstream (Barbours, PA Quadrangle N: 19.5 inches; W: 2.75 inches) in Fox Township, **Sullivan County**. Estimated stream disturbance is less than 250.0 linear feet; stream classification is CWF/High Quality.

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

**E15-520.** Encroachment. **County of Chester**, Courthouse, 2nd and High Streets, West Chester, PA 19380. To repair and maintain an existing deteriorated township bridge carrying Pickering Road over Pickering Creek (HQ-TSF). The bridge consists of steel truss superstructure and laminated timber deck which is supported by stone masonry abutments and wingwalls. The bridge is a 69-foot long single span structure with a 14-foot wide cartway and a 5-foot minimum underclearance. The proposed work will include the replacement of an existing deck and floor frame structure and repair and modification of existing abutments. Also included is the placement of rip-rap stone erosion protection at the abutments and wingwalls. This bridge is located approximately 1 1/2 mile southeast of the intersection of S. R. 113 and Pickering Road (Malvern, PA Quadrangle N: 18.3 inches; W: 10.0 inches) in Charlestown Township, **Chester County**.

**E15-521.** Encroachment. **Watson's Mill Development Corp., Inc.**, 2100 Grant Avenue, P. O. Box 2766, Wilmington, DE 19806. To construct and maintain a covered bridge 125-feet long and 15-feet wide supported by three 17-foot 8-inch long support piers for the purpose of providing access to the Watsons Mill Subdivision in and along Broad Run located approximately 175 feet southwest from the intersection of Watsons Mill Road (T-300) and Niven Bridge Lane (West Grove, PA-NJ

Quadrangle N: 3.2 inches, W: 1.4 inches) in London Britain Township, **Chester County**.

**E23-348.** Encroachment. **Kimberly-Clark Tissue Company**, Front and Avenue of the States, Chester, PA 19013. To construct and maintain a steel pile structure within the Kimberly-Clark Corporation Property at the upriver confluence of the Delaware River (WWF-MF) and Chester Creek (WWF-MF). This steel pile structure is a rehabilitative measure for an existing deteriorated bulkhead of a low deck pier. The site is situated 1,100 feet south of the intersection of Second Street and the Avenue of the States (Bridgeport, NJ-PA USGS Quadrangle N: 16.80 inches; W: 15.25 inches) in Chester City, **Delaware County**.

**E51-156.** Encroachment. **American Stores Properties, Inc.**, P. O. Box 30658, Salt Lake City, Utah 84130-0658. To place and maintain fill in 420 feet of Paul's Run, a tributary to Pennypack Creek (TSF-MF), to construct and maintain 600 feet of channel to convey the relocated flows of Paul's Run and to construct and maintain 30 linear feet of 48-inch RCP culvert which will provide a confluence of an unnamed tributary of Paul's Run with Paul's Run. The project will impact 0.08 acre of wetland (PEM/SS) to facilitate the proposed construction of an Acme Supermarket. The project is located on the corner of Northeast Boulevard and Red Lion Road (PA Route 63) (Frankford, PA-NJ Quadrangle N: 18.0 inches; W: 3.75 inches) in the City of Philadelphia, **Philadelphia County**.

## ACTIONS

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

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

### The following approvals from coverage under NPDES Individual Permit for Discharge of Stormwater from Construction Activities have been issued.

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

NPDES Permit No.	Applicant Name and Address	County and Municipality	Receiving Stream
PAS101908	Dept. of Trans. 1924-30 Daisy St. Clearfield, PA 16830	Bald Eagle, Grugan and Chapman Twps. Clinton County	West Br. Susquehanna River, Hyner Run, East Br. Hyner Run, Painter Run and Cleveland Hollow Run

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS104704	James M. Barbarich 9 Millwood Dr. Danville, PA 17821	Mahoning Township Montour County	Unt. Sechler Run

---

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

---

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-D063	Shull Development, Inc. P. O. Box 26767 Elkins Park, PA 19117	Tinicum Township Bucks County	Pennsylvania Canal
PAS10-J033	F.P.A. Corporation One Greenwood Square 333 Street Road, Suite 101 Bensalem, PA 19020	Concord Township Delaware County	South Fork of West Branch of Chester Creek
PAS10-G187	Toll Brothers, Inc. 3103 Philmont Avenue Huntingdon Valley, PA 19006	East Bradford Township Chester County	West Brandywine Creek Watershed

---

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

---

*Permits Issued*

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

**Permit No. 0996412.** Sewerage. **Rowland J. Pearl** (146 Scholls School Road, Quakertown, PA 18951). Construction of a single residence sewage treatment plant located in Plumstead Township, **Bucks County** to serve the Pearl residence.

**Permit No. 1596404.** Sewerage. **East Bradford Township** (666 Copeland School Road, West Chester, PA 19380). Construction of sanitary sewer line, force main, pump station, impoundment, sewage treatment units, and spray irrigation system located in East Bradford Township, **Chester County** to serve Brandywine River Estates.

---

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

---

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

**Permit No. 0996509.** Public water supply. **Township of Falls—James Dillon**, 188 Lincoln Highway, Suite 100, Fairless Hills, PA 19030. Permit has been issued to construct a chlorine booster station to increase the chlorine residual in a portion of the distribution system in Falls Township, **Bucks County**.

*Type of Facility:* Community water system.

*Consulting Engineer:* Pennoni Associates, Inc., 875 N. Easton Road, Doylestown, PA 18901.

*Permit to Construct Issued:* August 7, 1996.

*Northwest Regional Office: Sanitarian Regional Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.*

**Permit No. 1096502.** Public water supply. **Elmer Sutton Mobile Home Park**, 129 Elgie Drive, Butler, PA 16001. Permit issued for the treatment of existing well no. 3 and construction and treatment of new well no. 4. Treatment shall include sequestration of iron and chlorine for disinfection. Wells to serve the Elmer Sutton Mobile Home Park facilities located in Clay Township, **Butler County**.

*Type of Facility:* Public water supply.

*Consulting Engineer:* Ronald R. Bolam, P.E., The Warnick Company, Inc., 226 Sunset Drive, Butler, PA 16001-1334.

*Permit to Construct Issued:* August 20, 1996.

---

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste management facility.**

---

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

**Permit ID No. PAD980707087. Envirotrol, Inc.**, 432 Green Street, P. O. Box 61, Sewickley, PA 15143. Operation of a hazardous waste management facility in Beaver Falls, **Beaver County**. Permit modified by the Regional Office on July 24, 1996 to remove a requirement in the permit to submit Module 1 applications to the Department's Beaver Falls office on the basis that there has been no significant third party interest in reviewing Module 1 applications from Envirotrol's Beaver Falls facility at the Department's Beaver Falls office.

---

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate hazardous waste treatment, storage or disposal facility.**

---

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

**PAD 987367216. Advanced Environmental Recycling Corporation**, 2591 Mitchell Avenue, Allentown, PA 18103. A permit authorizing the operation of this hazardous waste recycling facility, located in the City of Allentown, **Lehigh County**. The permit regulates the following treatment processes: lighting device recycling (mercury and other lamps); hydrometallurgical process to separate mercury and other precious metals from metal bearing waste in solution or from solids; thermal retorts for mercury recovery; pyrometallurgical processes involving high temperature metal furnaces to remove small quantities of precious metals recovered from waste processed in the hydrometallurgical systems; paint recycling will segregate and reconstitute latex and solvent based paint; solvent recovery will distill and recover solvents from customer lab-packs; and acid and caustics recycling process involves separation, filtration and concentration steps to remove metallic impurities from acid and caustics and prepare them for resale. The permit was issued in the Regional Office on August 19, 1996.

---

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

---

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**49-318-020.** The Department intends to issue an operating permit to **Truck Accessories Group, Inc.** (10 North Industrial Park, Milton, PA 17847) for the operation of a fiberglass truck cap spray up operation previously owned and operated by Leer Inc. in Milton Borough, **Northumberland County**.

---

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

---

*Southeast Regional Office: Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **46-329-012**  
 Source: Emergency Generator  
 Issued: July 31, 1996  
 Company: **SmithKline Beecham Pharmaceuticals**  
 Location: Upper Merion  
 County: **Montgomery**

Permit: **46-309-048**  
 Source: Tile Production Line  
 Issued: July 31, 1996  
 Company: **American Olean Tile**  
 Location: Lansdale  
 County: **Montgomery**

Permit: **23-307-002**  
 Source: 20 inch Experimental Paper Machine-Dryer Hood Burners  
 Issued: July 31, 1996  
 Company: **Kimberly-Clark Tissue**  
 Location: City of Chester  
 County: **Delaware**

Permit: **46-313-138**  
 Source: 2 Shell Freezers  
 Issued: July 31, 1996  
 Company: **Merck & Company, Inc.**  
 Location: Upper Gwynedd  
 County: **Montgomery**

Permit: **15-399-040**  
 Source: Mineral Spirits Storage Tank  
 Issued: August 19, 1996  
 Company: **Safety-Kleen Corp.**  
 Location: West Goshen  
 County: **Chester**

Permit: **46-310-019A**  
 Source: Stone Crushing System  
 Issued: July 31, 1996  
 Company: **Highway Materials, Inc.**  
 Location: Marlborough  
 County: **Montgomery**

---

**Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

---

*Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **OP-09-0011**  
 Source: VOC Sources  
 Issued: August 14, 1996  
 Company: **Perkasie Industries Corp.**  
 Location: Perkasie  
 County: **Bucks**

Permit: **OP-15-0016**  
 Source: Facility VOC & NOx Sources  
 Issued: July 23, 1996  
 Company: **Worthington Steel**  
 Location: East Whiteland  
 County: **Chester**

---

**Operating Permits transferred under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

---

*Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has transferred the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **OP-23-0014**  
 Source: Facility VOC and NOx Sources  
 Company: **Kimberly-Clark Tissue**  
 Location: City of Chester  
 County: **Delaware**

---

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

---

*Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

General Plan Approval and Operating Permit No. BAQ-GPA/GP-1 for small combustion units was issued to the following:

Permit: **15-302-085GP**  
 Source: Three Small Combustion Unit  
 Issued: August 1, 1996  
 Company: **Kenneth Consolidated School District**  
 Location: Kenneth Square  
 County: **Chester**

---

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

---

*Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality plan approvals for the specified companies described below:

Permit: **15-317-020**  
 Source: Bakery Waste Processing Facility  
 Issued: July 19, 1996  
 Company: **Bakery Feeds, Inc.**  
 Location: HoneyBrook  
 County: **Chester**

Permit: **09-320-041**  
 Source: Flexographic Press  
 Issued: July 31, 1996  
 Company: **Gilbreth Internation Corp.**  
 Location: Bensalem  
 County: **Bucks**

Permit: **09-328-009**  
 Source: Electrical Generation Plant  
 Issued: July 31, 1996  
 Company: **Blue Mountain Power, LP**  
 Location: Richland  
 County: **Bucks**

Permit: **23-313-046**  
 Source: Specialty Chemical Process  
 Issued: July 31, 1996  
 Company: **Norquay Technology, Inc.**  
 Location: Chester  
 County: **Delaware**

Permit: **23-310-013**  
 Source: Stone Crushing Plant  
 Issued: August 5, 1996  
 Company: **Milestone Materials, Inc.**  
 Location: Thornbury  
 County: **Delaware**

Permit: **23-315-007**  
 Source: Paper Machine No. 18  
 Issued: August 8, 1996  
 Company: **Kimberly-Clark Tissue**  
 Location: City of Chester  
 County: **Delaware**

Permit: **23-308-005**  
 Source: Roller Mill Grinding System  
 Issued: August 12, 1996  
 Company: **Fluid Engery Processing & Equipment**  
 Location: City of Chester  
 County: **Delaware**

Permit: **09-313-092**  
 Source: 2 Hard Chrome Electro-Plating Baths  
 Issued: August 19, 1996  
 Company: **Armoloy Company of Philadelphia**  
 Location: Bristol  
 County: **Bucks**

Permit: **09-313-074A**  
 Source: Specialty Gas Plant  
 Issued: August 19, 1996  
 Company: **Solkatronic Chemicals, Inc.**  
 Location: Falls  
 County: **Bucks**

The Department has extended the following air quality plan approvals for the specified companies described below:

Permit: **46-318-043**  
 Source: 2 Paint Spray Booths  
 Issued: May 20, 1996  
 Extended: August 15, 1996  
 Company: **Department of the Air Force/ Willow Grove ARS**  
 Location: Horsham  
 County: **Montgomery**

Permit: **15-313-052**  
 Source: Pharmaceutical Sciences Pilot Plant  
 Issued: June 30, 1996  
 Extended: October 30, 1996  
 Company: **Sanofi Winthrop, Inc.**  
 Location: East Whiteland  
 County: **Chester**

Permit: **15-310-039**  
 Source: Stone Crushing Plant  
 Issued: July 31, 1996  
 Extended: November 30, 1996  
 Company: **Devault Crushed Stone**  
 Location: Charlestown  
 County: **Chester**

Permit: **46-308-017**  
 Source: Scrap Aluminum Metal Smelter  
 Issued: July 31, 1996  
 Extended: November 30, 1996  
 Company: **Recycle Metals Corp.**  
 Location: Conshohocken  
 County: **Montgomery**

---

**Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for a plan approval permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

---

*Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality plan approval and compliance permit for the construction of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **PA/CP-09-00005**  
 Source: Adhesive Formulation Process  
 Issued: August 8, 1996  
 Company: **Minnesota Mining Manufacturing**  
 Location: Bristol  
 County: **Bucks**

*Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA 17105-8476.*

**Bond Forfeiture Contract Awarded: No. BF 354-101.1.** Beccaria Township, **Clearfield County**, PA. Abandoned Mine Land Reclamation Project, Glendale Contracting Company, Beccaria Township, Clearfield County, PA. Contractor: Trans-Continental Construction Company, Inc.; Amount: \$102,999.76; Date of Award: July 26, 1996.

**Bond Forfeiture Contract Awarded: No. BF 370-101.1.** Unity Township, **Westmoreland County**, PA. Abandoned Mine Land Reclamation Project, Kelt, Inc. Unity Township, Westmoreland County, PA. Contractor: Eugene W. Hutchison t/a Hutchison Excavating; Amount: \$125,700.50; Date of Award: July 24, 1996.

The Department of Environmental Protection (Department) has taken the following actions on previously received 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)).

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, telephone (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, telephone (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 an audiotape from the Secretary to the Board, telephone (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 act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a))** (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

*Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.*

**E06-480.** Encroachment. **Eldon W. Flory**, R. R. 1, Box 461, Bernville, PA 19506. To relocate an existing outfall structure and restore the bank at the original outfall along the Schuylkill River at a point approximately 10,000 feet downstream of the mouth of Maiden Creek (Temple, PA Quadrangle N: 6.3 inches; W: 11.1 inches) in Muhlenberg Township, **Berks County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E21-249.** Encroachment. **Shippensburg Lions Club**, 12 West King Street, Shippensburg, PA 17257. To construct and maintain a 4-foot wide x 30-foot long pedestrian bridge with an underclearance of 4.5 feet across Middle Spring Creek located about 300 feet downstream of West King Street (US 11) bridge (Shippensburg, PA Quadrangle N: 9.12 inches; W: 3.35 inches) in Shippensburg Borough, **Cumberland County**.

**E36-613.** Encroachment. **Clyde W. Horst**, President, The Horst Group, Inc., P. O. Box 3330, Lancaster, PA 17604-3330. To construct and maintain a wooded pedestrian bridge having a 16-foot clean span with a 3-foot underclearance across a tributary to the Little Conestoga Creek at the Granite Run Corporate Center located on the west side of the Fruitville Pike (L. R. 512) (Lancaster, PA Quadrangle N: 14.1 inches; W: 10.9 inches) in Manheim Township, **Lancaster County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E17-304.** Water obstruction and encroachment. **DCNR**, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552. Remove existing structure and to construct and maintain a single span timber bridge with a clear span of 40.0 feet and average underclearance of 5.32 feet over Laurel Run and Tyler Road approximately 1/4 mile from the intersection with Mud Run Road (Penfield, PA Quadrangle N: 15.8 inches; W: 0.3 inch) in Huston Township, **Clearfield County**.

**E18-211.** Water obstruction and encroachment. **David W. Evers, Jr.**, 601 W. Walnut St., Lock Haven, PA 17745. Remove the existing structure and to construct and maintain a 72 inch by 96 inch concrete pipe in Plunkets Run located approximately 300 feet upstream from the intersection of Plunkets Run Road and Frankenfield Road (Beech Creek, PA Quadrangle N: 22.0 inches; W: 3.60 inches) in Bald Eagle Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-217.** Water obstruction and encroachment. **Dennis Heydrick**, R. R. 2, Box 644, Lock Haven, PA 17745-9701. To repair and maintain an existing private road bridge with a clear span of 8 feet and average underclearance of 3.75 feet over Reeds Run just off of SR 664 approximately 3 miles north of Lock Haven by replacing one abutment and two beams damaged in the flood of February 1996 (Lock Haven, PA Quadrangle N: 7.5 inches; W: 7.25 inches) in Woodward Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-368.** Water obstruction and encroachment. **DCNR**, P. O. Box 8451, Harrisburg, PA 17105-8451. Remove an existing structure and to construct and maintain a single span bridge constructed with a span of 26.9 feet, an underclearance of 5.5 feet and curb to curb width of 18.0 feet across Little Bear Creek. The project is located along the eastern right-of-way of SR 0087 approximately 4,000.0 feet east of the intersection of Little Bear Road and SR 0087 (Huntersville, PA Quadrangle N: 18.8 inches; W: 11.4 inches) in Plunketts Creek Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E60-127.** Water obstruction and encroachment. **DCNR**, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105. Remove the existing structure and to construct and maintain a single span timber bridge with a normal span of 29.6 feet and average underclearance of 4.9 feet over Weikert Run on Weikert Run Road approximately 1 mile west of the intersection of SR 3002 and T-302 (Weikert, PA Quadrangle N: 16.4 inches; W: 7.2 inches) in Hartley Township, **Union County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E40-442.** Encroachment. **Robert D. and Sandra S. Richardson**, 10 Marabee Avenue, Dallas, PA 18612. To modify and maintain an existing dock and boathouse in Harveys Lake, with work including modifications to the boathouse within the existing structure footprint, removal of the existing dock, and construction of a new pile-supported dock, boatslip and dock extending from the boathouse. The structure as proposed extends approximately 49.5 feet from the shoreline and has an overall width (parallel to the shoreline) of approximately 73.5 feet. The dock/boathouse is located at Pole 304, Lakeside Drive (Harveys Lake, PA Quadrangle N: 18.6 inches; W: 5.0 inches), in Harveys Lake Borough, **Luzerne County**.

**E45-296.** Encroachment. **Pohoqualine Fish Association**, R. R. 2, Box 2562, Saylorsburg, PA 18353. To modify and maintain an existing single-span bridge across McMichael Creek by replacing the existing timber deck and beams with 18-inch steel beams and steel decking to provide access to a private residence. The proposed superstructure will be attached to the existing abutments and have a span of approximately 21 feet and an underclearance of 6.4 feet. The project is located 600 feet west of S. R. 0715, approximately 0.2 mile north of the intersection of S. R. 0715 and T449 (Brodheads ville, PA Quadrangle N: 11.9 inches; W: 2.6 inches) in Chestnuthill Township, **Monroe County**.

**E52-138.** Encroachment. **Gibson E. McKean**, P. O. Box 61, Barryville, PA 12719. To place fill in 0.68 acre of wetlands for the purpose of constructing and maintaining a private road crossing of a tributary to Rattlesnake Creek and adjacent wetlands, to access upland area of a 182-acre property (Lot no. 4). The road crossing will extend an existing roadway which originates from the north side of T-424 (Spring Brook Road), approximately 0.7 mile southwest of the intersection of S. R. 0006 and T-424, continuing the roadway northwesterly for a distance of approximately 1,150 feet across wetlands (Shohola, PA Quadrangle N: 0.0 inches; W: 11.1 inches) in Dingman Township, **Pike County**. The permittee is required to provide 0.75 acre of replacement wetlands.

**E54-219.** Encroachment. **Butler Township Municipal Authority**, 211 Broad Street, Fountain Springs, Ashland, PA 17921. To (1) place fill along the right (west) bank, within the 100-year flood plain at Mahanoy Creek, for the purpose of constructing and maintaining a wastewater treatment facility and access roadway, extending from S. R. 4026 southward approximately 1,100 feet (Ashland, PA Quadrangle N: 2.0 inches; W: 12.0 inches); (2) to construct and maintain a wastewater pump station (the Mahanoy Creek Pump Station) along the left (east) bank of Mahanoy Creek, at the northwest corner of the intersection of S. R. 4007 and T-417 (Germanville Road) (Ashland, PA Quadrangle N: 3.9 inches; W: 12.2 inches), and (3) to construct and maintain a sanitary sewer stream crossing of Mahanoy Creek at the Mahanoy Creek Pump Station in Butler Township, **Schuylkill County**.

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

**E46-746.** Encroachment. **Heritage Construction Company, Inc.**, 730 North Lewis Road, Limerick, PA 19468. To complete construction and maintain a stormwater management facility associated with the Waterford Green Residential Subdivision. The dam is impacted approximately 250 feet and the reservoir has impacted approximately 450 feet of an unnamed intermittent tributary to Landis Creek (TSF) located approximately 2,300 feet northeast of the intersection of Limerick Road (T-318) and East Cherry Lane (T-316) (Phoenixville, PA Quadrangle N: 18.25 inches; W: 4.0 inches) in Limerick Township, **Montgomery County**. This permit constitutes approval of an environmental assessment for a non-scope stormwater management dam. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

---

#### **Final Actions Under Section 401 of the Federal Water Pollution Control Act**

---

The Department of Environmental Protection has taken the following actions on previously received 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)).

These actions of the Department may be appealed to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under The Environmental Hearing Board Act (35 P. S. § 7514); 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Environmental Hearing Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

*Certification Request Initiated By: Montgomery County Department of Parks, Montgomery County Courthouse, Norristown, PA 19404.*

*Project Description: Project involves the hydraulic dredging of approximately 70,860 cubic yards of uncon-*

solidated sediment from Deep Creek Lake, located in Upper Frederick Township, Montgomery County. The slurry is to be pumped to one of two dewatering basins located on park property adjacent to the lake and the return water will be discharged directly to the lake. Upon completion of the dredging and dewatering operations, the disposal areas will be restored.

*Final Action on Request:* Certification granted.

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

**E15-513.** Encroachment. **Craig J. and Barbara Z. Arbaugh**, 46 Stable Drive, Elverson, PA 19520. To reconstruct and maintain a steel or reinforced concrete bridge having a span of 54 feet and a 6 to 8 foot underclearance, with two reinforced concrete abutments and one reinforced concrete pier across an unnamed tributary to the east branch of Brandywine Creek (Perkins Run) (HQ.TSFMF) to provide access to a proposed single family dwelling. The site is situated approximately 1,050 feet southeast of the intersection of Woods Drive and Bollinger Drive (Wagontown USGS Quadrangle N: 21.5 inches; W: 11.0 inches) in West Nantmeal Township, **Chester County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E23-342.** Encroachment. **Township of Ridley**, MacDade Boulevard and Morton Avenue, Folsom, PA 19033-0000. To construct and maintain a stream improvement project along Little Crum Creek which consists of widening approximately 700 linear feet of stream channel for the purpose of increasing hydraulic capacity. This project is located approximately 1,000 feet southeast from the intersection of Park Avenue and Michigan Avenue (Lansdowne, PA Quadrangle N: 3.2 inches; W: 12.4 inches) in Ridley Township, **Delaware County**.

**E46-736.** Encroachment. **Peter C. Collins, Inc.**, 1232 Horsham Road, Ambler, PA 19002. To install and maintain 60 linear feet of 8 foot-7 inch by 5 foot-11 inch arch CMP stream enclosure which will connect a downstream existing 1,120-foot long stream enclosure to an upstream existing 860-foot long stream enclosure to facilitate the construction of a parking lot over Tannery Run Creek, an intermittent tributary to the Wissahickon Creek (TSF), located approximately 220 feet upstream from the segment of the enclosure which extends under Lindenwold Avenue (Ambler, PA Quadrangle N: 5.6 inches; W: 13.2 inches) in Ambler Borough, **Montgomery County**.

**E46-742.** Encroachment. **Upper Dublin Township**, 801 Lock-Alsh Avenue, Fort Washington, PA 19034. To install and maintain a 6.5-foot x 24-foot reinforced concrete box culvert, 30 feet long, in and along Rapp Run. This culvert occurs beneath Highland Avenue. This structure will also include four gabion wingwalls 3 feet wide, 3 feet high, and 9 feet long, which will be constructed at both ends of the proposed culvert. A 9-foot wide, 1-foot thick gabion mattress liner will be installed along the culvert invert for its entire length for the purpose of providing a low flow channel within this culvert. A concrete energy dissipator will be installed at the downstream end of the culvert. This site is located approximately 830 feet northwest from the intersection of Camp Hill Road and Highland Avenue (Ambler, PA Quadrangle N: 2.4 inches; W: 8.7 inches) in Upper Dublin Township, **Montgomery County**.

---

**Actions taken on applications filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.**

---

*Southwest Regional Office: Regional Manager, Water Supply and Community Health, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.*

Permits issued on August 20, 1996:

**WA 26-1000.** Water allocation. **Jefferson Township Authority**, Fayette City, Fayette County, PA. The right to purchase up to 51,000 gallons per day (gpd) of water (193,035 liters per day of water), as a 30-day average, from the North Fayette County Municipal Authority, Dunbar, **Fayette County**, PA.

**WA 26-1000A.** Water allocation. **Jefferson Township Authority**, Fayette City, Fayette County, PA. The right to purchase up to 50,000 gallons per day (gpd) of water (189,250 liters per day of water), as a 30-day average, from the Newel Municipal Authority, Newell, **Fayette County**, PA.

**WA 26-1000B.** Water allocation. **Jefferson Township Authority**, Fayette City, Fayette County, PA. The right to purchase up to 4,000 gallons per day (gpd) of water (15,140 liters per day of water), as a 30-day average, from the Pennsylvania-American Water Company, **Fayette County**, PA.

**WA2-536C.** Water allocation. **Fox Chapel Authority**, O'Hara Township, **Allegheny County**, PA. The right to purchase up to 5.0 million gallons per day (5.0 mgd) of water (18.925 million liters per day of water), as a 30-day average, from the Pittsburgh Water and Sewer Authority, Pittsburgh, PA.

[Pa.B. Doc. No. 96-1479. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Oil and Gas Technical Advisory Board; Change of Meeting Date**

The Oil and Gas Technical Advisory Board will meet on September 19, 1996, at 10 a.m. in the 5th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg. This meeting was previously announced as being held September 17.

Questions concerning the agenda can be directed to James Erb at (717) 772-2199 or e-mail at Erb.James@a1.dep.state.pa.us. The agenda is also available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact James Erb or Joyce Williams directly at (717) 772-2199 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-1480. Filed for public inspection September 6, 1996, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Organ Donation Advisory Committee

The Organ Donation Advisory Committee is scheduled to hold a meeting on September 19, 1996, from 9 a.m. to 1 p.m. in room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. Anyone who wishes to attend the meeting or who has questions regarding the meeting should contact Kathleen Galop at (717) 787-6436.

Persons who require reasonable accommodations or who have special needs in accordance with the Americans Disabilities Act of 1990 should contact Kathleen Galop at (717) 787-6436 at least 10 days prior to the meeting.

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN, FACHE,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1481. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Organ Donation Advisory Committee Education Curriculum Sub-Committee Meeting

The Organ Donation Advisory Committee Education Curriculum Sub-Committee Meeting is scheduled to hold a meeting on September 19, 1996, from 1 p.m. to 3 p.m. in room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. Anyone who wishes to attend the meeting or who has questions regarding the meeting should contact Kathleen Galop at (717) 787-6436.

Persons who require reasonable accommodations or who have special needs in accordance with the Americans Disabilities Act of 1990 should contact Kathleen Galop at (717) 787-6436 at least 10 days prior to the meeting.

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN, FACHE,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1482. Filed for public inspection September 6, 1996, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Autumn Gold '96 Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Autumn Gold '96.
2. *Price:* The price of a Pennsylvania Autumn Gold '96 instant lottery game ticket is \$2.00.
3. *Play Symbols:* Each Pennsylvania Autumn Gold '96 instant lottery game ticket will contain one "Play Area" featuring one Leaf character and eight Apple characters.

The play symbols and their captions located beneath the Leaf character ("Leaf Number") and eight Apple characters ("Apple Numbers") in the "Play Area" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN) and 20 (TWENTY).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Play Area" are: \$2<sup>00</sup> (TWO), \$3<sup>00</sup> (THREE), \$5<sup>00</sup> (FIVE), \$10\$ (TEN), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100\$ (ONE HUN), \$1000 (ONE THO) and \$10000 (TENTHO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$3, \$5, \$10, \$20, \$50, \$100, \$1,000 and \$10,000. The player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,887,000 tickets will be printed for the Pennsylvania Autumn Gold '96 instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$10000 (TENTHO) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$1000 (ONE THO) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$100\$ (ONE HUN) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$50\$ (FIFTY) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$10\$ (TEN) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$5<sup>00</sup> (FIVE) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play symbols and a prize play symbol of \$3<sup>00</sup> (THREE) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets where the "Leaf Number" play symbol matches any one of the "Apple Numbers" play



symbols and a prize play symbol of \$2<sup>00</sup> (TWO) appears under the matching "Apple Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Win	Approximate Odds	Approximate No. of Winners Per 4,887,000 Tickets
\$2	1:6.10	801,148
\$3	1:15	325,800
\$5	1:200	24,435
\$5 (\$2 + \$3)	1:120	40,725
\$7 (\$2 + \$5)	1:200	24,435
\$8 (\$2 + \$2 + \$2 + \$2)	1:399.98	12,218
\$10 (\$2 × 5)	1:600	8,145
\$10	1:1,200	4,073
\$12 (\$3 + \$3 + \$3 + \$3)	1:1,000	4,887
\$12 (\$5 + \$5 + \$2)	1:1,000	4,887
\$14 (\$2 × 7)	1:150	32,580
\$15 (\$3 × 5)	1:1,629	3,000
\$15 (\$2 × 6 + \$3)	1:810.04	6,033
\$16 (\$2 × 8)	1:1,500	3,258
\$17 (\$2 + \$5 + \$10)	1:900	5,430
\$18 (\$3 × 6)	1:1,500	3,258
\$18 (\$10 + \$2 × 4)	1:1,500	3,258
\$20	1:900	5,430
\$21 (\$3 × 7)	1:300	16,290
\$40 (\$5 × 8)	1:1,000	4,887
\$50 (\$10 × 5)	1:1,000	4,887
\$50	1:3,000	1,629
\$80 (\$10 × 8)	1:8,145	600
\$100 (\$20 × 5)	1:16,290	300
\$100	1:32,580	150
\$160 (\$20 × 8)	1:40,725	120
\$400 (\$50 × 8)	1:81,450	60
\$500 (\$100 × 5)	1:122,175	40
\$1,000	1:122,175	40
\$10,000	1:244,350	20

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Autumn Gold '96 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Autumn Gold '96, prize money on winning Pennsylvania Autumn Gold '96 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Autumn Gold '96 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Autumn Gold '96 or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 96-1483. Filed for public inspection September 6, 1996, 9:00 a.m.]

## Pennsylvania Halloween Cash '96 Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Halloween Cash '96.

2. *Price:* The price of a Pennsylvania Halloween Cash '96 instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Halloween Cash '96 instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: \$1<sup>00</sup> (ONE), \$3<sup>00</sup> (THREE), \$13\$ (THIRTEEN), \$31\$ (THIRTON), \$131\$ (ONTRYON), \$313\$ (TRETERT) and \$1313\$ (THRTTERT).

4. *Prizes:* The prizes that can be won in this game are \$1, \$3, \$13, \$31, \$131, \$313 and \$1,313.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 7,837,200 tickets will be printed for the Pennsylvania Halloween Cash '96 instant lottery game.

6. *Determination of Prize Winners.*

(a) Holders of tickets with three matching play symbols of \$1313 (THRTTERT) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1,313.

(b) Holders of tickets with three matching play symbols of \$313\$ (TRETERT) in "Play Area" on a single ticket, shall be entitled to a prize of \$313.

(c) Holders of tickets with three matching play symbols of \$131\$ (ONTRYON) in the "Play Area" on a single ticket, shall be entitled to a prize of \$131.

(d) Holders of tickets with three matching play symbols of \$31\$ (THIRTON) in the "Play Area" on a single ticket, shall be entitled to a prize of \$31.

(e) Holders of tickets with three matching play symbols of \$13\$ (THIRTEEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$13.

(f) Holders of tickets with three matching play symbols of \$3<sup>00</sup> (THREE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$3.

(g) Holders of tickets with three matching play symbols of \$1<sup>00</sup> (ONE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1.

(h) A prize will be paid only for the highest Pennsylvania Halloween Cash '96 instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Win	Approximate Odds	Approximate No. of Winners Per 7,837,200 Tickets
\$1	1:4.8	1,632,750
\$3	1:16.55	473,550
\$13	1:165.52	47,349
\$31	1:352.94	22,205
\$131	1:16,800	466
\$313	1:50,400	155
\$1,313	1:168,000	47

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Halloween Cash '96 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Halloween Cash '96, prize money on winning Pennsylvania Halloween Cash '96 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Halloween Cash '96 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Halloween Cash '96 or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 96-1484. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Pennsylvania Silver Dollars Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Silver Dollars.

2. *Price:* The price of a Pennsylvania Silver Dollars instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Silver Dollars instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: \$2<sup>00</sup> (TWO), \$5<sup>00</sup> (FIVE), \$10\$ (TEN), \$25\$

(TWEN-FIV), \$100 (ONE HUN), \$500 (FIV HUN), \$2500 (TWEFIVHUN), \$25000 (TWEFIVTHO) and a Silver Dollar Symbol (SILVER).

4. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$200, \$500, \$1,000, \$2,500, \$5,000 and \$25,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 5,049,900 tickets will be printed for the Pennsylvania Silver Dollars instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$25000 (TWEFIVTHO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets with two matching play symbols of \$2500 (TWEFIVHUN), and a Silver Dollar play symbol (SILVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets with three matching play symbols of \$2500 (TWEFIVHUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2,500.

(d) Holders of tickets with two matching play symbols of \$500 (FIV HUN), and a Silver Dollar play symbol (SILVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with three matching play symbols of \$500 (FIV HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets with two matching play symbols of \$100 (ONE HUN), and a Silver Dollar play symbol (SILVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with two matching play symbols of \$25\$ (TWEN-FIV), and a Silver Dollar play symbol (SILVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets with three matching play symbols of \$25\$ (TWEN-FIV) in the "Play Area" on a single ticket, shall be entitled to a prize of \$25.

(j) Holders of tickets with two matching play symbols of \$10\$ (TEN), and a Silver Dollar play symbol (SILVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets with three matching play symbols of \$10\$ (TEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with two matching play symbols of \$5<sup>00</sup> (FIVE), and a Silver Dollar play symbol (SILVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIVE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$5.

(n) Holders of tickets with two matching play symbols of \$2<sup>00</sup> (TWO), and a Silver Dollar play symbol (SILVER) in the "Play Area" on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(p) A prize will be paid only for the highest Pennsylvania Silver Dollars instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 5,049,900 Tickets</i>
3-\$2	\$2	1:6	841,650
2-\$2 + Silver Dollar	\$4	1:20	252,495
3-\$5	\$5	1:75	67,332
2-\$5 + Silver Dollar	\$10	1:100	50,499
3-\$10	\$10	1:150	33,666
2-\$10 + Silver Dollar	\$20	1:150	33,666
3-\$25	\$25	1:300	16,833
2-\$25 + Silver Dollar	\$50	1:4002	1,262
3-\$100	\$100	1:10,000	505
2-\$100 + Silver Dollar	\$200	1:14,985	337
3-\$500	\$500	1:25,000	202
2-\$500 + Silver Dollar	\$1,000	1:40,725	124
3-\$2,500	\$2,500	1:81,450	62
2-\$2,500 + Silver Dollar	\$5,000	1:252,495	20
3-\$25,000	\$25,000	1:504,990	10

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Silver Dollars instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Silver Dollars, prize money on winning Pennsylvania Silver Dollars instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Silver Dollars instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Silver Dollars or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 96-1485. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Pennsylvania Turkey Lurkey Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15) and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Turkey Lurkey.

2. *Price:* The price of a Pennsylvania Turkey Lurkey instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Turkey Lurkey instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: FREE (TICKET), \$2<sup>00</sup> (TWO), \$5<sup>00</sup> (FIVE), \$10\$ (TEN), \$25\$ (TWEN-FIV), \$100\$ (ONE HUN), \$1000 (ONE THO) and \$10000 (TEN THOU).

4. *Prizes:* The prizes that can be won in this game are one free ticket, \$2, \$5, \$10, \$25, \$100, \$1,000 and \$10,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 6,888,000 tickets will be printed for the Pennsylvania Turkey Lurkey instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$10000 (TEN THOU) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets with three matching play symbols of \$1000 (ONE THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with three matching play symbols of \$100\$ (ONE HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with three matching play symbols of \$25\$ (TWEN-FIV) in the "Play Area" on a single ticket, shall be entitled to a prize of \$25.

(e) Holders of tickets with three matching play symbols of \$10\$ (TEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.

(f) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIVE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.

(h) Holders of tickets with three matching play symbols of FREE (TICKET) in the "Play Area" on a single ticket, shall be entitled to a prize of one Pennsylvania instant lottery game ticket of equivalent sale price which is currently on sale, plus an entry into a Semifinal Grand Prize Drawing to qualify for a Grand Prize Drawing with prizes of \$5,000, \$50,000, \$75,000, \$100,000, or an annuity worth \$1 million (\$50,000 a year for 20 years).

(i) A prize will be paid only for the highest Pennsylvania Turkey Lurkey instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

#### 7. Grand Prize Drawing Procedure:

##### (a) Frequency.

(1) Grand Prize Drawings will be held on dates to be determined by the Secretary. The dates and locations will be announced by the Director.

(2) From the commencement of the Pennsylvania Turkey Lurkey until the deadline announced by the Director, there will be ten Grand Prize finalists selected for each Grand Prize Drawing. Grand Prize finalists will be selected in Semifinal Grand Prize Drawings on dates to be determined by the Secretary and announced by the Director.

(b) *Eligibility for Semifinal Grand Prize Drawings.* To be eligible for a Semifinal Grand Prize Drawing, a winner having a free winning ticket shall timely claim it at a participating Lottery sales retailer and properly complete the back of the ticket. The ticket claimed shall meet the ticket criteria under 61 Pa. Code § 819.213 (relating to ticket validation and requirements) to be eligible for a Semifinal Grand Prize Drawing.

(1) The Lottery will make a reasonable effort to ensure that a redeemed free winning ticket is entered into one of the Semifinal Grand Prize Drawings. The Lottery assumes no responsibility for a lost or misplaced ticket not entered into a Semifinal Grand Prize Drawing.

(2) A redeemed free winning ticket is eligible for only one Semifinal Grand Prize Drawing. A ticket that is not in one eligible group of redeemed free winning tickets may, at the discretion of the Director, remain eligible for a subsequent Semifinal Grand Prize Drawing.

(3) If a ticket is rejected during or following a Semifinal Grand Prize Drawing, the sole remedy is to select another ticket to replace the rejected ticket in accordance with Lottery procedure.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

##### (c) *Manner of conducting Semifinal Grand Prize Drawings.*

(1) Periodically, as determined by the Secretary and announced by the Director, a Semifinal Grand Prize Drawing will be held using eligible redeemed free winning tickets. Ten finalists will be selected from an eligible group of tickets entered in the drawing. For the purpose of the drawing, each of the eligible groups of redeemed free winning tickets will be further divided into subgroups and placed in containers, with each container assigned a code depending on the number of containers used.

(2) With the aid of mechanical or automatic drawing equipment, ten container codes will be selected. The codes

will determine the containers from which the ten finalists' tickets will be ultimately selected. One winning finalist ticket will be drawn from the first container selected. One winning ticket will then be selected from the second selected container and this procedure will be repeated until ten finalists have been selected for each Grand Prize Drawing.

##### (d) *Manner of conducting Grand Prize Drawings.*

(1) Following the selection of the ten finalists as described in subsection (c), there will be Grand Prize Drawings held at the discretion of the Director.

(2) The Lottery will award the following prizes to the eligible finalists in each of the Grand Prize Drawings:

Grand Drawing Prizes	No. of Winners	Amount
Grand Prize	1	\$1 million-annuity, or \$100,000, or \$75,000, or \$50,000
Consolation Prize	9	\$5,000

##### (e) *Procedure for conducting Grand Prize Drawings.*

(1) At a Grand Prize Drawing, a mechanical device in the shape of two concentric wheels will be used, a smaller wheel directly in front of a larger wheel. The larger wheel will have ten spaces each marked with a letter, "a" through "j," inclusive, inscribed clockwise in alphabetical order. The names of the selected ten finalists will be placed on the larger wheel in the order that they were selected beginning with the space marked letter "a" and continuing alphabetically through the letter "j," inclusive.

(2) The smaller wheel will contain designated amounts of \$1 million—annuity, \$100,000, \$75,000 and \$50,000.

(3) The wheels will be spun and when the wheels stop, the name of the finalist on the larger wheel will be identified as the Grand Prize Drawing winner and will be entitled to the prize indicated on the smaller wheel.

(4) The nine finalists whose names remain will receive a consolation prize of \$5,000 each.

(5) The Grand Prize Drawing winner shall receive the amount indicated, and if that amount is the top grand prize of an annuity worth \$1 million, that prize will be payable in 20 equal annual installments of \$50,000. The payment of a top grand prize to a person who dies before receiving a prize or to a person 17 years of age or younger shall be paid according to 61 Pa. Code §§ 811.16 and 811.27 (relating to prizes payable after death of a prize winner; and payment of prizes to persons under 18 years of age).

(6) Prizes chosen in the Grand Prize Drawing shall be claimed within 1 year of the date of the Grand Prize Drawing.

(7) The determination of a winner will be made by the Secretary, whose judgment will be final, conclusive and binding on the finalists.

(8) Prizes are subject to Federal withholding tax provisions.

(9) Number and Description of Prizes and Approximate Odds: The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Win	Approximate Odds	Approximate No. of Winners Per 6,888,000 Tickets
One Free Ticket Plus Entry	1:6	1,148,000
\$2	1:10	688,800
\$5	1:80	86,100
\$10	1:240	28,700
\$25	1:400	17,220
\$100	1:22,960	300
\$1,000	1:492,000	14
\$10,000	1:1,148,000	6

#### 8. *Retailer Incentive Awards.*

(a) *Grand Prize Bonus.* The Lottery will pay a bonus to a retailer selling a redeemed and validated winning Pennsylvania Turkey Lurkey instant lottery game ticket selected for a Grand Prize Drawing as follows:

(1) A winner of an annuity worth \$1 million (\$50,000 a year for 20 years) top grand prize entitles the selling retailer to a bonus of \$10,000.

(2) A winner of a \$100,000 grand prize entitles the selling retailer to a bonus of \$1,000.

(3) A winner of a \$75,000 grand prize entitles the selling retailer to a bonus of \$750.

(4) A winner of a \$50,000 grand prize entitles the selling retailer to a bonus of \$500.

(5) A winner of a \$5,000 consolation prize entitles the selling retailer to a bonus of \$50.

(b) *Retailer incentive.* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Turkey Lurkey instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money.* For a period of 1 year from the announced close of Pennsylvania Turkey Lurkey, prize money on winning Pennsylvania Turkey Lurkey instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Turkey Lurkey, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law.* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the Pennsylvania Code (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game.* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Turkey Lurkey or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 96-1486. Filed for public inspection September 6, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

[Correction]

### Bureau of Driver Licensing; Implementation of Commercial Driver Licensing Test Procedures

Errors appeared in the opening paragraph and Editor's Note of a notice published at 26 Pa.B. 4142, 4143 (August 24, 1996). The paragraph and Editor's Note should read as follows:

Under 115-96, passed into law on July 11, 1996, the Department of Transportation is publishing the test procedures as required by 75 Pa.C.S. § 1607(a) (relating to commercial driver's license qualification standards):

(*Editor's Note:* Pursuant to section 27 of Act 115-96, 67 Pa. Code §§ 75.25—75.28 (Pa. Code serial pages (198279) to (198286)) are deleted upon publication of the following testing procedures.)

[Pa.B. Doc. No. 96-1396. Filed for public inspection August 23, 1996, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### P. H. Glatfelter Company v. DEP; EHB Doc. No. 95-242-C

The Department of Environmental Protection (Department) and P. H. Glatfelter Company (Glatfelter) have agreed to a settlement of the above matter. By a letter dated October 4, 1995, the Department denied Glatfelter's request for a determination that Glatfelter's proposed RACT/MACT strategy for controlling emissions of volatile organic compounds from its Kraft pulp and paper mill in Spring Grove, York County, qualifies for the pollution control exclusion from review under the Prevention of Significant Deterioration (PSD) requirements codified at 40 CFR Part 52, which are incorporated by reference in Pennsylvania's regulations at 25 Pa. Code §§ 127.81—127.83. The parties have agreed to a settlement, the major provisions of which include:

1. On or before October 31, 1996, Glatfelter will submit to the Department complete applications to modify Operating Permits Nos. 67-306-006 and 67-315-008 that satisfy all applicable requirements of 40 CFR 52.21. Provided that those applications satisfy all of the applicable requirements, the Department will delete from Operating Permit No. 67-306-006 the condition that restricts the periods during which Glatfelter may operate Power Boiler No. 3.

2. On or before October 31, 1996, Glatfelter will submit to the Department a complete application to modify RACT Plan Approval No. 67-2004 that provides for the implementation of a volatile organic compound control system having a destruction efficiency of at least 95%, satisfies either the applicable PSD requirements or the applicable requirements of the pollution control exclusion from PSD review and provides for the installation of low-NO<sub>x</sub> burners with overfire air on Power Boiler No. 3.

3. Provided that Glatfelter's application to modify RACT Plan Approval No. 67-2004 satisfies the applicable

requirements, the Department will modify the RACT Plan Approval by revising the list of volatile organic compound sources to be controlled, providing that the annual heat input restriction on Power Boiler No. 3 shall not be applicable after low-NO<sub>x</sub> burners with overfire air go into operation on Power Boiler No. 3, and revising the implementation schedule in the Plan Approval. The Department will submit the modified Plan Approval to the United States Environmental Protection Agency for approval as a revision to Pennsylvania's State Implementation Plan.

4. Glatfelter will pay a civil penalty in the amount of \$50,000 to the Clean Air Fund within 15 days after the date of the settlement agreement.

Copies of the full agreement are in the possession of:

Glenn L. Unterberger, Esquire, Ballard Spahr Andrews & Ingersoll, 1735 Market Street, 51st Floor, Philadelphia, PA 19103-7599, (215) 665-8500;

Kurt J. Weist, Assistant Counsel, DEP, 400 Market Street, 9th Fl., P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-8790;

and at the office of the Environmental Hearing Board, and may be reviewed by any interested party on request during normal business hours.

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457.

Appeals shall be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement, which becomes final if no objection is timely made.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 96-1487. Filed for public inspection September 6, 1996, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Free Fishing Days for 1997

The Executive Director of the Fish and Boat Commission, acting under the authority of section 2709(d) of the Fish and Boat Code, 30 Pa.C.S. § 2709(d) (relating to exemptions from license requirements), is designating the following days as free fishing days in 1997:

Saturday, June 7, 1997

Saturday, September 27, 1997

During these days, the Commission's license requirements do not apply. All other fishing regulations apply.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 96-1488. Filed for public inspection September 6, 1996, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 1 p.m., Thursday, August 22, 1996, and took the following actions:

#### *Regulations Approved:*

State Ethics Commission #63-5: Statements of Financial Interest (amends 51 Pa. Code Chapters 11 and 19.)

Department of Agriculture #2-93: Nutrient Management Certification Program (establishes 7 Pa. Code Chapter 131.)

Department of Transportation #18-324: School Buses and School Vehicles (amends 67 Pa. Code Chapter 171.)

Environmental Quality Board #7-286: Storage Tanks, Certification Program (amends 25 Pa. Code Chapter 245.)

*Commissioners Present:* Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner; Irvin G. Zimmerman

Public meeting held  
August 22, 1996

*State Ethics Commission—Statements of Financial Interest; Doc. No. 63-5*

### Order

On August 31, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Ethics Commission (SEC). This rulemaking amends 51 Pa. Code Chapters 11 and 19. The authority for this regulation is contained in section (7)(l) of the Ethics Law (65 P.S. § 407(1)). The proposed regulation was published in the September 16, 1995 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 26, 1996.

The regulation provides that when a Statement of Financial Interest (FIS) is sent to the SEC by Facsimile Service (FAX), it will be considered officially filed on the date the FAX is received by the SEC provided that the signed, original document is delivered to the SEC within 5 business days from the date the FAX is sent. If the original document is not received within 5 days, the FIS will be considered officially filed on the date the original FIS is received. Accordingly to the SEC, there are instances such as judicial proceedings and administrative proceedings of other agencies when an original FIS is necessary. In these situations, a FAX is not acceptable. The proposed regulation will ensure that the SEC has the original document available when it is required for a specific proceeding.

In our Comments on the proposed rulemaking, we questioned why the requirement for sending an original document within 5 days of sending a FAX should not be applied to other "official papers," and we recommended that the SEC define "official papers." We also noted that in the definition of "service" found in section 11.1, there was no similar provision requiring that when the SEC serves a document by FAX transmission, the original

document be delivered within 5 business days. We recommended that the definition of "service" include such a provision.

In a March 4, 1996 meeting with the SEC and representatives from the Senate Rules and Executive Nominations Committee and the House Judiciary Committee, the SEC responded to our concerns. The SEC explained that the proposed regulation was designed to address a specific problem relating to FIS filings and that it was not necessary to impose the same requirement on other "official papers" that are filed with or served by the SEC. The SEC further explained that creating a single definition of "official papers" would be difficult and would only cause confusion. Furthermore, since the SEC intended the regulation to apply only to FISs, there would not be confusion over the types of documents affected by the regulation.

We concurred with the SEC's position; however, we noted that the provision requiring receipt of the original FIS within 5 business days is a substantive provision relating to the filing of FISs. It is inappropriate to include this substantive provisions in the definition of "filed" found in section 11.1 Definitions. To address this problem, we recommended that the SEC create a new subsection (d) under section 19.1 Forms; filing. We provided the SEC with specific language to be used in section 19.1(d) which the SEC has incorporated into the final-form regulation in its entirety. The final-form regulation also includes a reference to section 19.1 in the definition of "filed" found in section 11.1.

We have reviewed this regulation and find it to be in the public interest. The SEC has explained the basis for the limited application of the requirement to submit the original document within 5 days of FAXing the FIS, and we believe the final-form regulation now clearly reflects the SEC's intent.

*Therefore, It Is Ordered That:*

1. Regulation No. 63-5 from the State Ethics Commission, as submitted to the Commission on July 26, 1996, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioners Present:* Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Irvin G. Zimmerman

Public meeting held  
August 22, 1996

*Department of Agriculture—Nutrient Management Certification Program; Doc. No. 2-93*

### Order

On October 4, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking would establish 7 Pa. Code Chapter 131. The authority for this regulation is contained in section 7 of the Nutrient Management Act of 1993 (act) (3 P. S. § 1707). The proposed regulation was published in the October 14, 1995 edition of the *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 2, 1996.

The act requires all concentrated animal operations (CAO) to have a nutrient management plan that is

developed by a nutrient management specialist. The act provides the Department with the authority to promulgate regulations to establish individual, commercial and public certification categories, as well as the establishment of fees, educational requirements and examinations for certification. The proposed regulation provides the specific procedures and requirements that an individual must follow in order to be certified as a nutrient management specialist.

In order to be certified as a commercial nutrient management specialist, an individual must complete a precertification training course that contains specific topics listed in the rulemaking, pass a written examination, and develop three nutrient management plans. Certification for a public nutrient management specialist requires completion of the precertification training course, passing the written examination, and development of one plan and review of two plans.

Following the precertification course and successful completion of the written examination, provisional certification, which is valid for 3 years, is issued for commercial and public nutrient management specialists. Once the provisional certification has been issued, a commercial nutrient management specialist must develop three nutrient management plans which are reviewed and approved by the State Conservation Commission or its designee. A public nutrient management specialist must develop one, and review two, nutrient management plans that are reviewed and approved by the State Conservation Commission or its designee.

In order to be certified as an individual nutrient management specialist, an individual must complete the precertification training course and successfully complete a written examination. Individual nutrient management specialists are exempt from the preparation and review of nutrient management plan requirements.

All nutrient management specialists must be recertified and complete continuing education requirements every 3 years. The Department will approve and assign credit hours to courses that meet the necessary continuing education requirements. Public and commercial nutrient management specialists must obtain ten credits; individual nutrient management specialists must take six credits.

The Commission submitted detailed comments on the proposed regulation. In response to our Comments, as well as those of other public commentators, the Department amended the regulation by adding several definitions to the regulation, clarified the examination requirements, clarified that interim certification will end on the effective date of the regulation, and provided justification for the administrative fees.

One of the more significant concerns raised on the proposed rulemaking concerned the ability of a public nutrient management specialist to develop nutrient management plans. The proposed rulemaking allowed a public nutrient management specialist to develop plans for a CAO. The Department received numerous comments in opposition to allowing a public nutrient management specialist to develop nutrient management plans. These commentators expressed a concern that if the public sector was allowed to develop plans, it would have a competitive advantage over the private sector because the public sector would be paying a lower certification fee and could potentially subsidize the costs of developing nutrient management plans. The commentators concluded that this would act as a disincentive for private sector busi-

nesses to become certified as nutrient management specialists, resulting in a shortage of nutrient management specialists.

In our Comments, we stated that we believed a public nutrient management specialist should be able to develop plans. We believed it was in the public interest to have a public nutrient management specialist be able to develop plans because it would provide more options to farmers in obtaining a specialist to develop their plans. However, we did recommend that the Department amend the regulation to require that the development of a nutrient management plan be a requirement to be certified as a nutrient management specialist.

The Department amended the regulation to only allow a public nutrient management specialist to review plans and a commercial nutrient management specialist to develop plans. It also amended the regulation to require a public nutrient management specialist to develop a plan in order to become certified. To address our recommendation that a public nutrient management specialist be able to develop plans, the Department added a provision to allow a public nutrient management specialist to become a commercial nutrient specialist (and thus be able to develop plans) by merely developing two more nutrient management plans.

Although we believe the Department should have retained its proposed language allowing a public nutrient management specialist to develop nutrient management plans, we believe the Department has crafted a fair compromise. The regulation will allow a local conservation commission to employ a person dually certified as a public and commercial nutrient management specialist who can develop nutrient management plans for affected farmers.

We have reviewed this regulation and find it to be in the public interest. The regulation is necessary for the Department to begin to certify individuals as nutrient management specialists. The regulation will ensure that the nutrient management specialists are properly qualified to develop and review nutrient management plans.

*Therefore, It Is Ordered That:*

1. Regulation No. 2-93 from the Department of Agriculture, as submitted to the Commission on August 2, 1996, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioners Present:* Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner; Irvin G. Zimmerman

Public meeting held  
August 22, 1996

*Department of Transportation—School Buses and School Vehicles; Doc. No. 18-324*

#### Order

On October 24, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (Department). This rulemaking would amend 67 Pa. Code Chapter 171. The authority for this regulation is §§ 4103, 4551—4553, and 6103 of the Vehicle Code (75 Pa.C.S. §§ 4103, 4551—4553, and 6103). The proposed regulation was published in the December 9, 1995 edition of the *Pennsylvania Bulletin* with a 30-day public comment

period. The final-form regulation was submitted to the Commission on July 30, 1996.

The Department's proposal results from amendments to the Vehicle Code, and the need to bring the Department's regulations into conformity with changes to the Federal Motor Vehicle Safety Standards published in the Code of Federal Regulations. Additionally, the Department's amendments conform with recommendations of the Tenth, Eleventh and Twelfth National Conferences on School Transportation pertaining to minimum standards for school buses and their operation.

The regulation updates existing provisions governing the construction, conversion, maintenance and operation of school buses and school vehicles by amending Subchapters A—G of 67 Pa. Code Chapter 171. Subchapter A, General Provisions, includes changes to the definitions of "school bus" and "school vehicle" to conform to the amended definitions in the Vehicle Code.

Subchapter B, School Bus Chassis Standards make numerous modifications, the most significant of which are changes in color, tires and rims, adopting standards at 49 CFR Part 393 for regrooved tires used on school vehicles, and exhaust systems. Requirements for exhaust systems conform with 49 CFR 393.83 and address concerns with exhaust fumes filtering through open bus windows. The exhaust requirement will become effective June 15, 1998, to allow manufacturers time to convert.

Subchapter C, School Bus Body Standards, makes modifications to existing provisions including aisle clearance and emergency doors, and adds requirements for reflective material based on the recommendations of the Eleventh National Conference, specifying width of markings and placement to enhance visibility of buses. The name of the school district, school or contractor must be lettered on each side of the school bus. Dealer identification insignia are allowed in a specific area and size. Seat belts are required for school buses with a gross vehicle weight rating of 10,000 pounds or less, consistent with 49 CFR 571.222.

Subchapter D, Specially Equipped School Bus Standards, contains additional requirements for securement devices and safety restraints for wheelchairs. Subchapter E, School Vehicle Standards, applies to vehicles designed to carry 11 to 15 passengers including the driver registered in the Commonwealth as a bus and registered to a school prior to September 15, 1993, as well as motor vehicles designed to carry no more than 10 passengers including the driver.

Subchapter F, Mass Transit Pupil Transportation Bus Standards, contains changes pertaining to fire extinguishers, first aid kits, warning devices and seating. Subchapter G contains modifications for operations standards.

We have reviewed this regulation and find it to be in the public interest. During the proposed rulemaking, the Department received comments from the American Academy of Pediatrics, M. A. Brightbill Body Works, Inc., the Elwyne Institute, HMS School for Children with Cerebral Palsy, the Pennsylvania School Bus Association (PSBA), and the University of Pittsburgh School of Health and Rehabilitation Sciences, Rehabilitation Engineering Research Center. The Department responded to these comments through revisions to the final-form rulemaking and explanations in its preamble. Additionally, the Department continued to discuss concerns with commentators prior to submitting its final-form regulations.



In response to our Comments, the Department deleted the effective date of September 1, 1996. We were concerned that if the rulemaking was not approved and published prior to September 1, 1996, the requirements in the regulation would be retroactive. The Department responded by amending the final-form regulation, replacing the September 1, 1996 date with a provision for the rulemaking to become effective upon publication. Additionally, an exception in the Department's order to allow §§ 171.55(b) and 171.124(b) to become effective 1 year from the date of publication was added to the regulation. The exception allows contractors and districts time to make required identification changes on the exterior of buses.

The Department responded to a recommendation of the PSBA to allow the installation of air conditioners in school buses. After meeting with the PSBA and the Transportation Committee, the Department agreed to specify the acceptable locations for after-market air-conditioning units in its regulations at section 171.58, requiring conformance with Federal labeling regulations at 49 CFR 567.7 and 568.8.

Further modifications to the final-form rulemaking included a change to the definition of the term "specially equipped school bus" to focus on the needs of the student rather than the category of student, complete definitions for terms in place of statutory citations to definitions located in the Vehicle Code, and clarification of changes to requirements for reflective material and installation or attachment of exhaust pipes, mufflers, first aid kits and fire extinguishers.

School children will benefit from increased vehicle safety resulting from improved standards in roll over protection, body joint strength, seating crash protection and fuel system integrity. Chapter 171 of the Department's regulations at 67 Pa. Code will also be brought into conformance with the Vehicle Code and with Federal regulations.

*Therefore, It Is Ordered That:*

1. Regulation No. 18-324 from the Department of Transportation, as submitted to the Commission on July 30, 1996, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioners Present:* Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner, Irvin G. Zimmerman

Public meeting held  
August 22, 1996

*Environmental Quality Board—Storage Tanks; Certification Program; Doc. No. 7-296*

#### Order

On November 6, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). It would amend 25 Pa. Code Chapter 245, relating to the administration of the Storage Tank and Spill Prevention Program. The authority for this regulation is section 106 of the Storage Tank and Spill Prevention Act (act) (35 P. S. § 6021.106). The proposed regulation was published in the November 18, 1995 edition of the *Pennsylvania Bulletin*, with a 60-day comment period. The final-form regulation was submitted to the Commission on July 24, 1996.

Section 102(b) of the act reflects the General Assembly's concern that storage tank releases pose a threat to public health and safety of the Commonwealth. Section 107(d) of the act authorizes the Department of Environmental Protection (DEP) to establish regulations governing certification and licensing programs for installers and inspectors of storage tanks and storage facilities. The regulatory scheme addresses the storage of regulated substances in existing and new storage tanks, provides for liability for damages sustained from release or discharge, and requires prompt cleanup and removal of offending substances.

This rulemaking was necessitated by a wide range of issues and concerns, many relating to the specific work performed by certified storage tank installers and inspectors, which developed over the past few years. The DEP formed an informal technical advisory committee (TAC) to review the comments submitted on the proposed version of this rulemaking and to assist it in preparing the final-form regulation. The TAC was comprised of storage tank industry experts, several of whom participated in the formulation of the original Chapter 245 regulation. TAC members have special expertise in the field of tank construction, installation, modification and removal.

Also, consistent with the mandate of section 105 of the act, the DEP worked closely with the Storage Tank Advisory Committee (STAC) in developing both the proposed and the final-form version of this rulemaking. The STAC is comprised of persons representing a cross-section of organizations (including petroleum, service station and auto repair, chemical industry, tank installers, and truck stop operators) having a direct interest in the regulation of storage tanks in Pennsylvania.

Storage tank regulation is governed by a combination of Federal and Pennsylvania law. Federal law includes the Resource Conservation and Recovery Act of 1976 (RCRA) (42 U.S.C.A. §§ 6901—6987), as well as regulations promulgated under the authority of RCRA at 40 Code of Federal Regulations (CFR) Part 280. The latter deal with technical standards and corrective action requirements for owners and operators of USTs. The RCRA provides that states may adopt the Federal regulatory program, in full or in part, but the state program must be at least as stringent as the Federal program.

These amendments would modify the existing regulation concerning certification of installers and inspectors of storage tanks governed by the act to make it easier for qualified individuals to become certified. The objective is to increase the pool of certified tank inspectors. An increase in the pool of certified inspectors, in turn, will help achieve the tank inspection and safety goals of the act.

The final rulemaking would amend current Subchapters A and B of Chapter 245. The changes in Subchapter A (general provisions) include further changes in definitions, addition of tank tightness testing requirements, and clarification of which Federal UST rules have been incorporated by reference.

The changes to Subchapter B (certification program for installers and inspectors of storage tanks and storage tank facilities) make up the bulk of the regulation. The changes consolidate several certification categories, eliminate unnecessary certifications and change the requirements for certification approval. Other changes relate to suspension and revocation of certification, the renewal and amendment of certification, and examination requirements and performance standards.

Section 245.105, relating to certification examinations, was the subject of many commentators' comments. As published, the proposed rulemaking sought to amend section 245.105(d) to require an applicant to get a minimum score of 80% (instead of the current 90%) on the technical section of the examination. It also proposed to eliminate the current 90% passing score requirement for training programs and require an applicant achieve a minimum score of 80% on the administrative section of the examination.

In our Comments on section 245.105, we recommended that the EQB retain the current 90% minimum passing grade on the technical portion of the examination, but use the proposed 80% minimum passing grade on the administrative portion of the examination. We also noted that the present 90% minimum passing rate is not so high that it has resulted in a current shortage of permanently certified tank installers and inspectors. The final-form regulation was amended accordingly, reflecting the view that the technical portion of the examination is more important than the administrative portion. The final-form regulation also carried forward the elimination of the passing score requirement for training programs.

There were 20 commentators on the proposed version of this rulemaking in addition to the Commission's Comments. Almost all commentators expressed general support, but many also suggested amendments to certain specific provisions. The Agricultural Advisory Board and its subcommittee on storage tanks also had an opportunity to review and comment on the proposed rulemaking.

The DEP worked closely with the TAC and the STAC in reviewing the questions, suggestions and issues raised in the comments on the proposed rulemaking and in preparing the final-form regulation. The final-form regulation incorporated many of the changes suggested by commentators. At its meeting on May 8-9, 1996, the STAC reviewed and discussed the final-form amendments; it then issued a written report approving the final-form version of the regulation to be presented to the EQB.

These rulemaking amendments will affect owners and operators of regulated storage tanks as defined in the act. Affected parties include, among others: service station owners; heating oil distributors; owners of large heating oil storage tanks; commercial businesses; petroleum refineries; chemical manufacturers, distributors and users; Federal, State and local governments; installers of ASTs and USTs; storage tank inspectors and testers; companies employing certified inspectors and installers of ASTs and USTs; and manufacturers of field-erected ASTs and USTs.

The EQB and DEP have stated that there will be no net increase in costs on the private sector or for any person subject to the act and this regulation. The DEP expects, in fact, that the regulated community (including the private sector) will have reduced costs as a result of fewer required number of inspections combined with additional inspectors qualified to perform the work required. This rulemaking will also eliminate some heating oil tanks and Federally-exempt tanks from regulation, which will reduce costs to the owners of those tanks.

By consolidating several of the certified installer categories and reducing specialization categories, the EQB and the DEP expect that the final-form regulation should make it easier for owners and operators of storage tank facilities to employ only one installer to perform necessary tank handling activities.

We have reviewed this regulation and find it to be in the public interest. The EQB and DEP have incorporated into the final-form regulation the changes suggested by our Commission and many of those submitted by other commentators. Although the proposed version of the rulemaking did not include any of the amendments to the act made by Act 16 of 1995, all inconsistencies between the proposed version of this rulemaking and the amended act were corrected in the final-form regulation.

*Therefore, It Is Ordered That:*

1. Regulation No. 7-286 from the Environmental Quality Board, as submitted to the Commission on July 24, 1996, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 96-1489. Filed for public inspection September 6, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Changes to Eligible Surplus Lines Insurer List

The Insurance Department Eligible Surplus Lines Insurer List published at 26 Pa.B. 2672 (June 1, 1996) should be amended to reflect the following name and key number changes:

From:	4010	Agricultural Excess and Surplus Lines Insurance Company
To:	4010	Agricultural Excess and Surplus Insurance Company
From:	4225	Dearborn Insurance Company
To:	4475	Legion Indemnity Company
From:	4315	Fidelity Environmental Insurance Company
To:	4315	Fidelity Excess and Surplus Insurance Company
From:	4960	Western Alliance Insurance Company
To:	4985	ZC Specialty Insurance Company

Persons who have any questions concerning this notice should contact Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, telephone (717) 787-2735.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1490. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Delta Dental of Pennsylvania; Proposed Schedule I to Delta Dental; Master Service Contract (MC-3, Rev. 9/94); Form No. S-I-PRM-3

Delta Dental of Pennsylvania has filed Schedule I, Form No. S-I-PRM-3, to Delta Dental Service Contract MC-3 for the prospective funding method with a more varied eligibility structure for dependents. A rate impact is anticipated. This form filing consists of five pages.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections, to Richard W. Stoner, Policy Examiner, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health

Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1491. Filed for public inspection September 6, 1996, 9:00 a.m.]

### List of Approved Peer Review Organizations; Notice No. 1996-16

On February 7, 1990, Pennsylvania's auto reform law (Act 6) was signed into law. This law was designed to reduce the cost of providing private passenger automobile insurance in Pennsylvania, and provides mechanisms to pass the costs savings from insurance companies to insurance consumers.

75 Pa.C.S. § 1797(b) (relating to customary charges for treatment) provides for the utilization of Peer Review Organizations (PRO) by property and casualty insurers for the purpose of evaluating the quality and medical necessity of health care treatment and services for victims of motor vehicle accidents.

Act 6 requires that insurers contract only with PROs that have been approved by the Insurance Commissioner.

The Insurance Department hereby lists, in Annex A, those PROs which were approved as of August 15, 1996. Hereafter, a listing of approved PROs will be published by the Insurance Department in the *Pennsylvania Bulletin* on or about April 1 of each year.

Questions regarding this notice or PROs generally may be directed to Carolyn Montgomery, Director, Bureau of Consumer Services, Insurance Department, 1321 Strawberry Square, Harrisburg, PA 17120; telephone (717) 787-2317; fax (717) 787-8585.

LINDA S. KAISER,  
*Insurance Commissioner*

#### ANNEX A

Accurate Medical Analysis  
P. O. Box 437  
Pottstown, PA 19464

Action of Pennsylvania, Inc.  
P. O. Box 247  
Olyphant, PA 18447

Action, Inc.  
P. O. Box A  
1569 Main Street  
Peckville, PA 18452

ADC-NCC  
P. O. Box 4190  
Marietta, GA 30061-4190

ADP Claims Solutions Group  
10401 Fernwood Road  
Suite 250  
Bethesda, MD 20817

Advanced Rehabilitation Management,  
Inc.  
2300 Computer Avenue  
Building G—Suite 44  
Willow Grove, PA 19090

Advocate Review Services  
402 A Benson East  
Jenkintown, PA 19046

American Claims Review, Inc.  
6717 S. Yale, Suite 110  
Tulsa, OK 74136

American Dental Examiners  
370 7th Avenue  
Suite 1206  
New York, NY 10001

American Medical Evaluations  
242 Long Lane  
Upper Darby, PA 19082

A. E. Maxwell Associates  
8110 Heacock Lane  
Wyncote, PA 19095

Bill-Chek, Ltd.  
1700 Suckle Highway  
Pennsauken, NJ 08110

Business Health Cost Management  
Services  
7600 Central Avenue  
Philadelphia, PA 19111

Caduceus Review  
447 West Moreland Road  
Willow Grove, PA 19090

Caduceus-Lex Medical Auditing, Inc.  
R. D. #1, Box 93-AA  
Markleysburg, PA 15459

Cambridge Medical Consultants  
255 Friend Street  
5th Floor  
Boston, MA 02114-1812

CEC Associates, Inc.  
The Commons at Valley Forge  
Unit No. 9, P. O. Box 911  
1220 Valley Forge Road  
Valley Forge, PA 19482

CEC, Inc. (Chiropractic Evaluation  
Center)  
218 Center Road  
Monroeville, PA 15146-1749

Centra Med  
630 Fairview Road  
Suite 100  
Swarthmore, PA 19081

Chiro-Med Review Company  
2710 Township Line Road  
Upper Darby, PA 19082

ChiroPeers  
117 South 17th Street  
Suite 407  
Philadelphia, PA 19103

Claims Review Associates  
660 American Avenue  
Suite 103  
King of Prussia, PA 19406

Clinical Practice Associates, Inc.  
1288 Valley Forge Road  
P. O. Box 922  
Valley Forge, PA 19482-0922

Coastal Associates, Inc.  
11 St. Albans Circle  
Newtown Square, PA 19073

- Commonwealth Allied Health Services & Review  
5930 Hamilton Rd.  
Suite 103  
Wescosville, PA 18106
- Consultative Review & Rehabilitation, Inc.  
20 Lee Ann Drive  
Blackwood, NJ 08012-5301
- C.A.B. Medical Consultants  
306 Walnut Street  
Philadelphia, PA 19106
- Disability Management Associates  
100 Diplomat Drive  
Lester, PA 19113-2304
- East Coast Peer Reviews  
Spruce Street Medical Building  
235 West Spruce Street  
Shamokin, PA 17872
- Haber, Constance  
One Monroeville Center  
Suite 330  
Monroeville, PA 15146
- Hoover Rehabilitation Services, Inc.  
205 House Avenue  
P. O. Box 8872  
Camp Hill, PA 17011-8872
- Independent Medical and Dental Consult., Inc.  
2215 Old Marlton Pike  
P. O. Box 448  
Marlton, NJ 08053-0448
- Industrial Medical Consultants, Inc.  
Suite 340  
4815 Liberty Avenue  
Pittsburgh, PA 15224
- INTERPOSE  
326 Center Avenue  
Verona, PA 15147
- KEPRO  
777 East Park Drive  
P. O. Box 8310  
Harrisburg, PA 17105-8310
- McPhaden Rehab. Services, Inc. (MRSI)  
P. O. Box 1267  
Hightstown, NJ 08520
- Medical Investigation Group  
P. O. Box 347  
Chester Springs, PA 19425
- Medical Review Network  
Three Station Square  
Suite 105  
Paoli, PA 19301-1321
- MED. SERV. & EVAL. CO.  
909 Germantown Pike  
Norristown, PA 19401
- Comprehensive Medical Review—CMR  
6480 Weathers Place, Suite 240  
San Diego, CA 92121
- CorVel Corporation  
Foster Plaza 5  
651 Holiday Drive  
Pittsburgh, PA 15220
- Delaware Valley Peer Review Organization  
1407 Foulk Road  
Suite 200  
Wilmington, DE 19803
- Disability Outreach  
P. O. Box 62130  
King of Prussia, PA 19406
- First Choice PRO  
300 Sewickley Avenue  
Herminie, PA 15637
- Hamilton & Jordan, Inc.  
1398 Wilmington Pike  
West Chester, PA 19382
- II Opinion, Inc./VRS, Inc.  
4423 North Front Street  
Harrisburg, PA 17110
- Independent Medical Consultants, Inc.  
1 Whitehorse Center  
Whitehorse Pike  
Route 206  
Hammonton, NJ 08037
- Innovative Health System, Inc.  
P. O. Box 2255  
Hudson, OH 44236
- Kelly Family Chiropractic, D.C.  
701 Floral Vale Blvd.  
Yardley, PA 19067
- Laurel Rehabilitation Services  
67 South Black Horse Pike  
Blackwood, NJ 08012
- Medical Determinations, P.C.  
75-35 31st Avenue  
East Elmhurst, NY 11370
- Medical Planning & Review  
Suite 555  
15 E. Ridge Pike  
Conshohocken, PA 19428
- Medimax, Inc.  
2080 Cabot Blvd.  
Suite 204  
P. O. Box 337  
Langhorne, PA 19047
- Nadent Group, The  
309 Main Street  
P. O. Box 10  
Islip, NY 11751
- Consolidated Rehabilitation Corporation  
P. O. Box 1719  
Lansdale, PA 19446-0827
- Crawford & Company  
1800 Linglestown Road  
Suite 407  
Harrisburg, PA 17110
- Dickson Gabbay Emerson  
2301 West Valley Business Center  
950 West Valley Road  
Wayne, PA 19087-1824
- Doctors Review Service, Inc.  
815 Harker Avenue  
West Deptford, NJ 08096
- Goldberg, Herbert L. DDS  
528 Delancey Street  
Philadelphia, PA 19106
- HealthQuest Review Services, Inc.  
1700 Suckle Highway  
Pennsauken, NJ 08110
- IMX  
3320 Goodley Road  
Boothwyn, PA 19061
- Industrial Health Service  
dba/Industrial Rehabilitation Associates  
Medical Arts Building, Suite L06  
Front Street and Lehigh Avenue  
Philadelphia, PA 19125
- International Healthcare Consultants, Inc.  
P. O. Box 7029  
Marietta, GA 30065
- Kenneth Frank Enterprises  
2705 Pine Valley Lane  
Ardmore, PA 19003
- LRC Rehabilitation Consultants, Inc.  
Station Square One  
Suite 202  
Paoli, PA 19301
- Medical Evaluation Specialists  
230 S. Broad Street  
Suite 05W  
Philadelphia, PA 19102
- Medical Review Associates  
P. O. Box 421  
Dresher, PA 19025
- Med-Tech Reviews, Inc.  
P. O. Box 804  
Collegeville, PA 19426
- Northeastern Review Services  
1406 Gordon Street  
Allentown, PA 18102

Novak, Alton J. D.D.S.  
Suite 2309—Medical Tower Building  
255 South 17th Street  
Philadelphia, PA 19103

OPTIONS  
700 River Avenue  
Suite 400  
Pittsburgh, PA 15212

Peer Auto Review, Inc.  
2121 Noblestown Road—Suite 202  
Pittsburgh, PA 15205

Pegasus Administrators  
P. O. Box 486  
Chadds Ford, PA 19317

Penn National Review, Inc.  
2326 S. 12th Street, Suite 100  
Philadelphia, PA 19148

Precertification Center, The  
P. O. Box 898125  
Camp Hill, PA 17089-8125

Proclaim Review Company  
45 Lamp Post Lane  
Somerdale, NJ 08083

Professional Reviews, Inc.  
P. O. Box 930250  
Norcross, GA 30093

Quality Rehabilitation Services (QRS)  
P. O. Box 789  
Norristown, PA 19404

Rehabilitation Planning, Inc.  
Whitemarsh Plaza  
Suite 550  
15 E. Ridge Pike  
Conshohocken, PA 19428

Resource Opportunities, Inc.  
The Plymouth Woods  
525 Plymouth Road, Suite 302  
Plymouth Meeting, PA 19462

T & G Reviews  
Rear 512 Montour Street  
Suite A  
Montoursville, PA 17754

Tri-State IME, Inc.  
529 Moreno Road  
Wynnewood, PA 19096

United Medical Philadelphia  
100 North 17th Street  
Fifth Floor  
Philadelphia, PA 19103

U.S. Medical Review, Inc.  
7906 High School Road  
P. O. Box 7137  
Elkins Park, PA 19117

Omega Review Services  
P. O. Box 7833  
Philadelphia, PA 19101

PA Asso of Chirop Ins Consultants &  
Examiners  
825 Philadelphia Road  
Easton, PA 18042

PEER Inc.  
655 Northern Blvd.  
The Wellsley Building  
Clarks Summit, PA 18411

Penn Diagnostic Center, Inc.  
Ten Penn Center  
1801 Market Street  
Suite 200  
Philadelphia, PA 19103

Perspective Consulting, Inc.  
672C Main Street  
Harleysville, PA 19438

PRIMECOR, Inc.  
735 Chesterbrook Blvd.  
Suite 200  
Wayne, PA 19087

Professional Claims Management  
2326 S. 12th Street, Suite 103  
Philadelphia, PA 19148

Quality Assurance Reviews  
707 Lakeside Drive  
Southampton, PA 18966-4020

Reasonable Ins. Consultations  
Evaluations  
111 Upper Shawnee Avenue  
Easton, PA 18042

Rehabit, Inc.  
2 East Penn Avenue  
Robesonia, PA 19551

Solomon Associates, Inc.  
1210 Bethlehem Pike B8  
Dept 304  
North Wales, PA 19454

Target PRO, Inc.  
1601 Church Road  
Glenside, PA 19038

Tri-State Peer Review Organization  
4146 Library Road  
Pittsburgh, PA 15234

Universal Chiropractic Physicians  
Nationwide  
P. O. Box 1154  
Rahway, NJ 07065

VERTIS Group, The  
P. O. Box 1030  
Coraopolis, PA 15108

Omni Medicorp, Ltd.  
12000 J Commerce Parkway  
Mount Laurel, NJ 08054

Paul, Leonard M. Ed.D, P.C.  
7440 New Second Street  
Melrose Park, PA 19126

PEER-NET, Inc.  
2821 Miriam Avenue  
Abington, PA 19001

Penn Medical Review  
404 Yankee Court  
Newtown Square, PA 19073-1129

Pittsburgh Medical Assessment Center  
Webster Hall Plaza  
4415 5th Avenue  
Pittsburgh, PA 15213

Pro Claims, Inc.  
Valley Forge Road  
P. O. Box 825  
Valley Forge, PA 19482-0825

Professional Medical Consultants, Inc.  
P. O. Box 1085  
Medford, NJ 08055

Quality Claims Review  
P. O. Box 3070  
Munhall, PA 15120

Rehabilitation Auditing & Placement  
Srv. Inc.  
2121 Noblestown Road  
Pittsburgh, PA 15205

Resolve  
P. O. Box 97132  
Pittsburgh, PA 15229

Star PRO  
Corporate Executive Office  
Baltimore Pike and West Avenue  
Springfield, PA 19064

The pt Group  
1275 S. Main Street  
Suite 203  
Greensburg, PA 15601

United Medical Associates (UNIMED)  
108 E. Beidler Road  
King of Prussia, PA 19406

USA Review, Inc.  
80 8th Avenue  
New York, NY 10011

Villanova Rehabilitation Consultants,  
Inc.  
P. O. Box 326  
Wayne, PA 19087-0326

Wenmar Associates, Inc.  
198 Allendale Road  
Suite 405  
King of Prussia, PA 19406

Worldwide Auditing Services, Inc.  
100 W. Main Street  
P. O. Box 149  
Lansdale, PA 19446-0149

West Penn I.M.E., Inc.  
P. O. Box 210  
N. Versailles, PA 15137

WRS  
P. O. Box 1644  
Lancaster, PA 17608

WorkWell  
Carnegie Office Park VI  
Suite 200  
Carnegie, PA 15106

Zabinski, Robert C.D.C.  
Zabinski Chiropractic Office  
3028 Market Street  
Camp Hill, PA 17011

[Pa.B. Doc. No. 96-1492. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Nonregulatory Documents

Under Governor Ridge's Executive Order 1996-1, agencies under the jurisdiction of the Governor must catalog and publish all nonregulatory documents such as policy statements, guidance manuals, decisions, rules and other written materials that provide compliance related information. The following list updates the catalog of the Insurance Department's Nonregulatory Documents as published at 26 Pa.B. 3692, 3744 (August 3, 1996). Hereafter, the list will be updated and published annually on the first Saturday in August.

#### NONREGULATORY DOCUMENTS September 1996

#### I. NOTICES

##### Executive Office

##### *Insurance Department Notices*

<i>No.</i>	<i>Date</i>	<i>Description</i>
	8/28/86	Ceding Credit Life/Accident and Health Insurance to Insurers Owned by Agents, Brokers or Creditors
	6/16/87	Ceding Credit Life/Accident and Health Insurance to a Single Producer-Owned Captive Reinsurer
92-2	4/24/92	Joint State/Federal Statement on Regulation on MEWAs
92-7	7/1/92	Change of Insurer Notification Form (Form D) For Credit Insurance
92-8	7/1/92	Pre-Existing Condition Exclusions—Credit Life And Credit Accident and Health Insurance
92-10	7/1/92	Joint Credit Accident and Health Insurance
92-13	7/4/92	Non-Forfeiture and Valuation—Statutory Maximum Interest Rates
92-14	9/4/92	Credit Life and Accident and Health Insurance Connection with Fixed Residual Value Financing of Motor Vehicles
92-15	9/4/92	Suicide Exclusion—Credit Life Insurance
93-11	6/8/93	Joint Credit Life Insurance and Joint Credit Accident and Health Insurance Refund Calculation
93-19	11/19/93	PA Code, Chapter 25, Rules and Procedural Requirements for Insurance Holding Company Systems
94-1	3/1/94	Guidelines for Record Retention
94-11	10/3/94	General Account Modified Guaranteed Annuity
94-12	10/3/94	Separate Account Modified Guaranteed Annuity
94-13	10/3/94	General Account Modified Guaranteed Life Insurance
94-14	10/3/94	Separate Account Modified Guaranteed Life Insurance
94-15	10/3/94	Nonforfeiture and Valuation Statutory Interest Rates
94-18	11/15/94	Guidelines for Record Retention
95-1	1/11/95	Valuation Standards for Life and Health and Accident Insurance
95-7	7/19/95	Modification of Contract for Use When an Annuity Premium Tax is Not Applicable
95-9	8/23/95	Deregulation of Commercial Lines Property And Casualty Forms
96-1	3/20/96	Deregulation of Accident and Health Forms
96-2	3/20/96	Lloyd's of London Notice

<i>No.</i>	<i>Date</i>	<i>Description</i>
96-3	4/1/96	Calculation of Maximum Interest Rate Chargeable By Insurance Premium Finance Companies
96-4	4/8/96	Risk-Based Capital Reporting Requirements
96-5	4/18/96	Prepaid Pennsylvania Premium Taxes
96-6	5/4/96	Amendments to the Unfair Insurance Practices Act; Prohibiting Insurance Companies from Denying Coverage to Victims of Domestic Violence
96-7	5/25/96	Limited Liability Companies
96-8	5/14/96	Department Mailing of Surplus Lines Notices
96-9	7/6/96	Notice of Requirement to File Loss Cost Statistical Data for Workers' Compensation Insurers
96-10	7/20/96	Repeal of Outdated Bulletins, Notices and Statements of Policy
96-11	7/13/96	Addition to List of Eligible Surplus Lines Insurers
96-12	8/7/96	Restitution in Act 205 Cases
96-13	8/24/96	Deregulation of Life Insurance Forms
96-14	9/7/96	Changes to Insurance Department Eligible Surplus Lines List
96-15	9/7/96	Repeal of Outdated Bulletins, Notices and Statements of Policy
96-16	9/7/96	List of Approved Peer Review Organizations

Contact: Patricia R. Seif, Senior Advisor to the Commissioner, (717) 787-4298; fax (717) 772-1969

## II. OTHER:

### Bureau of Administrative Hearings

#### *Act 78 Automobile Digest*

Insurance Commissioner Decisions on Automobile Insurance Administrative Hearings

#### *Act 205 Homeowners Digest*

Insurance Commissioner Decisions on Homeowners Insurance Administrative Hearings

#### *Act 143 Agency Digest*

Administrative Hearing Officer Decisions on Insurance Agency Administrative Hearings

Contact: Galen Waltz, Acting Chief Hearing Officer, (717) 783-2126; fax (717) 787-8781

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1493. Filed for public inspection September 6, 1996, 9:00 a.m.]

### **Pennsylvania Blue Shield; Basic Medical/Surgical Individual Product Rates (Nongroup Direct Pay Policy Holders); Filing No. 96110000**

By filing no. 96110000, Pennsylvania Blue Shield requests approval of an increase to its medical/surgical individual product rates for UCR 100, 5000S, Plan C and 1800S. The filing requests increases ranging from 0% to 24.7%, varying by product and Blue Cross Plan area, resulting in an aggregate increase of 13.6%.

This is the first rate increase requested for this segment since 1991. The request is to implement the new rates effective November 1, 1996. The rate increase will generate an additional annual income of about \$5.4 million and will affect approximately 51,500 policy holders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regula-

tion, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1494. Filed for public inspection September 6, 1996, 9:00 a.m.]

### **Pennsylvania Blue Shield; Community-Rated Dental Group Product Rates; Filing No. 96150000**

By filing no. 96150000, Pennsylvania Blue Shield requests approval of an increase to its Community-Rated Dental Group product rates. The filing requests an average increase of 13.01%, which varies by Blue Cross Plan area.

This is the first rate increase requested for community group rates for dental since 1993. The request is to implement the new rates effective November 1, 1996. The rate increase will generate an additional annual income of about \$4.5 million and will affect approximately 124,000 policy holders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
Insurance Commissioner

[Pa.B. Doc. No. 96-1495. Filed for public inspection September 6, 1996, 9:00 a.m.]

**Pennsylvania Blue Shield; Community-Rated Medical/Surgical Group Product Rates; Filing No. 96120000**

By filing no. 96120000, Pennsylvania Blue Shield requests approval of an increase to its Community-Rated Medical/Surgical Group product rates for UCR 100, UCR 80-20, 5000S, Plan C, 1800S and UCR 100 deductible options. The filing requests increases ranging from 0% to 22.7%, varying by product and Blue Cross Plan area, resulting in an average increase of 12.1%.

This is the first rate increase requested for this segment since 1991. The request is to implement the new rates effective November 1, 1996. The rate increase will generate an additional annual income of about \$19.9 million and will affect approximately 187,000 policy holders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
Insurance Commissioner

[Pa.B. Doc. No. 96-1496. Filed for public inspection September 6, 1996, 9:00 a.m.]

**Pennsylvania Blue Shield; Community-Rated Medicare Supplement Group Product Rates; Filing No. 96130000**

By filing no. 96130000, Pennsylvania Blue Shield requests approval of an increase to its Community-Rated Medicare Supplement Group product rates. The filing requests an average increase of 17.8%, varying by Blue Cross Plan area as follows:

Plan Area	Percentage Increase	Average Increase Per Sub. Month
Blue Cross of Northeastern PA	23.027%	\$7.15
Blue Cross of Western PA	0.000%	0.00

Plan Area	Percentage Increase	Average Increase Per Sub. Month
Capital Blue Cross	21.062%	6.15
Independence Blue Cross	15.476%	8.17

This is the first rate increase requested for this product since 1991. The request is to implement the new rates effective November 1, 1996. The rate increase will generate an additional annual income of about \$28 million and will affect approximately 32,000 policy holders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
Insurance Commissioner

[Pa.B. Doc. No. 96-1497. Filed for public inspection September 6, 1996, 9:00 a.m.]

**Pennsylvania Blue Shield; Community-Rated Vision Group Product Rates; Filing No. 96140000**

By filing no. 96140000, Pennsylvania Blue Shield requests approval of an increase to its Community-Rated Vision product rates. The filing requests an average increase of 17.5%, varying by Blue Cross Plan area.

This is the first rate increase requested for this product since 1993. The request is to implement the new rates effective November 1, 1996. The rate increase will generate an additional annual income of about \$0.7 million and will affect approximately 73,900 policy holders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
Insurance Commissioner

[Pa.B. Doc. No. 96-1498. Filed for public inspection September 6, 1996, 9:00 a.m.]

**Pennsylvania Blue Shield; Individual Security 65 Rates; Medicare Supplement Plans A, B, C and H; Filing No. 96100000**

By filing no. 96100000, Pennsylvania Blue Shield requests approval of an increase to its individual Security 65 (Medigap) product rates. The request is to implement the new rates effective January 1, 1997. The average percentage rate increase by Blue Cross Plan Area are as follows:



<i>Plan Area</i>	<i>Percentage Increase</i>
Blue Cross of Northeastern PA	7.052%
Blue Cross of Western PA	0.000%
Capital Blue Cross	8.442%
Independence Blue Cross	7.412%

This rate increase will generate an additional annual income of about \$11.7 million and will affect approximately 422,000 policy holders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1499. Filed for public inspection September 6, 1996, 9:00 a.m.]

### **Pennsylvania Blue Shield; Rate Reduction for Special Care (A Nongroup Medical/Surgical Product); Filing No. 96160000**

By filing no. 96160000, Pennsylvania Blue Shield requests approval of a reduction to its non-group Special Care product rates. The filing requests an average 4.5% reduction, varying by Blue Cross Plan area. The request is to implement the new rates effective November 1, 1996. This will affect approximately 38,500 policy holders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Bharat Patel, Actuary, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1500. Filed for public inspection September 6, 1996, 9:00 a.m.]

### **Repeal of Outdated Bulletins, Notices and Statements of Policy; Notice No. 1996-15**

The Insurance Commissioner proposed to repeal the Bulletins, Notices and Statements of Policy as published at 26 Pa.B. 3496 (July 20, 1996). No comments were received. However, during the Insurance Department's review, it was determined that the following bulletins had been inadvertently omitted from the list previously published. Therefore, the Commissioner hereby repeals all of the notices published at 26 Pa.B. 3496 and the following bulletins:

<i>No.</i>	<i>Date</i>	<i>Description</i>
	4/15/70	Premium Taxes
	12/13/75	Medical Professional Liability Insurance; Notice by Insurers to Policyholders
	1/24/76	Medical Professional Liability Insurance; Coverage Limits
	12/3/77	Medical Professional Liability Catastrophe Loss Fund 1978 Surcharge
	5/9/81	Withdrawal of Previously Published Notice (Surcharge for Persons on ARD)
	9/19/81	Medical Professional Liability Catastrophe Loss Fund 1982 Surcharge
	4/30/82	Insurance Carriers Writing Medical Malpractice Insurance Basic Limits as of 1983
	7/17/82	Medical Professional Liability Catastrophe Loss Fund 1983 Surcharge
	9/24/82	Medical Professional Liability Catastrophe Loss Fund 1983 Surcharge
	7/1/83	Medical Professional Liability Catastrophe Loss Fund 1984 Surcharge
	10/29/83	Medical Professional Liability Catastrophe Loss Fund 1984 Surcharge
1995-15	12/29/95	Guidelines for Records Retention

Questions regarding the repeal of these notices may be addressed to Patricia R. Seif, Senior Advisor to the Commissioner, Program Services Office, 1326 Strawberry Square, Harrisburg, PA 17120, telephone (717) 787-4298.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1501. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Ralph Battinieri; file no. 96-264-34129; Nationwide Insurance Company; doc. no. PH96-08-032; September 24, 1996, at 10 a.m.;

Appeal of Charles O. Miller, Jr.; file no. 96-124-04216; Hartford Underwriters Insurance Company; doc. no. P96-08-042; September 26, 1996, at 11 a.m.;

Appeal of Leroy and Ramona Kirkland; file no. 96-124-04521; Liberty Mutual Insurance Company; doc. no. P96-08-044; September 26, 1996, at 1 p.m.;

Appeal of Brian and Debra Shoff; file no. 96-188-04681; Pennsylvania National Insurance Company; doc. no. P96-08-046; September 26, 1996, at 2 p.m.;

Appeal of Thomas Grove; file no. 96-121-04595; Erie Insurance Exchange; doc. no. P96-08-043; October 1, 1996, at 11 a.m.;

Appeal of John R. Jerkes; file no. 96-121-04981; Erie Insurance Exchange; doc. no. P96-08-041; October 1, 1996, at 2 p.m.;

Appeal of Alice R. Paranzino; file no. 96-303-71838; Erie Insurance Company; doc. no. P196-08-035; October 1, 1996, at 3 p.m.;

Appeal of Rameses and Carol Lee; file no. 96-265-34168; State Farm Mutual Auto Insurance Company; doc. no. PH96-08-033; October 2, 1996, at 2 p.m.;

Appeal of Lisa Ann and Stephen Herbert; file no. 96-264-33883; State Farm Insurance Company; doc. no. PH96-08-029; October 9, 1996, at 9 a.m.;

Appeal of Duke L. Race; file no. 96-303-71754; Pioneer Family Auto Policy; doc. no. PI96-08-034; October 15, 1996, at 9 a.m.;

Appeal of Arthur L. Johnston; file no. 96-265-33959; Erie Insurance Exchange; doc. no. PH96-08-030; October 15, 1996, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1502. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with the termination of the insured's automobile policy.

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Aetna Life & Casualty company; file no. 94-407-90946; Paul Gettleman; doc. no. E94-10-001; October 22, 1996, at 9 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1503. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Review Procedure Hearings under The Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Elwood D. Sapp; file no. 96-121-04694; Donegal Mutual Insurance Company; doc. no. P96-08-038; September 24, 1996, at 3 p.m.;

Appeal of Arthur Denisio; file no. 96-183-04838; USF&G; doc. no. P96-08-039; September 26, 1996, 9 a.m.;

Appeal of Maurice Rostolsky; file no. 96-121-04892; Old Guard Mutual Insurance Company; doc. no. P96-08-040; September 26, 1996, at 10 a.m.;

Appeal of Charlene Heckathorn; file no. 96-407-90790; State Farm Fire & Casualty Insurance Company; doc. no. E96-08-036; October 2, 1996, at 1 p.m.;

Appeal of Gerald Steskal; file no. 96-264-34130; State Farm Fire & Casualty Insurance Company; doc. no. PH96-08-031; October 2, 1996, at 3 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), 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 given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1504. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Review Procedure Hearings under The Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the termination of the insured's policy.

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Donegal Mutual Insurance Company; file no. 96-193-04713; Robert McCombs; doc. no. P96-08-037; September 24, 1996, at 2 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary

evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5) 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 given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1505. Filed for public inspection September 6, 1996, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Pamphlet Laws and Slip Laws Printing and Binding; Request for Bids

Sealed proposals will be received by the Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, PA 17120-0033, until 10 a.m., Thursday, October 24, 1996, 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, 1997, and ending December 31, 1998, 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, phone number (717) 787-6060, at the above address.

CARL L. MEASE,  
*Acting Director*

[Pa.B. Doc. No. 96-1506. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Pennsylvania Consolidated Statutes Printing, Binding, Storage and Distribution; Request for Bids

Sealed proposals will be received by the Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, PA 17120-0033, until 10 a.m., Thursday, October 24, 1996, and then publicly opened and read, for printing, binding, storage and distribution of the Pennsylvania Consolidated Statutes for the contract period beginning January 1, 1997, and ending December 31, 1998, 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, phone number (717) 787-6060, at the above address.

CARL L. MEASE,  
*Acting Director*

[Pa.B. Doc. No. 96-1507. Filed for public inspection September 6, 1996, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Lancaster County, Wine & Spirits Shoppe #3608, Manor Shopping Center, 1234 Millersville Pike, Lancaster, PA 17603-6656.

*Lease Expiration Date:* September 30, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,800 to 5,400 net useable square feet of new or existing retail commercial space within 1.5 miles of the intersection of Millersville Pike (Route 999) and Charles Road.

*Proposals due:* October 4, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

Bucks County, Wine & Spirits Shoppe #0920, Quakertown Shopping Center, 1465 W. Broad Street, Quakertown, PA 18951-1189.

*Lease Expiration Date:* February 28, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space on Route 309, between Rich Hill Road and Pumping Station Road, in or near Quakertown.

*Proposals due:* October 4, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794  
**Contact:** Robert Jolly, (215) 560-5310

Susquehanna County, Wine & Spirits Shoppe #5803, The Shops, 236 Erie Boulevard, Susquehanna, PA 18847-1225.

*Lease Expiration Date:* September 30, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 to 2,000 net useable square feet of new or existing retail commercial space within the Borough of Susquehanna.

*Proposals due:* October 11, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 96-1508. Filed for public inspection September 6, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Railroad With Hearing

**C-00968073. Complaint of the United Transportation Union, et al. v. Consolidated Rail Corporation.** A complaint has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code. The complaint requests an inspection of Railroad Yard in Beaver County and recommendations to rectify the current conditions thereof.

An initial hearing public hearing upon this proceeding will be held Thursday, October 31, 1996, at 10 a.m., in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1509. Filed for public inspection September 6, 1996, 9:00 a.m.]

### Railroad With Hearing

**I-00960049. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 531 093 M) carrying School House Land over and above the grade of the tracks of Southeastern Pennsylvania Transportation in the City of Philadelphia.

A public hearing in this investigation will be held Tuesday, November 19, 1996, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Build-

ing, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1510. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960053. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 592 622 K) carrying Main Street S. R. 4013, over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in Sellersville Borough, Bucks County.

A public hearing in this investigation will be held Tuesday, October 8, 1996, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1511. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960054. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 589 948 X) carrying Street Road, S. R. 2043, over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in Bensalem Township, Bucks County.

A public hearing in this investigation will be held Tuesday, October 8, 1996, at 1 p.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1512. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960055. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 530 114 A) carrying City Line Avenue, S. R. 0001, over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in the City of Philadelphia.

A public hearing in this investigation will be held Wednesday, October 9, 1996, at 10 a.m. in an available

hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1513. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960056. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 593 122 R) carrying State Route 2025, over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in Cheltenham Township, Montgomery County.

A public hearing in this investigation will be held Thursday, October 17, 1996, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1514. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960057. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 592 995 J) carrying State Route 2023, over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in Cheltenham Township, Montgomery County.

A public hearing in this investigation will be held Thursday, October 17, 1996, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1515. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960058. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 592 993 V) carrying State Route 2054, over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in Cheltenham Township, Montgomery County.

A public hearing in this investigation will be held Thursday, October 17, 1996, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1516. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960059. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 592 812 V) carrying Bridge Street, over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in Springfield Township, Montgomery County.

A public hearing in this investigation will be held Wednesday, October 16, 1996, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1517. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Railroad  
With Hearing**

**I-00960060. Southeastern Pennsylvania Transportation.** Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 589 933 H) carrying State Route 0611 over and above the grade of the tracks of Southeastern Pennsylvania Transportation (SEPTA) in Abington Township, Montgomery County.

A public hearing in this investigation will be held Wednesday, October 16, 1996, at 1 p.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1518. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered

as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before September 30, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00113312. Anthony Patterson, t/d/b/a TP Moving & Hauling** (6934 Ogontz Avenue, Philadelphia, Philadelphia County, PA 19138)—(1) household goods in use, between points in Pennsylvania within an airline distance of 15 statute miles of No. 6817 North 17th Street, Philadelphia, and from points in said territory to points in Pennsylvania within an airline distance of 65 statute miles of No. 6817 North 17th Street, Philadelphia, and vice versa; and (2) property, excluding household goods in use, between points in Pennsylvania; which is to be a transfer of all of the rights authorized under the certificate issued at A-00106726 to Mt. Ephraim Storage Co., Inc., a corporation of the State of New Jersey, subject to the same limitations and conditions. *Attorney:* Benjamin L. Winderman, 7601 Germantown Avenue, Philadelphia, PA 19119.

**Notice of Motor Carrier Applications—  
Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before September 23, 1996.

A-00113311	Norman Hallowell 140 East Chestnut Street, Bechtelsville, PA 19505
A-00113310	Hanover Intermodal Transport, Inc. P. O. Box 390, Hanover, PA 17331
A-00113321	Timothy E. Junod R. R. 1, Box 414, Mahaffey, PA 15757
A-00113322	Commercial Courier Express, Inc. P. O. Box 18527, Greensboro, NC 27419

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1519. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Sewage Service  
Without Hearing**

**A-230066. Rostraver Preferred Properties, Inc.** Application of Rostraver Preferred Properties, Inc., to begin to offer or furnish sewage disposal service to the public in

Todd Manor Development, Rostraver Township, Westmoreland County, Belle Vernon, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before September 23, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Mark E. Ramsier, Esquire, 566 Donner Avenue, Monessen, PA 15062.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1520. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Transfer by Sale  
Without Hearing**

**A-230066 F0002. Estate of Dean Mori and Rostraver Preferred Properties, Inc.** Application of the Estate of Dean Mori (deceased), and Rostraver Preferred Properties, Inc., for approval of the transfer by sale of all of the property and rights of the Estate of Dean Mori to Rostraver Preferred Properties, Inc.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before September 23, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Mark E. Ramsier, Esquire, Rostraver Preferred Properties, Inc., 566 Donner Avenue, Monessen, PA 15062.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1521. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Water Service  
Without Hearing**

**A-212285 F0033. Pennsylvania-American Water Company and Fairview Water Company, Inc.** Application of Pennsylvania-American Water Company and Fairview Water Company, Inc., for approval of the right of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in portions of the Borough of Mount Pocono, Monroe County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, PA, with a copy served on the applicant on or before September 23, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Velma A. Redmond, Corporate Counsel and Secretary, 800 West Hershey Park Drive, Hershey, PA 17033;

Alan Price Young, Esquire, Hanna, Young, Upright, and Catina, LLP, Fairview Water Company, Inc., 800 Main Street, Stroudsburg, PA 18360.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1522. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Water Service  
Without Hearing**

**A-210900 F2000. Pennsylvania-American Water Company and Fairview Water Company, Inc.** Application of Pennsylvania-American Water Company and Fairview Water Company, Inc., for approval of the permanent discontinuance by Fairview Water Company, Inc., of all water service to the public.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, PA, with a copy served on the applicant on or before September 23, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicants:* Alan Price Young, Esquire, Hanna, Young, Upright and Catina, LLP, Fairview Water Company, Inc., 800 Main Street, Stroudsburg, PA 18360; Velma A. Redmond, Esquire, Corporate Counsel, Pennsylvania-American Water Company, 800 West Hershey Park Drive, Hershey, PA 17033.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1523. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

**Water Service  
Without Hearing**

**A-212285 F0032. Pennsylvania-American Water Company and Fairview Water Company, Inc.** Application of Pennsylvania-American Water Company and Fairview Water Company, Inc., for approval of the transfer, by sale, of the waterworks property and rights of the Fairview Water Company, Inc., to Pennsylvania-American Water Company.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, PA, with a copy served on the applicant on or before September 23, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Velma A. Redmond, Esquire, Corporate Counsel, Pennsylvania-American Water Company, 800 West Hershey Park Drive, Hershey, PA 17033; Alan Price Young, Esquire, Hanna, Young, Upright and Catina, LLP, Fairview Water Company, Inc., 800 Main Street, Stroudsburg, PA 18360.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1524. Filed for public inspection September 6, 1996, 9:00 a.m.]

# STATE BOARD FOR CERTIFICATION OF SEWAGE ENFORCEMENT OFFICERS

## Examination Announcement for 1997

### *Examination Dates:*

January 25, 1997—All applications must be received by the Board, complete and correct no later than December 16, 1996.

April 26, 1997—All applications must be received by the Board, complete and correct, no later than March 17, 1997.

July 19, 1997—All applications must be received by the Board, complete and correct, no later than June 10, 1997.

November 1, 1997—All applications must be received by the Board, complete and correct, no later than September 22, 1997.

The certification examination for January and July will be offered in the Harrisburg area only.

The certification examination for April and November will be offered in the area of the following cities:

Altoona, Harrisburg, Meadville, Philadelphia, Pittsburgh, Williamsport, Wilkes-Barre.

Application may be obtained by contacting the Department of Environmental Protection, Division of Certification, Licensing and Bonding, Rachel Carson State Office Building, 400 Market St., P. O. Box 8454, Harrisburg, PA 17105-8454, telephone number (717) 787-6045. The sewage enforcement officer (SEO) technical manual is available to examination applicants upon request.

All SEO exam candidates are required to complete mandatory precertification training consisting of a 2-day precertification training course (#101), and a 1-day soils interpretation training course (#103). SEO candidates who successfully complete mandatory training in addition to, precertification training, will receive credit if the training is completed within 2 years of certification. For information on training, contact Department of Environmental Protection, Environmental Training, P. O. Box 8467, Harrisburg, PA 17105-8467, or call (717) 787-0126.

The Sewage Enforcement Officer examination contains 125 multiple choice questions and is divided into four subject areas: Planning, 12 questions; Administration and Enforcement, 24 questions; Soils, 24 questions; Technical Criteria, 65 questions. The passing grade is 50% correct responses to questions in each of the four subject areas; additionally, an overall score of 88 correct responses is required.

Approximately 4 weeks prior to an examination, applicants will receive an admittance letter from the Certification Board.

Persons with a disability who require accommodation to take the SEO examination should contact the Board at (717) 787-6045 or through Pennsylvania AT&T Relay

Services at 1 (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

ANITA L. GROSS,  
*Secretary*

[Pa.B. Doc. No. 96-1525. Filed for public inspection September 6, 1996, 9:00 a.m.]

# STATE BOARD FOR CERTIFICATION OF SEWAGE TREATMENT PLANT AND WATERWORKS OPERATORS

## Examination Announcement for 1997

### *Examination Dates:*

April 26, 1997—Applications must be received, complete and correct, no later than February 10, 1997.

November 1, 1997—Applications must be received, complete and correct, no later than August 18, 1997.

The certification examination for April and November will be offered at seven locations in the following cities:

Altoona	Philadelphia
Harrisburg	Williamsport
Meadville	Wilkes-Barre
Pittsburgh	

Applications must be received by the Department of Environmental Protection, Certification and Licensing, P. O. Box 8454, 400 Market Street, Rm. 101, Harrisburg, PA 17105-8454, telephone (717) 787-5236, by the established cutoff dates stated above (not postmarked). Information regarding the certification examination can be obtained by contacting this same address and telephone number.

Applicants requesting two examinations (water and sewage) must be examined in the Harrisburg area.

Copies of course completion certificates and transcripts must be submitted with the application in order to be counted toward total experience.

Approximately 3 weeks prior to an examination, qualified applicants will receive a "letter of notification" from the certification board. This letter must be presented at the examination center in order for the applicant to be admitted to the test.

All applicants will be notified of examination results within 75 days after the examination date.

Information on training courses can be obtained by contacting the Department of Environmental Protection, Environmental Training, P. O. Box 8467, Harrisburg, PA 17105-8467, telephone (717) 787-0126.

Persons with a disability who require accommodation to take the sewage treatment plant or waterworks operator exam should contact the board at (717) 787-5236 or



through PA AT&T Relay Services at 1-800-654-5984 (TDD) to discuss how the Board may accommodate their needs.

ROBERT J. SLATICK,  
*Secretary*

[Pa.B. Doc. No. 96-1526. Filed for public inspection September 6, 1996, 9:00 a.m.]

---

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Harrisburg, PA 17108:

\*September 18, 1996 Ronald D. Stiff 1 p.m.  
(Service Credit)

September 18, 1996	Ray L. Martin (Compensation)	1 p.m.
September 25, 1996	Gerald T. Kerprich (Service Credit)	1 p.m.
September 25, 1996	Stephen S. Fehr (Service Credit)	2:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 96-1527. Filed for public inspection September 6, 1996, 9:00 a.m.]