

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Pennsylvania Apple Marketing Board; Requests for Proposals

The Pennsylvania Apple Marketing Program is issuing a Request For Proposal for merchandising, public relations and related services for the promotion of Pennsylvan-

nia apples. For a copy of the Request For Proposal, contact Brenda Beleski Briggs at (717) 783-5418 or by fax at (717) 783-4262. Bids must be received by 3 p.m. on March 1, 1996.

CHARLES C. BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 96-40. Filed for public inspection January 12, 1996, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 2, 1996.

#### BANKING INSTITUTIONS

##### Intrastate Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-29-95	Keystone Financial, Inc., Harrisburg, to acquire 100% of the voting shares of National American Bancorp, Inc., Towanda	Harrisburg	Effective

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-22-95	Butler Wick Trust Company Sharon Mercer County	One E. State St. Sharon Mercer County	Commenced Operations

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-29-95	Northern Central Bank, Williamsport, and First National Bank of Bradford County, Towanda surviving institution— Northern Central Bank, Williamsport	Williamsport	Effective
	<i>Branches Acquired:</i>		
	312 Main Street Towanda Bradford County	U. S. Route 6 Wysox Bradford County	
	103 Taylor Avenue Wayalusing Bradford County	230 Desmond Street Sayre Bradford County	
	Front Street New Albany Bradford County	100 S. Henry Street South Waverly Bradford County	
	Colonial Plaza Shopping Center North Towanda Bradford County	422 North Elmira Street Athens Bradford County	

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	Route 220 Ulster Bradford County	R. D. 3 Gillett Bradford County	
12-29-95	Harris Savings Bank Harrisburg, and First Federal Savings and Loan Association of Harrisburg, Harrisburg surviving institution— Harris Savings Bank, Harrisburg	Harrisburg	Filed

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-26-95	First Valley Bank Bethlehem Northampton County	Centerville Square Route 30 and Centerville Road East Hempfield Twp. Lancaster County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-2-96	Mid-State Bank and Trust Company Altoona Blair County	1315 11th Avenue Altoona Blair County	Approved
1-2-96	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	540 Penn Street Reading Berks County	Approved

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
12-29-95	Delaware Management Trust Company Philadelphia Philadelphia County	To restate Article 8 of the Articles of Incorporation in its entirety to authorize the trust company to make certain investments with this Department's prior written approval.	Approved and Effective

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-41. Filed for public inspection January 12, 1996, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AFFAIRS

### Emergency Shelter Grant Program; Applications for Funding

The Department of Community Affairs has been invited to apply for funding through the U. S. Department of Housing and Urban Development.

The Emergency Shelter Grant Program is established within the Stewart B. McKinney Homeless Assistance Act. The grant will provide for the repair and operations of shelters which provide assistance to homeless families and individuals.

Applications may be submitted to the Department by local governments on behalf of homeless service providers through February 16, 1996. Application forms and instructions may be obtained by contacting the Department's regional offices. Persons with a disability who wish to submit an application in accordance with the provisions stated herein and who require assistance with that application and persons who require copies of this notice in an alternate format (large type, braille, and the like) should contact David Chittister, Room 507 Forum Building, Harrisburg, PA 17120, telephone (717) 787-7156 to discuss how the Department may best accommodate their needs. The following is the listing of DCA Regional Offices and the counties they serve:

## DCA Regional Offices

Southeast Regional Office  
908 State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
(215) 560-2256

Northeast Regional Office  
Suite 201 Samters Building  
101 Penn Avenue  
Scranton, PA 18503-2025  
(717) 963-4571

Northcentral and Southcentral Regional Office  
402 Finance Building  
Harrisburg, PA 17120  
(717) 787-7347

Southwest Regional Office  
413 State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
(412) 565-5002

Northwest Regional Office  
Third Floor, Rothrock Building  
121 West 10th Street  
Erie, PA 16501  
(814) 871-4241

Bucks, Chester, Delaware, Montgomery and Philadelphia.

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

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

Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington, Westmoreland.

Cameron, Clarion, Clearfield, Crawford, Elk, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango, Warren.

WILLIAM C. BOSTIC,  
*Secretary*

[Pa.B. Doc. No. 96-42. Filed for public inspection January 12, 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 official considers the public response significant.

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact the Community Relations Coordinator at (717) 657-4585. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

**Application for National Pollutant Discharge Elimination System (NPDES) Permit to discharge to State waters.**

*Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.*

**PA 0021491.** Sewage, SIC: 4952, **Williamstown Borough Sewer Authority**, P. O. Box 44, Williamstown, PA 17098.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Wiconisco Creek, in Williams Township, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Dauphin Consolidated Water Company located in Susquehanna Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.375 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40		50
Suspended Solids	30	45		60
Total Residual Chlorine	0.5			1.63
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	13,000/100 ml as a geometric average			

The EPA waiver is in effect.

**PA 0024350.** Sewage, SIC: 4952, **Dauphin Borough Municipal Authority**, Delaware and Canal Streets, P. O. Box 487, Dauphin, PA 17018.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Susquehanna River, in Dauphin Borough, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Dauphin Consolidated Water Company located in Susquehanna Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.20 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40		50
Suspended Solids	30	45		60
Total Residual Chlorine	0.5			1.63
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	100,000/100 ml as a geometric average			

The EPA waiver is in effect.

**PA 0080721.** Sewage, SIC: 6515, **Frank Perano** (Cedar Manor Mobile Home Park), Box 278, King of Prussia, PA 19406.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary of Conewago Creek, in Londonderry Township, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Columbia Borough Water Company located in Columbia Borough, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.07 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N (5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	7.5			15.0
Total Phosphorus	2.0			4.0
Total Residual Chlorine	1.0			2.0
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
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			

The EPA waiver is in effect.

**PA 0024040.** Sewage, SIC: 4952, **Borough of Highspire**, 640 Eshelman Street, Highspire, PA 17034-1698.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Susquehanna River, in Highspire Borough, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Columbia Water Company located in Columbia Borough, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40		50
Suspended Solids	30	45		60
Total Phosphorus	2.0			4.0
Dissolved Oxygen	minimum of 5.0 at all times			
pH	6.0—9.0			
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	100,000/100 ml as a geometric average			

The EPA waiver is not in effect.

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

**PA 0053864.** Industrial waste, **Plummer Precision Optics**, 601 Montgomery Avenue, Pennsburg, PA 18073.

This application is for renewal of an NPDES permit to discharge cooling water from the Plummer Precision Optics facility in Upper Hanover Township, **Montgomery County**. This is an existing discharge to unnamed tributary to Perkiomen Creek.

The receiving stream is classified for warm water fish, trout stocking, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001, based on an average flow of 94,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent for Outfall 002, based on an average flow of 6,700 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

**PA 0056707.** Industrial waste, **Alex C. Fergusson, Inc.**, Spring Mill Drive, Frazer, PA 19355.

This application is for issuance of an NPDES permit to discharge untreated stormwater from Alex C. Fergusson, Inc. facility in Charlestown Township, **Chester County**. This is a new discharge to Cedar Hollow, a tributary of Valley Creek.

The receiving stream is classified for cold water fish, warm water fish, migratory fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports, exceptional value waters and esthetics.

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	monitor/report	monitor/report
COD	monitor/report	monitor/report
Total Suspended Solids	monitor/report	monitor/report
Oil and Grease	monitor/report	monitor/report
Total Kjeldahl Nitrogen	monitor/report	monitor/report
Phosphorus (as P)	monitor/report	monitor/report
Iron Dissolved	monitor/report	monitor/report
pH	monitor/report	monitor/report
MBAS Surfactant	monitor/report	monitor/report

The EPA waiver is in effect.

**PA 0056545.** Industrial waste, **Graphic Packaging Corporation**, Matthews and Cedar Hollow Roads, P. O. Box 500, Paoli, PA 19301.

This application is for issuance of an NPDES permit to discharge untreated stormwater from an industry in Tredyffrin Township, **Chester County**. This is a new discharge to Little Valley Creek.

The receiving stream is classified for warm water fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports, exceptional value waters and esthetics.

The proposed effluent limits for Outfalls 001, 002 and 003, are as follows:

<i>Parameter</i>	<i>Maximum Daily</i>
CBOD <sub>5</sub>	report
COD	report
Oil and Grease	report
pH	report
Total Suspended Solids	report
Total Kjeldahl Nitrogen	report
Total Phosphorus	report
Dissolved Iron	report

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

**PA 0209309.** SIC: 9959, **Travel Ports of America, Inc.**, 3495 Winton Place, Rochester, NY 14623.

This proposed action is for issuance of an NPDES permit for an existing discharge of treated industrial wastewater to an unnamed tributary to Bald Eagle Creek in Boggs 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 downstream potable water supply (PWS) considered during the evaluation is the proposed intake located at Lock Haven.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0144 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total BTEX	100.0	200.0
Benzene	5.0	10.0
TPH-DRO	monitor	

The proposed effluent limits for Outfall 002 based on a design flow of 0.0144 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total BTEX	100.0	200.0
Benzene	5.0	10.0
TPH-GRO	monitor	

The EPA waiver is in effect.

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

**PA 0056731.** Sewage, **Historic Salem Village Homeowner's Association**, c/o Charles F. Line, R. D. 5, Box 25, Yellow Springs Road, Malvern, PA 19355.

This application is for issuance of an NPDES permit to discharge treated sewage from a small flow treatment facility to an unnamed tributary to Valley Creek in Tredyffrin Township, **Chester County**. This is a new discharge to unnamed tributary of Valley Creek.

The receiving stream is classified for warm water fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports, exceptional value waters and esthetics.

The proposed effluent limits for Outfall 001, based on an average flow of 1,700 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Phosphorus (as P)	1.0	2.0
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

**PA 0004979-A1.** Industrial waste, SIC: 2821, 2869 and 2818, **Neville Chemical Company**, 2800 Neville Road, Pittsburgh, PA 15225.

This application is for an amendment of an NPDES permit to discharge treated process water, cooling water, stormwater, leachate and untreated cooling water stormwater from Neville Chemical, Neville Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters of the Ohio River (main channel and the back channel) classified as warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Robinson Township Authority, located at Mile 8.8—Ohio River, 2.43 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.134 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average</i>	<i>Maximum</i>	<i>Average</i>	<i>Maximum</i>
	<i>Monthly</i>	<i>Daily</i>	<i>Monthly</i>	<i>Daily</i>
Flow (mgd)	monitor and report			
BOD <sub>5</sub> day	29.075	77.164	26.000	69.000
TSS	46.967	150.964	42.000	135.000
Acenaphthene	0.024	0.066	0.022	0.059
Acenaphthylene	0.024	0.066	0.022	0.059
Acrylonitrile	0.107	0.271	0.096	0.242
Anthracene	0.024	0.066	0.022	0.059
Benzene	0.042	0.152	0.037	0.136
Benzo(a)Anthracene	0.024	0.066	0.022	0.059
3,4-Benzo-Fluoranthene	0.025	0.068	0.023	0.061
Benzo(k)Fluoranthene	0.024	0.066	0.022	0.059
Benzo(a)Pyrene	0.025	0.068	0.023	0.061
Bis(2-Ethylhexyl) phthalate	0.115	0.312	0.103	0.279
Carbon Tetrachloride	0.020	0.043	0.018	0.038
Boron	268.00	318.00	monitor and report	
Chlorobenzene	0.016	0.032	0.015	0.028
Chloroethane	0.016	0.300	0.104	0.268
Chloroform	0.024	0.052	0.021	0.046
2-Chlorophenol	0.034	0.110	0.031	0.098
Chrysene	0.024	0.066	0.022	0.059
Di-N-Butylphthalate	0.030	0.063	0.027	0.057
1,2-Dichlorobenzene	0.086	0.182	0.077	0.163
1,3-Dichlorobenzene	0.034	0.049	0.031	0.044
1,4-Dichlorobenzene	0.016	0.032	0.015	0.028
1,1-Dichloroethane	0.024	0.066	0.022	0.059
1,2-Dichloroethane	0.076	0.236	0.068	0.211
1,1-Dichloroethylene	0.018	0.028	0.016	0.025

	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average</i>	<i>Maximum</i>	<i>Average</i>	<i>Maximum</i>
1,2-trans-Dichloroethylene	0.024	0.061	0.021	0.054
2,4-Dichlorophenol	0.043	0.125	0.039	0.112
1,2-Dichloropropane	0.171	0.257	0.153	0.230
1,3-Dichloropropylene	0.033	0.049	0.029	0.044
Diethylphthalate	0.091	0.228	0.081	0.203
2,4-Dimethylphenol	0.020	0.040	0.018	0.036
Dimethylphthalate	0.021	0.053	0.019	0.047
4,6-Dinitro-o-Cresol	0.087	0.310	0.078	0.277
2,4-Dinitrophenol	0.080	0.138	0.071	0.123
2,4-Dinitrotoluene	0.126	0.319	0.113	0.285
2,6-Dinitrotoluene	0.286	0.717	0.255	0.641
Ethylbenzene	0.035	0.121	0.032	0.108
Fluoranthene <sup>2</sup>	0.028	0.076	0.025	0.068
Fluorene	0.024	0.066	0.022	0.059
Fluoride	1,273.00	1,651.00	monitor and report	
Hexachlorobenzene	0.016	0.032	0.015	0.028
Hexachlorobutadiene	0.023	0.054	0.020	0.049
Hexachloroethane	0.024	0.061	0.021	0.054
Methyl Chloride	0.096	0.212	0.086	0.190
Methylene Chloride	0.044	0.100	0.040	0.089
Naphthalene	0.024	0.066	0.022	0.059
Nitrobenzene	0.030	0.076	0.027	0.068
Fluoroborate	monitor and report		monitor and report	
2- Nitrophenol	0.046	0.077	0.041	0.069
4-Nitrophenol	0.081	0.139	0.072	0.124
Phenol	0.016	0.029	0.015	0.026
Phenanthrene	0.024	0.066	0.022	0.059
Pyrene	0.028	0.075	0.025	0.067
Tetrachloroethylene	0.024	0.063	0.022	0.056
Toluene	0.029	0.090	0.026	0.080
Total Chromium	1.241	3.097	1.110	2.770
Total Copper	1.622	3.780	1.450	3.380
Total Cyanide	0.470	1.343	0.420	1.20
Total Lead	0.358	0.771	0.320	0.690
Total Nickel	1.890	4.451	1.690	3.980
Total Zinc	1.174	2.919	1.050	2.610
1,2,4-Trichloro-benzene	0.076	0.157	0.068	0.140
1,1,1-Trichloro-ethane	0.024	0.061	0.021	0.054
1,1,2-Trichloro-ethane	0.024	0.061	0.021	0.054
Trichloroethylene	0.024	0.061	0.021	0.054
Vinyl Chloride	0.116	0.300	0.104	0.268
pH	6.0—9.0			

Outfall 201: existing discharge to Outfall 003. Design discharge flow of 2.484 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average</i>	<i>Maximum</i>	<i>Average</i>	<i>Maximum</i>
Flow (mgd)	monitor and report		<i>Monthly</i>	<i>Daily</i>
Temperature				110°F
Benzene			monitor and report	
Toluene			monitor and report	
Xylenes			monitor and report	
Vinyl Chloride			monitor and report	
Styrene			monitor and report	
Hexachlorobenzene			monitor and report	
pH	6.0—9.0			



Outfall 004: existing discharge to the Ohio River—Main Channel. Design discharge flow of 0.245 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average	Maximum	Average	Maximum
	Monthly monitor and report	Daily	Monthly	Daily
Flow (mgd)				
TSS			30	60
Oil and Grease			15	30
Acetone			monitor and report	
Benzene			0.032	0.064
Cis-1,2-Dichloroethylene			0.004	0.008
Ethylbenzene			0.035	0.070
Methylene Chloride			0.065	0.13
Methyl Isobutylketone			0.091	0.18
Naphthalene			0.548	1.09
Toluene			0.028	0.056
P-Xylene			0.057	0.114
Total Iron				7
pH	6.0—9.0			

**Part C: Other Requirements**

Part C.7 was added to the permit to require additional data to be provided on Boron, Fluoride and Fluoroborate at internal outfall 101.

The EPA waiver is not in effect.

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

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

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

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be 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 office noted above the application.

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

contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

**NPDES Permit PAS104102.** Stormwater. **Lewis Run Borough**, 60 Main Street, Lewis Run, PA 16738, has applied to discharge stormwater from a construction activity located in Lewis Run Borough, **McKean County**, to East Branch Tunungwant Creek.

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

*Southcentral Regional Office: Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.*

**A. 3195403.** Sewage, **Marklesburg Authority**, P. O. Box 24, James Creek, PA 16657 in Marklesburg Borough, **Huntingdon County** to construct a sewer extension, pump station, and an extended aeration sewage treatment plant was received in the Southcentral Region on September 18, 1995.

**A. 2295201.** Industrial waste, **Bethlehem Steel Corporation**, Steelton Plant, 215 South Front Street, Steelton, PA 17113 in Steelton Borough, **Dauphin County** to construct a water treatment system on the blowdown from the existing vacuum degasser process water treatment system was received in the Southcentral Region on December 13, 1995.

**NOI Received and Final Actions Under NPDES General Permits**

Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR123537	2	Utz Quality Foods Plant No. 1 900 High Street Hanover, PA 17331	York Hanover Borough	Susquehanna River	2096
PAR123538	2	Utz Quality Foods Plant No. 3 900 High Street Hanover, PA 17331	York/Adams Hanover/Conewago	Susquehanna	2096
PAR123539	2	Utz Quality Foods 900 High Street Hanover, PA 17331 Plant No. 2	York Hanover/Penn	Susquehanna	2096
PAR123536	2	Hershey Foods Technical Center P. O. Box 810 Hershey, PA 17033-0810	Dauphin Derry Twp.	UNT to Swatara Creek	2064
PAR143518	2	C-P Converters Inc. 15 Grumbacher Rd. York, PA 17402	York Manchester Twp.	Storm Sewer Codorus Creek	2751

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**Applications received 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.*

**A. 4695506.** Public water supply. **North Penn Water Authority**, 300 Forty Foot Road, Lansdale, PA 19446. This proposal involves the construction of a new booster pumping station in Lower Salford Township, **Montgomery County**.

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

**A. 4195505.** **Tri-Lateral Investment Corporation**, (Heatherbrooke Estates Mobile Home Park), R. D. 5, Box 344, Muncy, PA 17756, Muncy Creek Township, **Lycoming County**. Use of drilled well no. 2 will chlorination as a source of water supply.

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

**A. 3695514.** **Borough of Quarryville**, Quarryville Boro. Providence Twp., Eden Twp., E. Drumore Twp., **Lancaster County**, (Daniel Mylin, Borough Manager—Boro of Quarryville, 300 Saint Catherine Street, Quarryville, PA 17566), fluoride feed system to the Chase Well, (Gerald R. McClune, P.E., Acer Engineers & Consultants, Inc., 270 Granite Run Drive, Lancaster, PA 17601).

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

**A. 6195503.** **Rouseville Municipal Waterworks**, P. O. Box 317, 8 Main Street, Rouseville, PA 16344-0317. This proposal involves an electronic metering pump to be added to the existing system to dispense sequesterant (Aquamag) to wells no. 1 and no. 2 and springs no. 1 and no. 2 in Cornplanter Township, **Venango County**.

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**Applications submitted under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), act of July 28, 1988, (P. L. 556, No. 101) and regulations to operate solid waste processing or disposal area or site.**

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

**Permit I.D. No. 100933.** **Empire Sanitary Landfill, Inc.**, P. O. Box 28, Taylor, PA 18517. A Major Permit Modification, requesting an increase in the permitted average and maximum daily tonnage from 5,000 tons per day to 5,500 tons per day and from 5,500 tons per day to 6,000 tons per day for this Municipal Waste Landfill, located in Taylor and Old Forge Boroughs and in Ransom Township, **Lackawanna County**. This application was received on December 13, 1995 and was determined to be complete in the Regional Office on December 21, 1995.

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**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.*

**Permit No. 100008.** **Cresswell Landfill, Lancaster County Solid Waste Authority**, (1299 Harrisburg Pike, P. O. Box 4425, Lancaster, PA 17604). Application for request for reduction of bond for a site in Caernarvon Township, **Lancaster County**. Reduction of bond was granted December 18, 1995.

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**Applications (Form R) received for the modification of municipal and residual solid waste management permits to authorize the management of a previously unpermitted class of residual solid waste.**

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

**A. 101397.** **Homestand Land Corporation**, Greentree Landfill, 635 Toby Road, Kersey, PA 15846, located in Fox Township, **Elk County**. A permit modification to revise the acceptance procedures and permit the treatment of nonhazardous liquid wastes at the leachate treatment plant and to revise the Solid Waste Form

R—Waste Analysis and Classification Plan was determined to be administratively complete in the Regional Office on December 27, 1995.

#### Acknowledgment of Notices of Intent to Remediate

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (the 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:

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

**Gabe Staino Chrysler Plymouth**, Birmingham Township, **Delaware County**. Thomas R. Buggiey, 2325 Maryland Road, Willow Grove, PA 19090 has submitted a Notice of Intent to Remediate site soils contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide health standard.

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

*Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**01-318-011**. Replacement of a finish spray paint booth by **Schindler Elevator Corporation** (1200 Biglersville Road, Gettysburg, PA 17325) in Cumberland Township, **Adams County**.

**06-1007A**. Replacement of three natural gas-fired reheat furnaces by **Carpenter Technology Corporation** (P. O. Box 14662, Reading, PA 19612-4662) in Reading and Muhlenberg Township, **Berks County**.

**06-302-089A**. Modification of an existing multi-fuel boiler by **Dietrich Milk Products** (100 McKinley Avenue, Reading, PA 19605) in Muhlenberg Township, **Berks County**.

**06-308-028A**. Installation of a back-up lead-acid battery shredder and wet scrubber by **General Battery Corporation** (P. O. Box 14294, Reading, PA 19612-4294) in Laureldale, **Berks County**. The source is subject to Part 63, Subpart X of the National Emission Standards for Hazardous Air Pollutants.

**06-309-008B**. Installation of a fabric collector on a conveyor system by **Allentown Cement Company, Inc.** (P. O. Box 619, Blandon, PA 19510) in Maiden Creek Township, **Berks County**.

**06-313-006A**. Modification of the existing plastic powder processing plant by **Morton International, Inc.** (P. O. Box 15240, Reading, PA 19612-5240) in Reading, **Berks County**.

**06-318-075**. Installation of an electrocathodic dip coating system by **Reading Body Works, Inc.** (P. O. Box 650, Shillington, PA 19607) in Reading, **Berks County**.

**36-309-077B**. Installation of a back-up pneumatic conveying system for the no. 1 mottle line by **Armstrong World Industries, Inc.** (Liberty and Charlotte Street, Lancaster, PA 17604) in Lancaster City, **Lancaster County**.

**36-310-013D**. Modification of an existing source and installation of a new screen by **Compass Quarries, Inc.** (Stone Crushing Plant, 47 McIlvane Road, Paradise, PA 17562) in Paradise Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**36-310-023D**. Modification of an existing source and control device by **Compass Quarries, Inc.** (Lime Plant, 47 McIlvaine Road, Paradise, PA 17562) in Paradise Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**36-320-026**. Construction of three new presses, modification of two existing presses and reactivation of an existing control device by **R. R. Donnelley & Sons** (Northeastern Division—Lancaster East—216 Greenfield Road, Lancaster, PA 17601-5885) in Lancaster City, **Lancaster County**.

**67-309-105**. Modification of the railcar transport tank operation by **The Pfaltzgraff Company** (P. O. Box 244, Bowman Road, Thomasville, PA 17364) in Jackson Township, **York County**.

#### Applications received for operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

*Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**01-310-009F**. The Department intends to issue an air quality operating permit to **ISP Minerals, Inc.** (P. O. Box O, Blue Ridge Summit, PA 17214) for a crushing and screening plant in Hamiltonban Township, **Adams County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**01-323-003**. The Department intends to issue an air quality operating permit to **AMP, Incorporated** (222

East King Street, East Berlin, PA 17316) for an electroplating line in East Berlin Township, **Adams County**.

**06-318-042C.** The Department intends to issue an air quality operating permit to **Reynolds Metals Company** (County Line Road, R. D. 1, Boyertown, PA 19512) for a flexible packaging operation controlled by a thermal oxidizer and a catalytic oxidizer in Colebrookdale Township, **Berks County**.

**36-302-181.** The Department intends to issue an air quality operating permit to **Grinnell Corporation** (1411 Lancaster Avenue, Columbia, PA 17512) for a natural gas-fired boiler in Columbia, **Lancaster County**. The source is subject to 40 CFR 60, Subpart Dc, Standards of Performance for New Stationary Sources.

**67-309-047C.** The Department intends to issue an air quality operating permit to the **J. E. Baker Company** (P. O. Box 1189, York, PA 17405) for a refractory specialties plant in West Manchester Township, **York County**.

**67-309-001D.** The Department intends to issue an air quality operating permit to the **J. E. Baker Company** (P. O. Box 1189, York, PA 17405) for a limestone crushing and handling operation in West Manchester Township, **York County**.

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

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

**60-303-002.** Construction of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) by **Eastern Industries, Inc.** (P. O. Box 177, Winfield, PA 17889) in Union Township, **Union County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

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**Applications received for operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**17-302-021.** The Department intends to issue an operating permit to the **Moshannon Valley School District** (R. D. 1, Box 314, Houtzdale, PA 16651) for the operation of two coal/number 2 fuel oil fired boilers and associated air cleaning devices (centrifugal fly ash collectors) at the Moshannon Valley Jr/Sr High School in Bigler Township, **Clearfield County**.

**53-328-001.** The Department intends to issue an operating permit to **Tennessee Gas Pipe Line Company** (P. O. Box 2511, Houston, TX 77252-2511) for the operation of a natural gas fired turbine at Station 313 in Hebron Township, **Potter County**. This turbine is subject to Subpart GG of the Federal Standards Of Performance For New Stationary Sources.

**49-309-007H.** The Department intends to issue an operating permit to **Meckley's Limestone Products, Inc.** (R. D. 1, Box 950, Herndon, PA 17830) for the operation of a triple deck screen in Lower Mahanoy Township, **Northumberland County**.

**49-312-004C.** The Department intends to issue an operating permit to **Eldorado Properties Corporation,**

Owner, and Petroleum Products Corporation, Operator, (P. O. Box 2621, Harrisburg, PA 17105) for the operation of a bulk gasoline storage tank (no. 31) and associated air cleaning device (an internal floating roof with a metallic shoe seal) at the Northumberland Terminal in Point Township, **Northumberland County**. This tank is subject to Subpart Kb of the Federal Standards of Performance for New Stationary Sources.

**MINING ACTIVITY APPLICATIONS**

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

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

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

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

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal confer-

ence must contain the name, address and telephone number of requestor, application number, a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

*District Mining Operations, P. O. Box 669, Knox, PA 16232.*

*Coal Applications Received*

**43850105. C & K Coal Company** (P. O. Box 69, Clarion, PA 16214). Renewal of an existing bituminous surface strip operation in Pine and Mercer Townships, **Mercer and Butler Counties** affecting 96.0 acres. Receiving streams two unnamed tributaries to Swamp Run. Application received December 21, 1995.

**10890114. Rosebud Mining Company** (R. D. 2, Box 324B, Parker, PA 16049). Renewal of an existing bituminous surface strip operation in Bruin Borough and Parker Township, **Butler County** affecting 211.5 acres. Receiving streams unnamed tributaries to South Branch Bear Creek; South Branch Bear Creek. Application received December 21, 1995.

**33820142. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Revision to an existing bituminous surface strip operation in Porter Township, **Jefferson County** affecting 92.0 acres. Receiving streams unnamed tributary to Hamilton Run; Nye Branch to Pine Run. Revision to include a post-mining landuse change from "forestland" to "pastureland, land occasionally cut for hay" on the lands of Byron A. Kelsy. Application received December 18, 1995.

**16950109. Rosebud Mining Company** (R. D. 2, Box 324B, Parker, PA 16049). Commencement, operation and restoration of a bituminous surface strip operation in Toby Township, **Clarion County** affecting 311.0 acres. Receiving streams Fiddlers Run and an unnamed tributary to Black Fox Run. Application to include a stream encroachment to construct erosion and sedimentation control facilities within 100 feet of an unnamed tributary to Black Fox Run. Application received November 22, 1995.

**10930112. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Transfer of an existing bituminous surface strip, auger and coal preparation plant operation in Cherry Township, **Butler County** affecting 98.5 acres. Receiving streams an unnamed tributary to Slippery Rock Creek and Slippery Rock Creek. Transfer from D.W.L. Coal Co. Application received November 30, 1995.

**33840125. Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous surface strip operation in Snyder Township, **Jefferson County** affecting 344.0 acres. Receiving streams Rattlesnake Creek and McEwen Run. Application for reclamation only. Application received December 4, 1995.

**16910101. Reichard Contracting, Inc.** (R. D. 3, Box 20, New Bethlehem, PA 16242). Renewal of an existing bituminous surface strip operation in Perry Township, **Clarion County** affecting 27.0 acres. Receiving streams two unnamed tributaries to the Allegheny River and two unnamed tributaries to Black Fox Run. Application for reclamation only. Application received December 7, 1995.

**33850115. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319). Renewal of an existing bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 412.8 acres. Receiving

streams unnamed tributaries to Big Run; unnamed tributaries to Rose Run. Application for reclamation only. Application received December 7, 1995.

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

**11840110. Permit renewal, Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838), commencement, operation and restoration of bituminous strip mine in West Carroll Township, **Cambria County**, affecting 107.0 acres, receiving stream Fox Run to west branch Susquehanna River, application received December 18, 1995.

**32850112. Permit renewal, B & W Coal, Inc.** (R. D. 1, Box 1275, Homer City, PA 15748), commencement, operation and restoration of bituminous strip mine in Young Township, **Indiana County**, affecting 59.5 acres, receiving stream Nesbit Run and Harpers Run, tributaries to Blacklegs Creek, application received December 19, 1995.

**11693000. K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), permit revision to modify the 3,075 acre surface mine permit to include the land application of sewage sludge in Chest Township, **Cambria County**, receiving stream Rogues Harbor Run and Rock Run and unnamed tributaries to Chest Creek to west branch of Susquehanna River, application received December 14, 1995.

**11910101. Permit renewal, E. P. Bender Coal Company, Inc.** (Main and Lehmier Streets, Carrolltown, PA 15722), commencement, operation and restoration of bituminous strip mine in Reade Township, **Cambria County**, affecting 88.0 acres, receiving stream unnamed tributary to/and Powell Run, application received December 20, 1995.

**11850111. Permit renewal, E. P. Bender Coal Company** (P. O. Box 565-566, Carrolltown, PA 15722), commencement, operation and restoration of bituminous strip mine in Dean Township, **Cambria County**, affecting 160.0 acres, receiving stream unnamed tributary to Brubaker Run and Brubaker Run, application received December 20, 1995.

**32950109. Dunamis Resources, Inc.** (R. R. 4, Box 1542, Homer City, PA 15748), commencement, operation and restoration of bituminous strip mine in White Township, **Indiana County**, affecting 70.1 acres, receiving stream Yellow Creek and unnamed tributary to Yellow Creek to Two Lick Creek to Black Lick Creek to Conemaugh River, application received December 21, 1995.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**63841302. Maple Creek Mining, Inc.** (P. O. Box 517, Bentleyville, PA 15314), to renew and revise the permit for the Maple Creek bituminous deep mine in New Eagle Borough, **Washington County** to add permit and subsidence acres, no additional discharge. Application received December 19, 1995.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**54900105R. Tuscarora Mines & Minerals Corp.** (Box 116, Tuscarora, PA 17982), renewal of an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** affecting 40.0 acres, receiving stream Schuylkill River. Application received December 19, 1995.

**54951303. International Anthracite Corporation** (One Norwegian Plaza, Suite 315, Pottsville, PA 17901), commencement, operation and restoration of an anthracite deep mine operation (Phase III), in Hegins Township, **Schuylkill County**, affecting 5.0 acres, receiving stream Good Spring Creek. Application received December 15, 1995.

*District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**03910107R. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Washington Township, **Armstrong County**. Receiving streams unnamed tributaries to Limestone Run to the Allegheny River and unnamed tributaries to the Allegheny River. Renewal application received December 18, 1995.

**04840101R. Kerry Coal Company** (P. O. Box 19, Portersville, PA 16051). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Big Beaver Borough, **Beaver County**. Receiving streams Stockman Run to Beaver River to the Ohio River and unnamed tributary to Clarks Run to Beaver River to the Ohio River. Renewal application received December 19, 1995.

**65910102R. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Mt. Pleasant Township, **Westmoreland County**. Receiving streams Laurel Run Watershed. Renewal application received December 19, 1995.

**65950111. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Application received for commencement, operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, proposed to affect 73.8 acres. Receiving streams unnamed tributary to Saxman Run and unnamed tributary to Miller Run. A social and economic justification is included. Application received December 15, 1995.

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

*Large Noncoal Applications Received*

**31950301. Glass Bagging Enterprises, Inc.** (P. O. Box 120, Duncansville, PA 16635), commencement, operation and restoration of bituminous strip mine in Hopewell Township, **Huntingdon County**, affecting 55.0 acres, receiving stream unnamed tributaries to Shy Beaver Creek, application received December 21, 1995.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*Noncoal Applications Received*

**7774SM2A1C. Berks Products Corporation** (726 Spring Street, Reading, PA 19603), correction to an existing quarry operation to add two additional lifts in Ontelaunee Township, **Berks County** affecting 152.0 acres, receiving stream Maiden Creek. Application received December 13, 1995.

**6176SM2A1C2. Berks Products Corporation** (726 Spring Street, Reading, PA 19603), correction to an existing quarry operation to add an additional lift in Maxatawny Township, **Berks County** affecting 21.7 acres, receiving stream none. Application received December 13, 1995.

**09840301C3. G.R.O.W.S., Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067), renewal of NPDES Permit #PA0614301 in Falls Township, **Bucks County**, receiving stream unnamed tributary to Delaware River. Application received December 15, 1995.

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

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 processing 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 Permit, 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 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.

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

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

**E18-207. Encroachment. Dept. of Transportation,** Eng. Dist. 2-0, 1924-30 Daisy St., Clearfield, PA 16830. The applicant proposes to remove an existing structure and to construct and maintain a precast box culvert to carry S.R. 1014, Seg. 90, across an unnamed tributary to the east branch of Hyner Run: a High Quality-Cold Water Fishery. The proposed structure shall be constructed with a span of 15.0 feet, an underclearance of 6.5 feet and a skew of 70 degrees that impacts 73.0 linear feet of stream, but does not impact any wetlands. The project is located approximately 2.7 miles west of the intersection of S.R. 0044 and S.R. 1014 (Glen Union, PA Quadrangle N: 20.4 inches; W: 12.3 inches) in Grugan Township, **Clinton County**.

**E18-208. Encroachment. Dept. of Transportation,** 1924-30 Daisy St., Clearfield, PA 16830. Remove the existing structure and to construct and maintain a prestressed, precast concrete box culvert with parallel wing walls having a span of 14 feet and a rise of 4 feet in Cleveland Hollow a HQ, CWF located approximately 2.82 miles northeast of the Village of Hyner on SR 1014 (Glen Union, PA Quadrangle N: 19.5 inches; W: 15.6 inches) in Chapman Township, **Clinton County**.

**E41-354. Encroachment. Robert J. Kinley,** Lycoming Creek Road, Williamsport, PA 17701. The applicant proposes to place fill in 0.2 acre of a .35 acre PEM wetland along an unnamed tributary to Lycoming Creek classified as a WWF. Purpose of the fill is for the construction of a

commercial business. Wetland replacement is proposed at a 1:1 ratio. The project is located at 2652 Lycoming Creek Road (Business S.R. 0015), (Cogan Station, PA Quadrangle N: 4.5 inches; W: 7.0 inches) in Loyalsock Township, **Lycoming County**.

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

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

**E10-231.** Encroachment. **R. Gordon Matthews & Associates**, 650 Washington Road, Pittsburgh, PA 15228. To install and maintain a 175-foot long, 72-inch wide reinforced concrete pipe culvert in Wolfe Run (WWF) and to place fill in a de minimus wetland area for a road crossing into Ehrman Farms, a residential community. Project site is located approximately 6,000 feet northeast of the intersection of S.R. 0019 and S.R. 3026 (Ehrman Road) (Mars, PA Quadrangle N: 21.0 inches; W: 12.5 inches) in Cranberry Township, **Butler County**.

**E25-532.** Encroachment. **Lake View Development Corp.**, Lake View Country Club, Route 89 Box 481, North East, PA 16428. To fill a de minimus area of wetlands less than 0.05 acre for the creation of a golf driving range at the Lake View Country Club. Project is located 500 feet east of S.R. 0089 approximately 2,000 feet south of the intersection of SR 0089 and I-90. Due to size of impacts (less than 0.05 acre) no replacement wetland area required (North East, PA Quadrangle N: 10.7 inches; W: 10.0 inches) in North East Township, **Erie County**.

**E27-052.** Encroachment. **Tennessee Gas Pipeline Company**, 2000 Corporate Drive, Suite 200, Wexford, PA 15090. To rehabilitate, maintain and operate existing 24-inch and 30-inch high pressure natural gas pipeline crossings of Hemlock Creek (EV, TSF, Wild Trout) and associated wetlands. Project is located approximately 1.9 miles northeast of the point where Venango County/Forest County/Clarion County meet (Tionesta, PA Quadrangle N: 7.0 inches; W: 13.4 inches) in Tionesta Township, **Forest County**.

**E43-247.** Encroachment. **Tennessee Gas Pipeline Company**, 2000 Corporate Drive, Suite 200, Wexford, PA 15090. To rehabilitate, operate and maintain a 14-inch (300-1) and a 30-inch (300-2) diameter high pressure natural gas pipelines across the impoundment of Lake Latonka Dam (DEP File No. D43-049) on Cool Spring Creek approximately 3,500 feet upstream of the dam (Jackson Center, PA Quadrangle N: 5.25 inches; W: 7.8 inches) in Coolspring and Jackson Townships, **Mercer County**. The lines are within a common right-of-way and are approximately 25 feet apart.

**E61-200.** Encroachment. **Tennessee Gas Pipeline Company**, 2000 Corporate Drive, Suite 200, Wexford, PA 15090. To rehabilitate, maintain and operate several existing 24-inch and 30-inch pressure natural gas pipeline crossings in the Hemlock Creek watershed (EV, TSF, Wild Trout). Specifically, the pipelines will cross: a 1.38-acre wetland approximately 3,000 feet west of the Porcupine Creek crossing (President, PA Quadrangle N: 3.9 inches; W: 9.05 inches), Porcupine Creek and associated wetlands (President, PA Quadrangle N: 4.6 inches; W: 7.85 inches), tributary to Porcupine Creek and associated wetland

(President, PA Quadrangle N: 5.1 inches; W: 5.05 inches), and Reese Run and associated wetlands (President, PA Quadrangle N: 5.85 inches; W: 1.7 inches). The pipeline crossings are located east of Coal Hill to the Venango County/**Forest County**, Pinegrove Township, **Venango County**.

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

*Permit Applications*

**E32-363.** Encroachment. **Clair L. and Donna M. Ruffner**, R. R. 6 Box 237, Indiana, PA 15701. To place and maintain fill along Crooked Creek for the purpose of development of a retail fuel service station located on the east side of S. R. 286, approximately 2.8 miles from S. R. 119 overpass (Clymer, PA Quadrangle N: 7.2 inches; W: 11.55 inches) in Rayne Township, **Indiana County**.

**E65-627.** Encroachment. **Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To operate and maintain a bridge constructed under Emergency Permit No. EP6595205 to carry S. R. 2007, Segment 0010, Offset 0247 over Shupe Run and to maintain fill in a de minimus area of wetlands greater than or equal to 0.05 acre. The bridge is located 250 feet from the intersection of SR 0819 and SR 2007 (Mt. Pleasant, PA Quadrangle N: 6.2 inches; W: 5.1 inches) in Mt. Pleasant Township, **Westmoreland County**.

**Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641 relating to the acquisition of rights to divert waters of the Commonwealth).**

*Southeast Regional Office: Bureau of Water Supply and Community Health, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**WA 09-959A.** Water allocation. **Warrington Township Municipal Authority**, 852 Easton Road, Warrington, PA 18976. The applicant is requesting the right to purchase up to 250,000 gpd of potable water from North Wales Water Authority in Warrington Township, **Bucks 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.

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

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*Permits Issued*

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

**NPDES Permit No. PA0043648.** Industrial waste, **Pennsylvania Electric Company**, 1001 Broad Street, Johnstown, PA 15907 is authorized to discharge from a facility located at Homer City Coal Cleaning Plant, Center Township, **Indiana County** to unnamed tributary of Cherry Run.

**NPDES Permit No. PA0098035.** Industrial waste, **American Refining Group, Inc.**, 2010 William Pitt Way, Pittsburgh, PA 15238 is authorized to discharge from a facility located at Indianola Facility, Indiana Township, **Allegheny County** to Deer Creek.

**NPDES Permit No. PA0217093.** Industrial waste, **Johnstown Wire Technologies**, 124 Laurel Avenue, Johnstown, PA 15906 is authorized to discharge from a facility located at Johnstown Plant, City of Johnstown, Cambria River to Conemaugh River.

**NPDES Permit No. PA0029840.** Sewage, **Armstrong County Commissioners**, Armstrong County Courthouse, Kittanning, PA 16201 is authorized to discharge from a facility located at Armsdale Sewage Treatment Plant, Rayburn Township, **Armstrong County** to Cowanshannock Creek.

**NPDES Permit No. PA0094099.** Sewage, **PA District Brethren Church**, 431 Salisbury Street Meyersdale, PA 15552 is authorized to discharge from a facility located at Camp Peniel Sewage Treatment Plant, Greenville Township, **Somerset County** to unnamed tributary of Miller Run.

**NPDES Permit No. PA0094471.** Sewage, **Forest Hills School District**, P. O. Box 158, Sidman, PA 15955 is authorized to discharge from a facility located at Forest Hills Senior High School Sewage Treatment Plant, Adams Township, **Cambria County** to South Fork Little Conemaugh River.

**NPDES Permit No. PA0094994.** Sewage, **Kennywood Park Corporation**, Idlewild Park Division, 4800 Kennywood Boulevard, West Mifflin, PA 15122 is authorized to discharge from a facility located at Idlewild Park Sewage Treatment Plant, Ligonier Township, **Westmoreland County** to Loyalhanna Creek.

**NPDES Permit No. PA0096377.** Sewage, **Forest Hills Municipal Authority**, P. O. Box 111, 401 Grant Street, South Fork, PA 15956 is authorized to discharge from a facility located at Crabapple Hill Sewage Treatment Plant, Adams Township, **Cambria County** to South Fork Little Conemaugh River.

**NPDES Permit No. PA0096547.** Sewage, **West Haven Nursing Home, Inc.**, P. O. Box 278, Goodview Drive, Apollo, PA 15613 is authorized to discharge from a facility located at West Haven Nursing Home STP, Washington Township, **Westmoreland County** to unnamed tributary to Beaver Run.

**NPDES Permit No. PA0098621.** Sewage, **Interstate R. V. Center, Inc.**, Jerry W. Seaman, R. D. 3, Box 00, Claysville, PA 15323 is authorized to discharge from a facility located at Interstate R. V. Center, Inc. Sewage Treatment Plant, Donegal Township, **Washington County** to Dutch Fork.

**NPDES Permit No. PA0217140.** Sewage, **Indiana County Municipal Services Authority**, P. O. Box 351, Indiana, PA 15701 is authorized to discharge from a facility located at Shelocta Sewage Treatment Plant, Armstrong Township, **Indiana County** to Crooked Creek.

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

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*Permits Issued*

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

**Permit No. 3095403.** Sewerage, **Consolidation Coal Company**, Northern West Virginia Region, P. O. Box 1314, Morgantown, WV 26507-1314. Construction of Sewage Treatment Plant located in Wayne Township, **Greene County** to serve the Kuhntown Mine Portal Sewage Treatment Plant.

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

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*Permits Issued*

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

**NPDES Permit No. PA0053503.** Industrial waste, **Ennis Oil and Burner Service Company**, Route 1 and Valley Brook Road, Chester Heights, PA 19017 is authorized to discharge from a facility located in Chester Heights Borough, **Delaware County** into an unnamed tributary to west branch of Chester Creek.

**NPDES Permit No. PA0056651.** Industrial waste, **Exxon Company, USA**, 140 South Village Avenue, Lionfield Building, Suite 200, Exton, PA 19341 is authorized to discharge from a facility located in the Borough of Jenkintown, **Montgomery County** into Tacony Creek.

**NPDES Permit No. PA0026018.** Sewerage, **Borough of West Chester**, Gay and Adams Streets, West Chester, PA 19380 is authorized to discharge from a facility located in East Bradford Township, **Chester County** to Taylor Run.

**NPDES Permit No. PA0056677.** Sewerage, **Steve and Carolini Macri**, 535 School House Lane, Willow Grove, PA 19090 is authorized to discharge from a single family home located in Plumstead Township, **Bucks County** to Geddes Run.

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

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, Rachel Carson State Office Building, 400 Market Street, Second Floor, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under The Environmental Hearing Board (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.

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR106404	Henry T. and Lynn C. Butler P. O. Box 173 Harford, PA 18823	Susquehanna Lathrop Township	Holly Pond/ Martins Creek
PAS10S038	L & L Land Inc. One Landmark Centre East Stroudsburg, PA 18301	Monroe Jackson Township	UNT to Appenzell Creek

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

**Permit No. PA0112291.** Sewerage. **Stanley G. Robinson**, 332 Bombay Road, Howard, PA 16841 is authorized to discharge from facility located in Howard Township, **Centre County** to receiving waters named unnamed tributary to Bald Eagle Creek.

**Permit No. PA0112534.** Sewerage. **Spring Lake Village**, R. R. 4, Box 29, Selinsgrove, PA 17870 is authorized to discharge from facility located in Delaware Township, **Northumberland County** to receiving water named Delaware Run.

**Permit No. PA0209279.** Sewerage. **Robert and Roxanne Sarvis**, R. R. 1, Box 35A, Danville, PA 17821 is authorized to discharge from facility located in Madison Township, **Columbia County** to receiving waters named Little Fishing Creek.

**Permit No. PAG044816.** Sewerage. **James C. VanCampen**, 90 Selkirk Road, Williamsport, PA 17701 is authorized to discharge from facility located in Benton Township, **Columbia County** to receiving waters named Fishing Creek.

**Permit No. PAG044813.** Sewerage. **J. Calvin Dixon**, R. D. 2, Box 394, DuBois, PA 15801 is authorized to discharge from facility located in Sandy Township, **Clearfield County** to receiving waters named Muddy Run.

**Permit No. PA0114588.** Industrial waste. **Sun Company Inc.**, c/o Nancy L. Snyder, 10 Penn Center, 1801 Market Street, Philadelphia, PA 19103-1699 is authorized to discharge from facility located in State College Borough, **Centre County** to receiving waters named Slab Cabin Run.

**Permit No. PA0024325.** Sewerage. **Muncy Borough Municipal Authority**, 14 North Washington Street, Muncy, PA 17756 is authorized to discharge from facility located in Muncy Borough, **Lycoming County** to water named west branch Susquehanna River.

**Permit No. 5395402.** Sewerage. **Roulette Township**, R. R. 1 Station Road, Roulette, PA 16746. Permit application has been approved for Roulette Township for construction of treatment facility to serve Roulette Township, **Potter County**. The design parameters, specifications and plans meet with Department approval and are consistent with the Domestic Wastewater Facility Manual.

**Permit No. 1995404.** Sewerage. **Robert and Roxanne Sarvis**, R. R. 1, Box 35A, Danville, PA 17821. Permit application has been approved for construction of a small flow treatment system to serve a four unit

The following approvals for coverage under NPDES PAG-2 General Permit for Discharges of Stormwater from Construction Activities have been issued.

apartment complex, located in Madison Township, **Columbia County**. The design meets requirements of the small flow treatment manual.

**Permit No. 4195405.** Sewerage. **Muncy Creek Township**, P. O. Box 336, Muncy, PA 17756. Permit application has been approved for construction of septic tank, dosing tank and grinder pump stations, to serve Muncy Creek Township, **Lycoming County**. The design meets requirements of the PA Domestic Wastewater Facilities Manual.

**Permit No. 0895406.** Sewerage. **Arthur Dean Beers**, R. R. 1, Box 279E, Monroeton, PA 18832. Permit application has been approved for construction of septic tank, dosing tank sand filter with liner and tablet chlorinator to discharge to an unnamed tributary to French Run. The facility is located in Monroe Township, **Bradford County**.

**Permit No. 1795409.** Sewerage. **J. Calvin Dixon**, R. D. 2, Box 394, Dubois, PA 15801. Permit application has been approved for construction of septic tank, sand filter, chlorinator to discharge to Muddy Run a cold water fishery. The facility is located in Sandy Township, **Clearfield County**.

**Permit No. 1895404.** Sewerage. **Bald Eagle Township Authority**, R. R. 2, Box 93, Mill Hall, PA 17751. Permit application has been approved for construction of sewers and five pump stations, to serve residential and commercial dwellings. Facilities located in Bald Eagle Township, **Clinton County**.

*Southeast Regional Office: Regional Manager Water Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6000.*

**Permit No. PA0026018.** Sewage. SIC: 4952, **Borough of West Chester**, Gay and Adams Streets, West Chester, PA 19380.

This notice reflects changes from the notice published in the May 6, 1995, *Pennsylvania Bulletin*:

Average interim limits for copper and total residual chlorine are revised to 0.07 mg/l and 0.8 mg/l respectively. Based on additional information, the final limits for copper and total residual chlorine are revised to 0.019 mg/l and 0.046 mg/l respectively. A requirement to conduct site-specific criteria study for copper has been added to the permit.

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

*Regional Office: Water Management Program Manager, Southcentral Region, One Ararat Boulevard, Harrisburg, PA 17110.*

*Location:* Dover Township, **York County**, 2480 West Canal Road, Dover, PA 17315. The approved plan provided for enlarging the existing wastewater treatment plant to a new flow capacity of 8 mgd. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority.

*Location:* Glen Rock Borough, **York County**, P. O. Box 116, Glen Rock, PA 17327. The approved plan provided for enlarging and upgrading an existing .3 mgd wastewater treatment plant to a new flow capacity of .6 mgd. A sewer line replacement project will eliminate known sources of inflow and infiltration. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority.

*Location:* Tuscarora Township, **Perry County**, R. D. 1, Box 157, Millerstown, PA 17062-0702. The approved plan provided for establishing growth areas, on-lot education and administrative programs, a Well Drillers Ordinance, an On-lot Disposal Management Ordinance, replacement area testing and Zoning Ordinance amendments. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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

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

**Permit No. 6594504.** Public water supply. **Westinghouse Electric Corporation**, Speciality Metals Plant, R. D. 4, Box 333, Blairsville, PA 15717. *Type of Facility:* Water treatment plant. *Consulting Engineer:* Chester Environmental, P. O. Box 15851, Pittsburgh, PA 15244. *Permit to Operate Issued:* December 22, 1995

**Permit No. 0285505-T1.** Public water supply. **Municipal Authority of Westmoreland County**, P. O. Box 730, Greensburg, PA 15601. *Type of Facility:* Transfer of the Monongahela Boulevard Chlorination Station. *Consulting Engineer:* Bankson Engineers, 100 Blue Run Road, P. O. Box 200, Indianola, PA 15051. *Permit to Construct Issued:* December 28, 1995

**Permit No. 0391502.** Public water supply. **Rural Valley Borough**, Box 342, Rural Valley, PA 16249. *Type of*

*Facility:* Springs nos. 1 and 2. *Consulting Engineer:* Bankson Engineers, 100 Blue Run Road, P. O. Box 200, Indianola, PA 15051. *Permit to Construct Issued:* December 22, 1995

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

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

**I. D. No. 100265. Grand Central Sanitary Landfill**, 1963 Pen Argyl Road, Pen Argyl, PA 18072. A permit for a Major Permit Modification, authorizing the construction and operation of a municipal waste landfill, which includes an increase in the daily average tonnage limit to 1,800 tons per day while maintaining the maximum tonnage limit at 3,000 tons per day; a definition of the permitted area; an earthen materials stockpile plan; and a transfer of waste operation for waste received at Grand Central Landfill and unloaded on the landfill. The waste for this Municipal Waste Landfill, located in Plainfield Township, **Northampton County**, will then be reloaded and transported to other permitted solid waste disposal facilities. This permit provides for landfill operations for the next 8 years. The permit was issued by the Regional Office on December 18, 1995.

**I. D. No. 100022.** A permit for a Major Permit Modification, authorizing a permit reissuance of the Solid Waste Permit #100022 from the name of **Chrin Brothers** (a partnership) to **Chrin Brothers, Inc.** (a corporation) for this Municipal Waste Landfill, located in Williams Township, **Northampton County**. The permittee name change is the only change that is being authorized by this permit modification. The permit was issued by the Regional Office on December 5, 1995.

**Operating permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to operate air contaminant sources during the month of November, 1995.**

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

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
09-310-052A	Mellott, H. B. Estate, Inc.	Portable Rock Crushing Plant	Nockamixon Township, Bucks County
15-312-007A	Sico Co., The	Gasoline Bulk Plant	Oxford Borough, Chester County
46-399-066C	Elastomeric Technologies, Inc.	Conductive Silicone Connector Mfg. Proc.	Hatboro Borough, Montgomery County

*Regional Office: Northeast Regional Office, Regional Air Quality Manager, Two Public Square, Wilkes-Barre, PA 17811-0790.*

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
35-318-073	Loral Control Systems	6 Spray Paints, 2 Ovens	Archbald Borough, Lackawanna County

## NOTICES

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
35-399-030	Pennsylvania Extruded Tube Co. (PEXCO)	Cut-off Saw in Finishing Dept.	Scott Township, Lackawanna County
39-310-009A	Coplay Aggregates, Inc.	Jaw Crusher	Whitehall Township, Lehigh County
40-313-025A	National Starch & Chemical Co.	System 1—Blending/Mixing Tanks	Hazle Township, Luzerne County
40-399-036	NRG Barriers West, Inc.	Baghouse	Hazle Township, Luzerne County
48-302-076	GAF Premium Products, Inc.	No. 6 oil fired boiler	Wind Gap Borough, Northampton County
48-302-092	GAF Premium Products, Inc.	No. 2 Boiler 350HP, No. 6 Oil/Natural Gas	Wind Gap Borough, Northampton County
48-305-013	Bethlehem Steel Corp.	Coke Oven Battery 2A—Pushing	Bethlehem, Northampton County
48-318-122	GAF Premium Products, Inc.	Acrylic Tile Coater	Wind Gap Borough, Northampton County
48-319-001	GAF Premium Products, Inc.	Shingle punch presses (4, 5) and Coating Line	Wind Gap Borough, Northampton County
48-319-002	GAF Premium Products, Inc.	Shingle punch presses 1, 2 and 3	Wind Gap Borough, Northampton County
48-319-003	GAF Premium Products, Inc.	Asbestos Shingle Forming Line	Wind Gap Borough, Northampton County

*Regional Office: Southcentral Regional Office, Regional Air Quality Manager, One Ararat Boulevard, Harrisburg, PA 17110.*

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
01-308-006	Gettysburg Foundry	Shredder	Cumberland Township, Adams County
21-303-016	New Enterprise Stone & Lime Co., Inc.	Portable Blacktop Plant	Southampton Township, Cumberland County
22-320-006A	Hargrow Flexible Packaging	6-unit Flexographic Printing Press	Harrisburg, Dauphin County
31-309-029	Owens-Corning Fiberglass Corp.	South Forming Batch Level Dust Collector	Huntingdon Borough, Huntingdon County
36-302-179	Thaddeus Stevens State School of Technology	Water Tube Boiler	Lancaster City, Lancaster County
36-308-024D	C & D Charter Power Systems, Inc.	Central Vacuum System	Upper Leacock Township, Lancaster County
36-308-033J	C & D Charter Power Systems, Inc.	Plate Wrapping/Stacking	Upper Leacock Township, Lancaster County
36-308-055G	U.S. Aluminum Corp.	Aluminum Reverberating Furnace	Marietta Borough, Lancaster County
38-303-006	Pennsy Supply, Inc.	Hot Mix Asphalt Batch Plant	South Lebanon Township, Lebanon County

*Regional Office: Northcentral Regional Office, Regional Air Quality Manager, 208 West 3rd Street, Williamsport, PA 17701.*

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
08-316-007C	Masonite Corp.	Dryers and Cyclone	Wysox Township, Bradford County
08-318-012D	DuPont de Nemours, E. I. & Co., Inc.	Hold Tanks (8 MOS) and Mix Booths (2 MOS)	North Towanda Township, Bradford County
08-318-023B	Rynone Manufacturing Corp.	Furniture Production	Sayre Borough, Bradford County
12-399-002	Department of Transportation	Sandblasting operation	Lumber Township, Cameron County
12-399-011	Pennsylvania Presses Metals	Steam Treater	Emporium Borough, Cameron County

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
14-320-001A	Sonoco Products Co.	Corona Treatment Tunnel	Boggs Township, Centre County
17-309-013B	North America Refractories Co.	Crusher and Conveyors	Pike Township, Clearfield County
17-309-021B	North America Refractories Co.	Refractory Drying Oven	Pike Township, Clearfield County
41-310-008B	Stone, P., Inc.	Crusher	Limestone Township, Lycoming County

*Regional Office: Southwest Regional Office, Regional Air Quality Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
04-307-069A	Brighton Electric Steel Casting Co.	Mold Shakeout Sand Reclamation Unit	Beaver Falls, Beaver County
04-307-099A	Shasta, Inc.	3 Grinding Machines	Aliquippa Borough, Beaver County
04-309-035	Armstrong World Industries, Inc.	Perlite Expander	Beaver Falls, Beaver County
04-312-031	Interstate Chemical Co., Inc.	Aboveground Storage Tank	Beaver Borough, Beaver County
63-302-041	Flexsys America, L.P.	Two Boilers (NG/#2 Oil Fired)	Carroll Township, Washington County
63-308-037	Ritchey Metals Co., Inc.	Zinc Alloy Furnaces	Cecil Township, Washington County
65-399-030	Sony Corp. of America	Acid Bulb Washers	East Huntingdon Township, Westmoreland County

*Regional Office: Northwest Regional Office, Regional Air Quality Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>Permit No.</i>	<i>Facility Name</i>	<i>Source Name</i>	<i>Location</i>
25-307-033	McInnes Steel Co.	Sandblast Cleaning Room	Corry, Erie County
25-327-003	Owens-Brockway Closure & Specialty Products	Vapor Degreaser	Erie City, Erie County
37-318-007A	United States Can Co.	Lithographic Line and Oven	Shenango Township, Lawrence County

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

*Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**05-310-012B.** On December 19, 1995, the Department issued a plan approval to **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) for a portable limestone crushing plant controlled by wet suppression in Snake Spring Valley Township, **Bedford County**.

**21-312-021.** On December 21, 1995, the Department issued a plan approval to **Star Enterprise** (303 Fellowship Road, CS-18, Moorestown, NJ 08057) for a petroleum products loading rack controlled by a vapor combustion unit in Silver Spring Township, **Cumberland County**. The source is subject to 40 CFR 60, Subpart XX, Standards of Performance for New Stationary Sources.

**22-317-033A.** On December 19, 1995, the Department issued a plan approval to **Hershey Chocolate, USA** (19 East Chocolate Avenue, Hershey, PA 17033) for dry raw material handling systems controlled by 12 fabric collectors in Derry Township, **Dauphin County**.

**28-301-020.** On December 22, 1995, the Department issued a plan approval to **Bio-Oxidation, Inc.** (P. O. Box 8A, Greencastle, PA 17225) for four bio-oxidizer testing systems in Greencastle Borough, **Franklin County**.

**36-308-083.** On December 21, 1995, the Department issued a plan approval to **Alumax Mill Products, Inc.** (P. O. Box 3167, Lancaster, PA 17604) for a 72 inch aluminum cold rolling mill controlled by a cyclone separator in Manheim Township, **Lancaster County**.

*Northwest Regional Office: Air Quality Program, Devendra Verma, Engineering Services Chief, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6940.*

**61-320-001.** On December 21, 1995, a plan approval was issued to **Seneca Printing & Label, Inc.** (P. O. Box 1211, Franklin, PA 16323) for permitting existing lithographic printing lines (6) at DeBence Drive, Sandycreek Township, **Venango County**.

**MINING ACTIVITY ACTIONS**

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal

Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

#### *Coal Applications Issued*

**17950110. K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), commencement, operation and restoration of a bituminous strip-auger mine in Chest and Chest Townships, **Cambria and Clearfield Counties**, affecting 201 acres, receiving stream unnamed tributaries to/and Chest Creek, Crooked Run, application received June 8, 1995, permit issued December 18, 1995.

**32920101. Pitt Mining Company** (R. D. 3, Box 95B, Shelocta, PA 15774), permit revision to modify the 272.3 acre surface mine permit to include the land application of sewage sludge in Young Township, **Indiana County**, receiving stream unnamed tributaries to Gobblers Run to Gobblers Run to Crooked Creek, approval issued December 18, 1995.

**11950201. Ridge Energy Company** (R. D. 2, Box 429, Clymer, PA 15728), commencement, operation and restoration of a bituminous strip (Coal Refuse Reprocessing and Coal Refuse Disposal mine) in West Carroll Township, **Cambria County**, affecting 18.0 acres, receiving stream unnamed tributary to west branch Susquehanna River and west branch Susquehanna River, application received February 1, 1995, permit issued December 21, 1995.

**56950102. Dunamis Resources, Inc.** (R. R. 4, Box 1542, Homer City, PA 15748), commencement, operation and restoration of a bituminous strip-auger mine in Lincoln and Jenner Townships, **Somerset County**, affecting 278.1 acres, receiving stream two unnamed tributaries to Quemahoning Creek and Quemahoning Creek, application received February 28, 1995, permit issued December 21, 1995.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**32841602. Mears Enterprises, Inc.**, (P. O. Box 157, Clymer, PA 15728), to renew the permit for the Clymer Tipple in Cherryhill Township, **Indiana County**, no additional discharge. Permit issued December 20, 1995.

**56841315. Reitz Coal Company**, (509-15th Street, Windber, PA 15963), to revise the permit for the Camp Hamilton No. 24 bituminous deep mine in Paint Township, **Somerset County** to delete 10.0 surface acres, no additional discharge. Permit issued December 20, 1995.

**56743701. Custom Coals International**, (100 First Avenue, Suite 500, Pittsburgh, PA 15222), to transfer the Laurel Refuse area in Shade Township, **Somerset County** from Laurel Mines Corporation, no additional discharge. Permit issued December 15, 1995.

**32841301. Mears Enterprises, Inc.**, (P. O. Box 157, Clymer, PA 15728), to revise the permit for the Bear Run No. 2 bituminous deep mine in Banks Township, **Indiana**

**County** to add 1.5 surface acres and modify subsidence control plan, no additional discharge. Permit issued December 15, 1995.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**54763013R2. Harriman Coal Corporation**, (P. O. Box 127, Valley View, PA 17983), renewal of an existing anthracite surface mine operation in Hegins, Frailey and Porter Townships, **Schuylkill County** affecting 658.0 acres, receiving stream none. Renewal issued December 21, 1995.

*District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**65890107R. Heritage Mining Co., Inc.** (P. O. Box 126, Cresson, PA 16630). Renewal permit issued for continued operation and reclamation of a bituminous surface mine located in Unity Township, **Westmoreland County**, affecting 46.1 acres. Receiving streams unnamed tributaries to Loyalhanna Creek. Renewal application received March 29, 1995. Renewal issued December 18, 1995.

**65950108. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Mt. Pleasant Township, **Westmoreland County**, affecting 15.0 acres. Receiving streams unnamed tributary to Laurel Run to Jacobs Creek to the Youghiogheny River. Application received June 30, 1995. Permit issued December 20, 1995.

**04840101T. Kerry Coal Company** (P. O. Box 19, Portersville, PA 16051). Transfer permit issued from Grant R. Wright, Inc. for continued operation and reclamation of a bituminous surface mine with coal refuse disposal located in Big Beaver Borough, **Beaver County**, affecting 462.8 acres. Receiving streams unnamed tributary to Clark's Run to Clark's Run to Beaver River to Ohio River, and Stockman Run to Beaver River to Ohio River. Transfer application received May 2, 1994. Transfer permit issued December 20, 1995.

**65773019T. Amerikohl Mining, Inc.** (P. O. Box 427, Acme, PA 15610). Revision issued to add mining on the Upper Kittanning Coal Seam, add blasting, revise the erosion and sedimentation control plan, and to add 4.5 acres to an existing bituminous surface mine located in Mt. Pleasant Township, **Westmoreland County**, now affecting 164.5 acres. Receiving streams unnamed tributaries to Laurel Run and Laurel Run. Revision application received May 24, 1995. Revision issued December 22, 1995.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

#### *General Small Noncoal Authorizations Granted*

**45950801. John Heller**, (1233 Hellers Lane, Long Pond, PA 18334), commencement, operation and restoration of a small noncoal quarry operation in Tunkhannock Township, **Monroe County** affecting 1.0 acre, receiving stream none. Authorization granted December 18, 1995.

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)).

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

**Actions 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).**

*Permits Issued and Actions on 401 Certification:*

*Bureau of Dams, Waterways and Wetlands, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.*

**Environmental Assessment Approvals and Actions on 401 Certification**

**Environmental Assessment No. D45-140EA. Diane Snyder**, 298 Mutton Hollow Road, Snydersville, PA 18360. To remove accumulated sediment from the pool area of a dam across Kettle Creek (HQ-CWF) impacting approximately 0.9 acre of wetlands (PEM/PSS) for the purpose of maintaining the lake located adjacent to Township Road T-305 approximately 1.1 miles north of Snydersville (Saylorsburg, PA Quadrangle N: 18.0 inches; W: 6.75 inches) in Hamilton Township, **Monroe County**.

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

**E10-225. Encroachment. Adams Ridge, Inc.**, 1150 Broadhead Road, Monaca, PA 15061. To construct and maintain a 72-inch diameter RC pipe culvert having a length of 96 feet in a tributary to Kaufman Run for the extension of Norwegian Spruce Drive to Village 13 of the Adams Ridge development. To fill a total of 0.27 acre of wetland adjacent to the stream associated with the construction of the road crossing and the development of residential lots nos. 627 and 628 located upstream of the road crossing. This project is in the Adams Ridge development approximately 2,400 feet southwest of the intersection of S.R. 228 and Adams Ridge Boulevard (Mars, PA Quadrangle N: 10.0 inches; W: 10.1 inches) in Adams Township, **Butler County**. This project includes the creation of 0.3 acre of replacement wetland adjacent to the stream and upstream of the culvert crossing.

**E10-226. Encroachment. Hampton Concrete Products, Inc.**, 1435 Pittsburgh Road, Valencia, PA 16059. To

construct and maintain a 103-inch wide by 71-inch high CM pipe arch stream enclosure having a length of 400 feet in Glade Run east of S.R. 8 approximately 1,000 feet north of the Butler-Allegheny County line (Valencia, PA Quadrangle N: 9.0 inches; W: 7.9 inches) in Middlesex Township, **Butler County**.

**E42-239. Encroachment. B-B Electric & Systems Corporation**, 550 E. Main Street, P. O. Box 386, Bradford, PA 16701. To construct and maintain a 50-foot wide by 140-foot long addition to the existing B-B Electric & Systems Corporation building within the delineated FEMA floodway of Kendall Creek located upstream of East Main Street along the right side of the stream (Derrick City, PA-NY Quadrangle N: 16.9 inches; W: 17.0 inches) in the City of Bradford, **McKean County**. This permit was issued under section 105.13(e) "Small Projects".

**E19-147. Encroachment. Scott Township Supervisors**, 350 Tenny St., Bloomsburg, PA 17815. To repair, operate and maintain 340.0 linear feet of an existing levee for the purpose of flood protection along an unnamed tributary to the Susquehanna River. The proposed work will be conducted on a minimum of 85.0 linear feet that shall consist of repairing the existing levee to have a maximum height of 2.50 feet above existing ground elevation, a top width of 5.00 feet and an entirely riprap protection stream face. The project is located along the eastern right-of-way of S.R. 1001 approximately 500.0 feet northwest of the intersection of S.R. 0011 and S.R. 1002 (Bloomsburg, PA Quadrangle N: 2.9 inches; W: 4.2 inches) in Scott Township, **Columbia County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

**SPECIAL NOTICES**

**Settlement Under the Hazardous Sites Cleanup Act**

Publicker Industries, Inc.  
City of Philadelphia

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act, (35 P. S. §§ 6020.101—6020.1304) (HSCA), has entered into a settlement regarding the Publicker Industries, Inc. Federal Superfund Site (Site) in Philadelphia, Pennsylvania. This settlement was lodged with the United States District Court for the Eastern District of Pennsylvania by the Department and the United States Environmental Protection Agency (EPA) in the form of a Partial Consent Decree (Consent Decree) on December 28, 1995. The parties to the Consent Decree will move the Court to enter the decree, if appropriate, upon the satisfaction of statutory public notice requirements.

The settlement would resolve certain potential claims of the Department for injunctive relief, reimbursements of costs, and natural resource damages, against Publicker Industries, Inc. and American Cryogas Industries, Inc. (the Settling Corporate Defendants). The claims originate under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C.A. §§ 9601—9675 (CERCLA), the Resource Conservation and Recovery Act, 42 U.S.C.A. §§ 6901—6992k, and HSCA. The settlement would require the Settling Corporate Defendants to pay the Department \$1 million, plus interest, over a period of approximately 4 years.

The settlement also would resolve certain potential claims of the EPA against the Settling Corporate Defendants, as well as against certain Federal agencies. The

settlement also would resolve certain potential claims of the Federal natural resource trustees (the Department of the Interior and the National Oceanic and Atmospheric Administration) against the Settling Corporate Defendants.

This notice is provided under section 1113 of HSCA (35 P. S. §§ 6020.1113). Under that section, the settlement shall become final upon the filing of the Department's response to the significant written comments. The Consent Decree which contains the specific terms of the settlement is available for public review and comment. The Consent Decree can be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, by contacting Matthew Miller at (610) 832-6192. A public comment period on the Consent Decree will extend for 60 days from today's date. Persons may submit written comments regarding the Consent Decree to the Department by March 13, 1996, by submitting them to Matthew Miller at the above address.

[Pa.B. Doc. No. 96-43. Filed for public inspection January 12, 1996, 9:00 a.m.]

**Air and Water Quality Technical Advisory Committee; Schedule of 1996 Meetings**

The Air and Water Quality Technical Advisory Committee (AWQTAC), including its Air and Water Subcommittees, announces its schedule of 1996 meetings. The meetings will be held in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, on the following dates:

<i>Date</i>	<i>Meeting</i>	<i>Time</i>
January 16	Air Subcommittee	10:30 a.m.
February 14	Air Subcommittee	(to be determined)
February 14	Water Subcommittee	(to be determined)
February 15	Full AWQTAC	9:30 a.m.
April 18	Full AWQTAC	9:30 a.m.
June 13	Full AWQTAC	9:30 a.m.
August 22	Full AWQTAC	9:30 a.m.
October 10	Full AWQTAC	9:30 a.m.
December 12	Full AWQTAC	9:30 a.m.

Questions concerning this schedule or agenda items concerning the full AWQTAC and the Water Subcommittee can be directed to Keith Gentzler at 772-2724 or e-mail at [Gentzler.Keith@a1.dep.state.pa.us](mailto:Gentzler.Keith@a1.dep.state.pa.us). Questions concerning Air Subcommittee issues can be directed to Arleen Shulman at 787-4310 or e-mail at [Shulman.Arleen@a1.dep.state.pa.us](mailto:Shulman.Arleen@a1.dep.state.pa.us). This schedule and an agenda for each meeting will also be 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 Wanita Walters directly at (717) 772-2724 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. 96-44. Filed for public inspection January 12, 1996, 9:00 a.m.]

**Cleanup Standards Scientific Advisory Board; Schedule of 1996 Meetings**

The Cleanup Standards Scientific Advisory Board, established by Act 2 of 1995, announces its schedule of 1996 meetings. Meetings will be held in the Rachel Carson State Office Building, 400 Market Street, Harrisburg on the dates listed. The 1-day meetings will begin at 8:30 a.m. and conclude at 4 p.m. The 2-day meetings will begin at 10 a.m. and conclude at noon on the second day.

- January 11
- February 2
- February 29-March 1
- April 17
- May 22-23
- June 12
- August 14-15
- October 16-17
- December 18-19

Questions concerning this schedule or agenda items can be directed to DEP's Bureau of Land Recycling and Waste Management at (717) 787-8179 (or e-mail at [Wooding.Marilyn@a1.dep.state.pa.us](mailto:Wooding.Marilyn@a1.dep.state.pa.us)). This schedule and an agenda for each meeting will also be 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 Marilyn Wooding directly at 787-8179 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. 96-45. Filed for public inspection January 12, 1996, 9:00 a.m.]

**Coastal Zone Advisory Committee; Meeting Notice**

The Coastal Zone Advisory Committee will meet January 24, 1996, from 10 a.m. to 12:30 p.m. in the 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg.

Questions concerning the agenda can be directed to James Tabor at (717) 787-2529 or e-mail at [Tabor.James@a1.dep.state.pa.us](mailto:Tabor.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 Tabor directly at (717) 787-2529 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. 96-46. Filed for public inspection January 12, 1996, 9:00 a.m.]

### Municipal Waste Stakeholders Group; Meeting Notice

Meetings of the Municipal Waste Stakeholders Group will be held on January 23 and 24, 1996, to finalize the recommendations of the Group for submission to the Department of Environmental Protection (DEP). The meeting on January 23, 1996, is expected to begin at 10 a.m. and 9 a.m. on January 24, 1996. The meeting location for both dates is the 14th Floor Conference Room in the Rachel Carson State Office Building located at 4th and Market Streets in Harrisburg.

Questions concerning this meeting can be directed to Keith Kerns, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, at (717) 787-7382 or through e-mail at kerns.keith@a1.dep.state.pa.us. The Group's recommendations will be available following the meeting through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons with a disability who wish to attend and require an auxiliary aid, service or other accommodation should contact Keith Kerns at (717) 787-7382 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. 96-47. Filed for public inspection January 12, 1996, 9:00 a.m.]

### Pennsylvania Bituminous Mine Safety Advisory Committee; Schedule of 1996 Meetings

The Pennsylvania Bituminous Mine Safety Advisory Committee announces its schedule of 1996 meetings. The meetings will be held at the Fayette County Health Center in Uniontown, Pennsylvania, at 10 a.m. on the following dates:

February 14  
April 10  
June 12  
August 14  
October 9  
December 11

Questions concerning this schedule or agenda items can be directed to Allison Trader at (412) 439-7469 or e-mail at [Trader.Allison@a1.dep.state.pa.us](mailto:Trader.Allison@a1.dep.state.pa.us). This schedule and an agenda for each meeting will also be 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 Allison Trader directly at (412) 439-7469 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. 96-48. Filed for public inspection January 12, 1996, 9:00 a.m.]

### Six-Month Regulatory Agenda: January—June 1996

The Department of Environmental Protection (DEP) announces its 6-month regulatory agenda. This agenda will be published biannually and will list those proposed and final regulations which DEP is likely to forward to the Environmental Quality Board (EQB) for consideration in the approaching 6-month period.

The 6-month regulatory agenda for January through June 1996 includes these items:

#### *Proposed*

*Act 149 Sewage Facilities Amendments*—The second of two rulemakings to address Act 149 amendments, this proposal would offer local agencies incentives by increasing reimbursement for qualifying municipalities to administer onlot system permitting programs and delegating the new land development planning program to local agencies. The proposal includes several exemptions and waivers from current requirements and makes numerous changes to local agency permitting procedures. DEP is working with the Sewage Advisory Committee to develop this rule.

*Conformity of General Federal Activities*—This proposal would adopt EPA's General Conformity rule by reference. Under this Federal rule, departments, agencies or instrumentalities of the Federal Government are not permitted to engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable State Implementation Plan (SIP). The intent of integrating Federal actions with air quality planning is to protect the integrity of the Commonwealth's SIP by helping to ensure that SIP growth projections are not exceeded, emission reductions progress targets are achieved, and air quality attainment and maintenance efforts are not undermined. DEP is working with the Air and Water Quality Technical Advisory Committee to develop this rule.

*Open Market Trading Program for VOCs and NO<sub>x</sub>*—This is a proposed alternative compliance regulation proposed by EPA which would allow states to adopt open market emission trading programs without having to undergo revision to their State Implementation Plans (SIPs), thereby making compliance easier. Sources would be able to generate emission credits through discrete emission reductions. DEP is working with the Air and Water Quality Technical Advisory Committee to develop this rule.

*Storage Tank Technical Standards*—This proposal represents the final major new rulemaking for implementation of Pennsylvania's storage tank program. The rulemaking consists of minor revisions to Chapter 235, Subchapter A, and additions of Subchapters C, E, F and G, dealing with permitting, underground technical standards, aboveground technical standards and a simplified program for small aboveground tanks. DEP is working with the Storage Tank Advisory Committee to develop this rule.

*Universal Waste Rule*—This proposal would amend the hazardous waste regulations and govern collection and management of certain widely generated wastes identified



as universal wastes. Regulatory controls placed on certain hazardous wastes would be reduced to encourage recycling. DEP is working with the Solid Waste Advisory Committee to develop this rule.

*Corrections to Drainage Lists*—This proposal would contain a number of stream redesignations, including petitioned streams such as French Creek (Chester County), Sutton Creek (Luzerne County), Cove Creek (Bedford County), Cedar Run and Slate Run (Tioga and Lycoming Counties), and Trout Run (York County). It also contains minor corrections to drainage lists.

*Amendment to Chapter 285.147*—This proposal would make several changes to the municipal waste regulations concerning labeling requirements for infectious and chemotherapeutic waste. The proposal was initiated by DeRoyal Industries, Inc., of Knoxville, Tennessee, who petitioned the EQB to allow labeling in lieu of color requirements for containers. DEP is working with the Solid Waste Advisory Committee to develop this rule.

#### Final

*Stream Redesignations—Pine and Elk Creeks*—This proposal will provide Special Protection status for the Pine and Elk Creek Watersheds in Centre County. The streams were studied in response to a petition submitted by the Penns Valley Conservation Association. It was published for public review on December 3, 1994, and a public hearing was held in January 1995.

*Stream Redesignations—Tincum Creek, et al.*—Eleven streams were studied in this proposal. Five streams—Tincum, Unami, Pine, Sideling Hill, and Lofty Creeks—were studied as a result of petitions. With the exception of Lofty Creek, which was recommended to retain its current designation of Cold Water Fishes, all streams would be provided Special Protection status. It was published for public review on August 5, 1995.

*Stream Redesignations—Kettle Creek, et al.*—This proposal would upgrade several streams in Clinton, Centre, Dauphin, Blair and McKean Counties to High Quality or Exceptional Value status. None of the streams were studied as a result of a petition. It was published for public review on September 9, 1995.

*Sewage Amendments*—The first of two rulemakings to implement Act 149 amendments, this proposal addresses the 10-acre permit exemption and a process to resolve disputes involving mottled soils, as well as other provisions. It was published for public review on August 5, 1995. DEP is working with the Sewage Advisory Committee to finalize this rule.

*Municipal and Residual Waste/Sewage Sludge*—This proposal amends the municipal waste regulations by adding Subchapters I and J to Chapter 271, providing for the issuance of general permits for the beneficial use or processing of municipal waste/sewage sludge. The proposal also amends the residual waste regulations to provide consistency in the implementation of general permits between the two programs. It was published for public review on October 1, 1994. DEP is working with the Solid Waste Advisory Committee to finalize this rule.

The Department will add and delete items from the agenda in order to help keep the public informed on items likely to be considered. In addition, the Department will add initiatives developed through the Regulatory Basics Initiative to this agenda as they are being developed.

To inquire about the status of these items, contact Barbara Sexton, Regulatory Coordinator, at (717) 783-1303 or e-mail: Sexton.Barbara@a1.dep.state.pa.us.

Draft regulations, advisory committee meetings and other information related to the development of regulation changes can be found in the Public Participation Center on DEP's World Wide Web site at: <http://www.dep.state.pa.us>.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 96-49. Filed for public inspection January 12, 1996, 9:00 a.m.]

### Small Business Assistance Program Compliance Advisory Committee; Schedule of 1996 Meetings

The Small Business Assistance Program Compliance Advisory Committee announces its schedule of 1996 meetings. The meetings will be held in the 16th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, at 10:30 a.m. on the following dates:

April 24  
July 24  
October 23

Questions concerning this schedule or agenda items can be directed to Jon Miller at (717) 787-1663 or e-mail at [Miller.Jon@a1.dep.state.pa.us](mailto:Miller.Jon@a1.dep.state.pa.us). This schedule and an agenda for each meeting will also be 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 Jon Miller directly at (717) 787-1663 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. 96-50. Filed for public inspection January 12, 1996, 9:00 a.m.]

### Solid Waste Advisory Committee; Schedule of 1996/1997 Meetings

Notice is hereby given of the 1996/1997 Solid Waste Advisory Committee (SWAC) meeting dates. SWAC meetings are generally held the second Thursday of every other month. Additional meetings may be scheduled to accommodate agenda items for the Committee. Meetings are expected to begin at 10 a.m. and will be held at the following locations, on the following dates:

January 11, 1996	—1st Floor Conference Room, RCSOB, Harrisburg
March 14, 1996	—1st Floor Conference Room, RCSOB, Harrisburg
January 11, 1996	—1st Floor Conference Room, RCSOB, Harrisburg
May 9, 1996	—1st Floor Conference Room, RCSOB, Harrisburg

- January 11, 1996 —1st Floor Conference Room,  
RCSOB, Harrisburg
- July 11, 1996 —RECYCLING FUND ADVISORY  
COMMITTEE  
1st Floor Conference Room, RCSOB,  
Harrisburg
- September 12  
and 13, 1996 —Kings Gap Environmental Educa-  
tion Center, Carlisle, PA
- November 14,  
1996 —1st Floor Conference Room,  
RCSOB, Harrisburg
- January 9, 1997 —1st Floor Conference Room,  
RCSOB, Harrisburg
- March 13, 1997 —1st Floor Conference Room,  
RCSOB, Harrisburg
- May 8, 1997 —1st Floor Conference Room,  
RCSOB, Harrisburg
- July 10, 1997 —RECYCLING FUND ADVISORY  
COMMITTEE  
1st Floor Conference Room, RCSOB,  
Harrisburg
- September 11  
and 12, 1997 —Kings Gap Environmental Educa-  
tion Center, Carlisle, PA
- November 13,  
1997 —1st Floor Conference Room,  
RCSOB, Harrisburg

The Rachel Carson State Office Building (RCSOB) is located at 4th and Market Streets in Harrisburg.

Questions concerning this schedule can be directed to Rose Prough, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, at (717) 787-9871. Persons may be placed on a mailing list to receive agendas of upcoming meetings by calling Rose Prough at this number. Questions concerning the agenda items can be directed to Gayle Leader at the same address and number or through e-mail at leader.gayle@a1.dep.state.pa.us.

Persons with a disability who wish to attend and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Gayle Leader directly at (717) 787-9871 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. 96-51. Filed for public inspection January 12, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

#### Centre County Reference No. 08430AG1964

The Department of Transportation will retain an engineering firm to prepare final design plans for S. R. 0220, Section C11 in Worth Township beginning 1 mile southwest of Port Matilda and ending 1 mile Northeast of Port Matilda, Centre County. The project includes the design of 2.4 miles of S. R. 0220 consisting of a four lane divided, limited access highway with one interchange complex and 1.4 miles of a four lane divided, limited access highway required to connect S. R. 0322 with S. R. 0220. The

interchange complex consists of a conventional diamond interchange connecting S. R. 0220 with existing S. R. 0322 and two directional ramps connecting the limited access highways S. R. 0220 and S. R. 0322. This project includes the design of approximately seven single or multispan structures.

This project includes the preparation of one right-of-way plan with an anticipated submission being 12 months from the notice to proceed. One construction plan is anticipated with an assumed 18 month submission schedule. Five hundred scale digitized mapping will be available. This project will have an accelerated schedule.

The required services will include Intent to Enter notices; field surveys; Step 9 submissions; traffic control plans; Hydraulic Reports; 105 submissions; type, size and location studies; foundation studies; final bridge design; preliminary and final geotechnical studies; bidding and inspection of core borings; wetland mitigation design; right-of-way plans and final construction plans, specifications and estimates.

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

Technical questions concerning the requirements for this project should be directed to Vasco A. Ordonez, P. E., District 2-0, at (814) 765-0439.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### Centre County Reference No. 08430AG1965

The Department of Transportation will retain an engineering firm to prepare final design plans for S. R. 0220, Section C12 in Worth, Huston and Patton Townships beginning 1 mile northeast of Port Matilda and ending at the Mt. Nittany Expressway S. R. 0322, Centre County. The project includes the design of 6.4 miles of S. R. 0220 consisting of a four lane divided, limited access highway with one interchange, partial cloverleaf type. This project includes the design of approximately six single or multispan structures.

This project includes the preparation of one right-of-way plan with an anticipated submission being 12 months from the notice to proceed. One construction plan is anticipated with an assumed 24 month submission schedule. Five hundred scale digitized mapping will be available. This project will have an accelerated schedule.

The required services will include Intent to Enter notices; field surveys; Step 9 submissions; traffic control plans; Hydraulic Reports; 105 submissions; type, size and location studies; foundation studies; final bridge design; preliminary and final geotechnical studies; bidding and inspection of core borings; wetland mitigation design; right-of-way plans and final construction plans, specifications and estimates.

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

Technical questions concerning the requirements for this project should be directed to Vasco A. Ordonez, P.E., District 2-0, at (814) 765-0439.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

### General Requirements and Information

Firms interested in performing any of the above services are invited to submit letters of interest to: Director, Consultant Selection Committee, Room 1118, Transportation and Safety Building, Harrisburg, PA 17120.

A separate letter of interest and required forms must be submitted for each project for which the applicant wishes to be considered. The letter of interest and required forms must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is 4:30 p.m. prevailing time of the thirteenth day.

If the project advertisement indicates that the Department will retain an engineering firm, letters of interest will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof. Proposed DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the goal established, it shall be required to demonstrate its good faith efforts to attain the goal. Failure to meet the goal and to demonstrate good faith efforts may result in being barred from Department contracts in the future.

Responses are encouraged by small engineering firms, disadvantaged business enterprise engineering firms and other engineering firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include in the heading, the firm's Federal Identification Number and the Project Reference Number indicated in the advertisement. The letter of interest must also include the following:

1. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project."

2. Standard Form 254, "Architect-Engineer and Related Services Questionnaire" not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a joint venture and for each subconsultant the firm or joint

venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company. Please disregard the statements on Standard Form 255 that indicate a Standard Form 254 is only required if not already on file with the contracting office. The Department does not maintain a file for Standard Form 254 for contracting purposes; therefore, this Form is required for the prime consultant and each subconsultant as stated above.

3. Two copies of the Department's Form D-427 (Rev. 6-89), "Current Workload" for the firm submitting the letter of interest. At least one copy of Form D-427 must remain free and not bound in any way to any other portion of the letter of interest or accompanying documentation. Copies of Form D-427 are available upon request from the above address or by contacting the Department's Consultant Agreement Division at (717) 783-9309.

4. Firms with out-of-State headquarters or corporations not incorporated in Pennsylvania must include with each letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

The Standard Form 255 must be filled out in its entirety including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be presently certified by the Department of Transportation, and the name of the firm and the work to be performed must be indicated in Item 6. If a Women Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

The Standard Form 254 must be signed and dated and must be less than 1 year old as of the date of this advertisement. A Standard Form must accompany each letter of interest for the firm submitting the letter of interest, each party to a joint venture, and for each subconsultant shown under Item 6 of the Standard Form 255.

Unless other factors are identified under the individual project reference number, the following factors, listed in their order of importance, will be considered by the Committee during their evaluation of the firms submitting letters of interest:

a. Specialized experience and technical competence of firm.

b. Past record of performance with respect to cost control, work quality, and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.

c. Current workload and capacity of firm to perform the work within the time limitations.

d. Location of consultant.

e. Special requirements of the project.

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

The Department currently limits its participation in the remuneration of principals or consultant employees per-

forming work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on design and miscellaneous projects to 130% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on construction inspection projects to 85.2% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department's limitations will apply to the projects advertised above unless the Department policy is revised prior to the negotiation of an agreement or contract.

The assignment of the above services will be made to one of the firms responding to this notice, but the Committee reserves the right to reject all letters of interest submitted, to cancel the solicitations requested under this notice, and/or to readvertise solicitation for these services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 96-52. Filed for public inspection January 12, 1996, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Tagged-Fish Contest

The Fish and Boat Commission has received an application to conduct a tagged-fish contest on a boundary lake under section 2907.1 of the Fish and Boat Code of 1980 (30 Pa.C.S. § 2907.1) and 58 Pa. Code §§ 69.41 et seq. Persons objecting on the grounds of public or private interest to the approval of this application may submit written comments, objections, protests or suggestions to the Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

Application 96-1. Submitted by American Outdoors, Inc./Crappiethon U.S.A. to conduct a tagged-fish contest on Pymatuning Lake from 12:01 a.m. on April 27, 1996, to 12:00 p.m. on June 25, 1996. The proposed tagged-fish contest will involve award of prizes for catching tagged crappies taken from Pymatuning Lake. The applicant expects to tag about 1,000 crappies. The applicant expects about 3,500 participants in the tagged-fish contest.

PETER COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 96-53. Filed for public inspection January 12, 1996, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered

within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
#14-412	Department of Public Welfare Long-Term Structured Residences	12/27/95

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 96-54. Filed for public inspection January 12, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Aegis Security Insurance Company; Motorcycle Insurance

On December 20, 1995, the Insurance Department received from Aegis Security Insurance Company a filing for a rate level change for Motorcycle Insurance.

The company requests a number of changes, including to split the current program into a Standard Program and an Elite Program. The overall rate effect is 0.24% increase amounting to \$2,519 annually. All changes are to be effective upon approval.

Unless formal administrative action is taken prior to February 18, 1996, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection on Monday, Wednesday and Friday, during normal working hours at the Insurance Department's Offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Jin Liu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 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. 96-55. Filed for public inspection January 12, 1996, 9:00 a.m.]

### The Automobile Insurance Company of Hartford, CT; The Standard Fire Insurance Company; Homeowners Insurance

On December 19, 1995, the Insurance Department received from The Automobile Insurance Company of Hartford, Connecticut, and The Standard Fire Insurance Company, a filing for a rate level change for Homeowners Insurance.

The company requests an overall 5.2% increase amounting to \$2,445,697 annually, to be effective March 29, 1996 for new business and May 28, 1996 for renewals.

Unless formal administrative action is taken prior to January 18, 1996, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection on Monday, Wednesday and Friday, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions, or objections to Jin Liu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 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. 96-56. Filed for public inspection January 12, 1996, 9:00 a.m.]

**Blue Cross of Northeastern Pennsylvania; Amendment to Hospital Services Agreement; Filing No. 293-HOSP-AMEND3-12-95; Form No. HOSP-AMEND3-12-95**

Blue Cross of Northeastern Pennsylvania requests the Department's approval to utilize an amendment to its Standard Hospital Services Agreement. The amendment creates certain Non-DRG based per-case payment systems for certain member hospitals.

Copies of the filing are available for public inspection on Monday, Wednesday and Friday during normal work hours at the Insurance Department's Office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-57. Filed for public inspection January 12, 1996, 9:00 a.m.]

**Blue Cross of Western Pennsylvania; Keystone Health Plan West, Incorporated; Home Health Agency Provider Agreement; Filing No. 1-HOME-95-WP**

Blue Cross of Western Pennsylvania (Blue Cross) and Keystone Health Plan West, Inc. (KHPW) have filed a Home Health Agency Provider Agreement. The agreement will be offered to those home health agencies which meet or exceed the minimum participation standards and agree to accept all obligations established by the agreement. The approved provider network will provide to Blue Cross and KHPW sponsored indemnity and managed care members all home healthcare services covered by the member's benefit agreement.

Copies of the filing are available for public inspection on Monday, Wednesday and Friday during normal work hours at the Insurance Department's Offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-58. Filed for public inspection January 12, 1996, 9:00 a.m.]

**Blue Cross of Western Pennsylvania; Keystone Health Plan West, Incorporated; Hospice Provider Agreement; Filing No. 1-HPCE-95-WP**

Blue Cross of Western Pennsylvania (Blue Cross) and Keystone Health Plan West, Inc. (KHPW) have filed a Hospice Agency Provider Agreement. The agreement will be offered to those hospice agencies which meet or exceed the minimum participation standards and agree to accept all obligations established by the agreement. The approved provider network will provide to Blue Cross and KHPW sponsored indemnity and managed care members all hospice care services covered by the member's benefit agreement.

Copies of the filing are available for public inspection on Monday, Wednesday and Friday during normal work hours at the Insurance Department's Offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-59. Filed for public inspection January 12, 1996, 9:00 a.m.]

**Blue Cross of Western Pennsylvania; Pennsylvania Blue Shield and Blue Cross and Blue Shield Preferred Provider Program; Filing No. 1-DPP-95-WP; Amendment to Filing No. 1-DPP-93-WP; Hospital Provider Agreement for the UHN Program (Owner Hospital); Filing No. 1-UHS-95-WP; Hospital Provider Agreement for the UHN Program (Nonowner Hospitals); Filing No. 2-UHS-95-WP**

By filing no. 1-DPP-95-WP, Blue Cross of Western Pennsylvania and Pennsylvania Blue Shield jointly submitted a revised agreement between Blue Cross of Western Pennsylvania, Pennsylvania Blue Shield and University Health Services, Inc. In conjunction with this filing, Blue Cross of Western Pennsylvania has submitted two

revised Hospital Provider Agreements for the University Health Network under filing no. 1-UHS-95-WP and Filing No. 2-UHS-95-WP.

Copies of the filing are available for public inspection on Monday, Wednesday and Friday during normal work hours at the Insurance Department's Offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Richard W. Stoner, Insurance Department, Bureau of Accident and Health Insurance, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-60. Filed for public inspection January 12, 1996, 9:00 a.m.]

### Donegal Mutual Insurance Company; Homeowners Rate and Rule Filing

On December 18, 1995, the Insurance Department received from Donegal Mutual Insurance Company a filing for a rate level change for Homeowners Insurance.

The company requests an overall 2.5% increase amounting to \$587,000 annually, to be effective February 1, 1996.

Unless formal administrative action is taken prior to January 17, 1996, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection on Monday, Wednesday and Friday, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael Anstead, Insurance Department, Bureau of Regulation of Rates and Policies, Room 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. 96-61. Filed for public inspection January 12, 1996, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received.

For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Governor's Office*

Management Directive No. 205.16—Compliance with the Whistleblower Law, Act 1986-169, Amended November 22, 1995.

Management Directive No. 215.11—Contractor Responsibility Provisions for Commonwealth Contracts, Amended December 7, 1995.

Management Directive No. 310.17—Accounting for Payments of Federal Funds to Subrecipients, Amended November 21, 1995.

Management Directive No. 310.19—Accounting for Disbursements of Funds in Interagency Agreements and Memorandum of Understanding Documents, Amended November 21, 1995.

Management Directive No. 315.1—Calculation and Payment of Statutory Salaries, Amended December 14, 1995.

Administrative Circular No. 95-52—Christmas Trees and Decorations, Dated December 1, 1995.

Administrative Circular No. 95-53—Availability of State Surplus Real Property for Transfer to Commonwealth Agencies—Mifflin County, Dated December 1, 1995.

GARY R. HOFFMAN,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 96-62. Filed for public inspection January 12, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Integrated Resource Planning for Gas Utilities; Section 115 of the Energy Policy Act; Doc. No. L-00920066

*Commissioners Present:* John M. Quain, Chairperson; Lisa Crutchfield, Vice-Chairperson; John Hanger; David W. Rolka; Robert K. Bloom

Public meeting held  
June 29, 1995

#### Opinion and Order

*By the Commission:*

The provisions of the Energy Policy Act of 1992 (Act) (P. L. 102-486) require State commissions to consider whether adoption of certain standards would carry out the purposes of the Public Utility Regulatory Policies Act of 1978. 15 U.S.C.A. §§ 3201—3211. These purposes, as defined in section 101 of PURPA, and mirrored in PURPA Title III, are to encourage (1) conservation of energy supplied by electric and gas utilities, (2) optimization of the efficient use of facilities and resources by electric and gas utilities, and (3) equitable rates to consumers. 15 U.S.C.A. §§ 3201, 3203.

Section 115 of the Act deals specifically with gas utilities and amends PURPA sections 302 and 303, 15 U.S.C.A. §§ 3202—3203, by adding two new standards for consideration under PURPA Title III. These two standards include (1) the use of Integrated Resource Planning

(IRP) by each gas utility and (2) the encouragement of investments in conservation and demand-side management (DSM) mechanisms. 15 U.S.C.A. §§ 3202—3203. The IRP standard has as its objective that each gas utility employ integrated resource planning “in order to provide adequate and reliable service to its gas customers at the lowest system cost.” 15 U.S.C.A. § 3203(b)(3). The investment in conservation and demand management standard requires that rates are such that “the gas utility’s prudent investment in, and expenditures for, energy conservation and DSM are at least as profitable as a utility’s prudent investments in, and expenditures for, the acquisition or construction of supplies or facilities.” 15 U.S.C.A. § 3203(b)(4).

Section 115 requires states to consider and make determinations regarding the implementation of the following standards:

**INTEGRATED RESOURCE PLANNING.**—Each gas utility shall employ, in order to provide adequate and reliable service to its gas customers at the lowest system cost. All plans or filings of a State regulated gas utility before a State regulatory authority to meet the requirements of this paragraph shall (A) be updated on a regular basis, (B) provide the opportunity for public participation and comment, (C) provide for methods of validating predicted performance, and (D) contain a requirement that the plan be implemented after approval of the State regulatory authority. Subsection (c) shall not apply to this paragraph to the extent that it could be construed to require the State regulatory authority to extend the record of a State proceeding in submitting reports to the Federal Government.

**INVESTMENTS IN CONSERVATION AND DEMAND MANAGEMENT.**—The rates charged by any State regulated gas utility shall be such that the utility’s prudent investments in, and expenditures for, energy conservation and load shifting programs and for other demand-side management measures which are consistent with the findings and purposes of the Energy Policy Act of 1992 are at least as profitable (taking into account the income lost due to reduced sales resulting from such programs) as prudent investments in, and expenditures for, the acquisition or construction of supplies and facilities. This objective requires that (A) regulators link the utility’s net revenue at least in part, to the utility’s performance in implementing cost-effective programs promoted by this section; and (B) regulators ensure that, for purposes of recovering fixed costs, including its authorized return, the utility’s performance is not affected by reductions in its retail sales volumes.

15 U.S.C.A. § 3203(b).

In addition, section 303 of PURPA, 15 U.S.C.A. § 3203(c), requires State commissions to determine that the standard is consistent with State law, and is otherwise appropriate. Moreover, the Commission is required, in the case of implementation of either of the Act’s two gas efficiency standards, to consider the impact that the standard would have on small businesses engaged in the design, sale, supply, installation, or servicing of energy conservation, energy efficiency, or other demand-side management measures, and to implement the standard in a way to assure that utility actions would not provide such utilities with unfair competitive advantages over such small businesses. 15 U.S.C.A. § 3203(c).

At the March 11, 1993 public meeting, the Commission approved an order, at Docket No. L-00920066, to amend reporting requirements for integrated resource planning

for natural gas utilities. At that time, current reporting requirements were deemed inadequate in order for the Commission to monitor and plan appropriate Commission natural gas policy. The proposed regulations provided for the integration of supply-side and demand-side resource options, including the integration of all feasible supply-side resources. These proposed regulations were published at 23 Pa.B. 4095 (August 28, 1993). Comments were submitted by Columbia Gas of Pennsylvania, Inc. (Columbia Gas); Equitable Gas Company (Equitable Gas); National Fuel Gas Distribution Corporation; Office of Consumer Advocate (OCA); Pennsylvania Gas Association; Peoples Gas Company; PECO Energy; T. W. Phillips Gas and Oil Co.; Pike County Light and Power Company and UGI Utilities, Inc.—Gas Division.

On June 30, 1994, the Commission issued an order requesting supplemental comments pertaining to the section 115 requirements of consideration and determination. The order was published at 24 Pa.B. 3587 (July 23, 1994).

In the Commission’s judgment, the work done to that date on the rulemaking at this docket paralleled to a large extent the “considerations and determinations” regarding conservation and energy efficiency standards set forth in the Federal legislation at section 115 of the Act. As such, we believed then, as we do now, that our State’s obligations under the Act for gas utilities were already in the process of being completed. Accordingly, the Commission identified those aspects of the Act which were not yet addressed by the rulemaking and requested further comment and input from interested parties concerning these areas. The Commission wrote:

[I]n order to satisfy the consideration and determination requirements of section 115 of the Act, the Commission has decided to issue this order for comment, pertaining to the effects of IRP and DSM on the rate structure of natural gas utilities. The specific requirements of section 115 of the Act are restated in Appendix A. In particular, the Commission now requests supplemental comments regarding whether any additional information is required pursuant to the Act which was not addressed during the proposed rulemaking proceeding at this docket. The supplemental comments herein should be limited solely to the Commission’s need for information concerning the Commission’s statutory requirement under section 115 of the Act. Comments submitted earlier to the Commission will be considered in this process but should not be duplicated herein.

Order at 4 (attachment omitted).

Supplemental comments were filed by Columbia Gas, Equitable Gas, OCA, Pennsylvania Industrial Energy Coalition (PIEC), PGA and T. W. Phillips jointly (Gas Association). The Gas Association filed supplemental reply comments addressing supplemental comments of the OCA and PIEC.

The Commission has reviewed the comments and supplemental comments filed in this proceeding. We are encouraged that the respondents were, for the most part, in agreement that the Commission meets the standards and purposes of the Act in that it promotes the implementation of IRP and DSM programs. In addition, no respondent recommended a radical departure from existing methodologies. We will discuss the standards more specifically below.

*Standard No. 1. Integrated Resource Planning*

Section 115 requires that the Commission consider the following:

... All plans or filings of a State regulated gas utility before a State regulatory authority... shall (A) be updated on a regular basis, (B) provide the opportunity for public participation and comment, (C) provide for methods of validating predicted performance, and (D) contain a requirement that the plan be implemented after approval of the State regulatory authority....

15 U.S.C.A. § 3202(b)(3).

*IRPs filed on a regular basis.* By order entered November 9, 1995 at this docket, the Commission ordered that Gas IRPs be filed annually. Accordingly, the Commission has considered and has determined that this component of the Act's IRP standard is currently adopted in Pennsylvania.

*Opportunity for public participation and comment.* PIEC was the only commentator which requested a full evidentiary hearing regarding IRP filings. PIEC claimed that input will be "hampered and informal" without an evidentiary hearing to provide for a detailed review. The utility companies did not support this idea. Equitable Gas, for example, noted that formal procedures should not be mandated but review and comment should satisfy due process requirements. Columbia Gas further commented that a procedure in which notice of the IRP filing, with an opportunity for comment should satisfy the requirements of the Act. Finally, the Gas Association reminded the Commission that it has the authority to order an evidentiary hearing if deemed necessary. PIEC also remarked that a more formal IRP for local distribution companies (LDC) is not necessary given the comparatively small level of non-natural gas costs that can be impacted by IRP outside the context of a section 1307(f) proceeding. 66 Pa.C.S. § 1307(f).

We believe that a full evidentiary hearing is not warranted to review IRP filings. Our current review process is adequate and provides for public participation and comment as written in the Act. Accordingly, we have considered and determined that this component of the Act is presently adopted by this Commission.

*Validating predicted performance.* The OCA commented that DSM activities will be subject to specified cost/benefit analyses and the integration of options requires economic evaluations which must be iterated in the report. After the fact evaluation is most appropriately conducted in a rate proceeding rather than annually due to the length of the planning period and the multitude of experts which assemble during a rate proceeding. We believe that prescribed DSM cost/benefit tests, economic analysis of integration of options, and after the fact review in the context of a rate proceeding satisfy our obligations for validating performance under the Act.

*Plan be implemented after approval of the State regulatory authority.* The Gas Association commented that the plan be implemented as written in our proposed regulation (that is, 2 years) rather than be confused with the 10 year forecast period contemplated by the proposed regulations. We affirm, however, that as warranted by changing conditions, an LDC is not bound by its plan when a mid-stream correction may be preferable and can be supported. To this end, we will require LDCs to report significant departures from the plan to the Bureau of CEEP, the Secretary's Bureau, OCA, the Office of Small Business Advocate and the Commission's Office of Trial Staff in writing as an addendum to the plan. We conclude that we have satisfied our obligation regarding this section of the standards. Accordingly, we have considered this component of the Act and determined that the

implementation and approval of the IRP is best determined in the context of a rate proceeding.

*Standard No. 2. Demand-side Management*

Section 115 requires that the Commission consider the following:

The rates charged by any State regulated gas utility shall be such that the utility's prudent investments in, and expenditures for, energy conservation and load shifting programs and for other demand-side management measures which are consistent with the findings and purposes of the Energy Policy Act of 1992 are at least as profitable (taking into account the income lost due to reduced sales resulting from such programs) as prudent investments in, and expenditures for, the acquisition or construction of supplies and facilities. This objective requires that (A) regulators link utility's net revenue at least in part, to the utility's performance in implementing cost-effective programs promoted by this section; and (B) regulators ensure that, for purposes of recovering fixed costs, including its authorized return, the utility's performance is not affected by reductions in its retail sales volumes.

15 U.S.C.A. § 3203(b)(4).

*Utility investments in demand-side management be at least as profitable as investments in supply-side resources.* Our regulations at 52 Pa. Code § 69.23 state that such investments "shall be afforded rate treatment at least on a par with any other supply options." As a practical matter, however, we may lack the ability to guarantee in advance such profitability for all demand-side investments because of a recent Commonwealth Court ruling which prohibits guaranteed future recovery of certain deferred costs (FASB 106 costs) outside the context of a rate case. *Popowsky v. Pa.P.U.C.*, 164 Pa. Commonwealth Ct. 338, 642 A.2d 648 (1994), *allocatur petition pending*. This is not to say that demand-side investments will not ultimately be as profitable as supply-side investments, but rather that we may not be able to guarantee cost recovery in advance of a rate case adjudication in which a claim for the firm's demand-side investments is made.

*Regulators link utility's net revenue to the utility's performance in implementing cost-effective programs.* The Act requires that the Commission consider the linkage of utility revenues with plan performance. The Gas Association, Columbia and PIEC all commented that existing regulations at 52 Pa. Code § 69.36 are adequate for purposes of satisfying the Act's requirements. We agree. Our regulations at 52 Pa. Code § 69.36 require that the Commission review utilities' performance regarding development of energy supply alternatives in the context of rate or other proceedings. Accordingly, we determine that this regulation satisfies the purposes of the Act because these requirements are currently in place before this Commission.

*Assurance that utility's performance is not affected by reduction in its retail volumes.* The OCA and PIEC both oppose automatic recovery of lost revenue, and the utilities advocate such an automatic mechanism. In fact, the Gas Association and Columbia suggest the Commission authorize gas utilities to recover DSM costs through a surcharge with a true-up mechanism which will result in full recovery of costs recognizing competitive market conditions. This issue, however, is not before the Commission at this docket and will not be determined in this context.

Because we cannot guarantee the result of an adjudication proceeding, we are unable to adopt this standard. At



present, the issue of lost revenue resulting from sales reductions caused by successful DSM programs is properly the subject of an adjudication proceeding with the utility having the burden of proof under 52 Pa. Code § 69.32 to demonstrate that allowing lost revenue recovery is necessary to ensure the profitability of the DSM investment relative to a similar supply-side investment.

*Small Business Impact*

The Act requires that the Commission consider and make determinations regarding the local distribution companies' competitive advantage over small businesses. The Act states:

If a State regulatory authority implements a standard established by subsection (b)(3) or (4), such authority shall—

(1) consider the impact that implementation of such standard would have on small businesses engaged in the design, sale, supply, installation, or servicing of energy conservation, energy efficiency, or other demand-side management measures and

(2) implement such standard so as to assure that utility actions would not provide such utilities with unfair competitive advantages over such small businesses.

15 U.S.C.A. § 3203.

The Gas Association commented that they would expect participation by small businesses in the provision of certain DSM services because of the likelihood that utilities will outsource part or all of DSM program work. They concluded, then, that the Commission's adoption of the IRP and DSM standards would not negatively impact small business and rather, may provide small business with increased business opportunities. Columbia agreed with this premise and added that it would not be competing with small businesses. No commentator offered evidence contrary to this position. Accordingly, we believe that this component of the Act has been considered and is presently adopted by this Commission.

*Conclusion*

Having considered the comments and discussion as they pertain to the purposes of the Act, we confirm that our regulations are, for the most part, in compliance with section 115 of the Act. The only exception to this tenet is with regard to guaranteed profitability and lost revenue due to sales reductions caused by DSM programs.

Because there is no flexibility in the Federal standards, we will reject the standards in part and adopt those standards consistent with our current practice, as discussed herein. Furthermore, the whole question of whether gas IRP is desirable must be addressed. The evolution of competition, both upstream and inside the city-gate, will make gas IRP a less necessary Commission function in order to insure least-cost gas service. If properly structured, competition will minimize the discrimination against efficient gas conservation because the LDC will be increasingly decoupled from the adverse consequences of the reduction in sales. Hence, the Commission will continue to review its regulations as necessary, while rejecting the Act's standards in part and adopting the standards in part, as they are consistent with the Commission's current practice, as discussed herein, *Therefore*,

*It Is Ordered:*

1. That the Federal standards listed in section 115 of the Energy Policy Act, 15 U.S.C.A. §§ 3202—3203 are

considered and are hereby rejected in part and adopted in part.

2. That this order shall be served upon all natural gas utilities in Pennsylvania, the Pennsylvania Gas Association, the Office of Consumer Advocate, Office of Small Business Advocate, the Pennsylvania Energy Office, and the Industrial Energy Consumers of Pennsylvania.

3. The Secretary shall duly certify this order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-63. Filed for public inspection January 12, 1996, 9:00 a.m.]

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**Railroad  
With Hearing**

**A-00111716. Cambria and Indiana Railroad Company.** An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code. The application requests the approval of the abolition of specified crossings (at, under and above-grade) where the tracks of said company cross public highways in Cambria and Indiana Counties.

An initial hearing upon this proceeding will be held Wednesday, January 31, 1996, in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-64. Filed for public inspection January 12, 1996, 9:00 a.m.]

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**Railroad  
With Hearing**

**C-00957088 and C-00957089. Dick Myers, Jr. v. Allegheny Valley Land Trust (Rails to Trails).** Complaints have been filed with the Pennsylvania Public Utility Commission alleging hazardous conditions at the former railroad bridge over Mahoning Creek, in Pine Township, Armstrong County, requesting removal of the bridge structure; and alleging hazardous conditions at the former railroad bridge over Whiskey Hollow in Templeton, Pine Township, Armstrong County, requesting repairs of the bridge structure under the provisions of Public Utility Code.

An initial hearing upon this proceeding will be held Wednesday, January 24, 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. 96-65. Filed for public inspection January 12, 1996, 9:00 a.m.]

## Service of Notice of Motor Carrier Applications

**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 January 29, 1996.

- A-00112713 Ronald, Raynard & Rodney McGlynn, t/d/b/a R. McGlynn's Auto Exchange and Towing 1246 San Souci Parkway, Wilkes-Barre, PA 18702; Christopher Zettlemyer, 213 Market Street, Harrisburg, PA 17107-2132
- A-00112714 Melvyn Tiernan, t/d/b/a Tiernan Trucking R. D. 1, Box 314, Perryopolis, PA 15473; Robert J. Colaizzi, 55 South Main Street, Washington, PA 15301
- A-00112715 Gerald W. Rice, t/d/b/a Gerald Rice Trucking 2078 Old Route 100, Brechtelsville, PA 19505
- A-00112719 George, Albert, Jr. & M. I. Keklak, t/d/b/a Loomis Development Co. P. O. Box 2750, Wilkes-Barre, PA 18703-2758
- A-00112722 Kratz Trucking, Inc. 108 Branch Road, Sellersville, PA 18960

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-66. Filed for public inspection January 12, 1996, 9:00 a.m.]

Water Service  
Without Hearing

**A-213550F0011. The York Water Company.** Application of The York Water Company for approval of (1) the transfer by sale of all waterworks property and rights of Jefferson Borough to The York Water Company, and (2) the right of The York Water Company to begin to offer or furnish water service to the public in the Borough of Jefferson and portions of Codorus Township, York County, Pennsylvania.

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 January 29, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Michael W. Gang, Esquire, Michael W. Hassell, Esquire, Morgan, Lewis & Bockius, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-67. Filed for public inspection January 12, 1996, 9:00 a.m.]