

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

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

#### BANKING INSTITUTIONS

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-22-96	United Bank of Philadelphia Philadelphia Philadelphia County	38th Street and Lancaster Avenue Philadelphia Philadelphia County	Opened
7-25-96	First Commonwealth Bank Indiana Indiana County	2009 Pleasant Valley Boulevard Altoona Blair County	Approved
7-25-96	United Savings Bank Philadelphia Philadelphia County	2535 West Chester Pike Broomall Delaware County	Approved
7-26-96	The York Bank and Trust Company York York County	Weis Market 2850 Carlisle Road Dover Township York County	Approved
7-26-96	The York Bank and Trust Company York York County	Weis Market 2400 E. Market St. York York County	Approved
7-26-96	The York Bank and Trust Company York York County	Weis Market 2160 White Street York York County	Approved
7-29-96	Farmers and Merchants Trust Company Chambersburg Franklin County	9 West Big Spring Ave. Newville Cumberland County	Filed
7-29-96	Farmers and Merchants Trust Company Chambersburg Franklin County	13 Shippensburg Shopping Center Shippensburg Cumberland County	Filed

##### Branch Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-16-96	Johnstown Bank and Trust Company Johnstown Cambria County		Effective
<i>From:</i>	Jefferson Avenue Extension Windber Somerset County	<i>To:</i> 415 Park Place Windber Somerset County	
7-17-96	Johnstown Bank and Trust Company Johnstown Cambria County		Effective
<i>From:</i>	112 North Market St. Ligonier Westmoreland County and #1 Ligonier Valley Mini Mall Ligonier Westmoreland County	<i>To:</i> 402 West Main Street Ligonier Westmoreland County	

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-18-96	Johnstown Bank and Trust Company Johnstown Cambria County		Effective
<i>From:</i>	262 East Main Street Somerset Somerset County	<i>To:</i> 121 South Center Avenue Somerset Somerset County	
7-23-96	Northern Central Bank Williamsport Lycoming County		Effective
<i>From:</i>	400 Main Street Towanda Bradford County	<i>To:</i> 312 Main Street Towanda Bradford County	
7-25-96	Johnstown Bank and Trust Company Johnstown Cambria County		Effective
<i>From:</i>	407 Main Street Johnstown Cambria County	<i>To:</i> 532-534 Main Street Johnstown Cambria County (Main Office)	

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-1302. Filed for public inspection August 9, 1996, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August**

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of August is 9¼%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. 96-221). Further preemption was instituted with the signing of Pub.L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as a principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.60 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the U. S. Treasury. The latest yield rate on long-term government securities is 7.20 to which was added 2.50 percentage points for a total of 9.70 that by law is rounded off to the nearest quarter at 9¼%.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-1303. Filed for public inspection August 9, 1996, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

**State Parks Natural Areas**

The following areas will be added to the State Parks Natural Areas listing under 25 Pa. Code § 11.115 (relating to natural area designation procedure).

The contact person for this notice is Roger Fickes, Director, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105-8551.

JOHN C. OLIVER,  
*Secretary*

## State Parks Natural Areas Approved Additions

<i>Name</i>	<i>Acre- age</i>	<i>Park</i>	<i>Location</i>	<i>Feature</i>
Swamp Forest	246	Cook Forest	Clarion and Forest Counties, Cooksburg Quad, off PA Route 66 and No. Pine Grove	Perched water table gives rise to palustrine wetland of old growth eastern hemlock and white pine at the headwaters of Brown's Run.
Mud Run	1,335	Hickory Run	Carbon County, Hickory Run Quad, north of PA Route 903	Remote mountain stream lined with rhododendron and eastern hemlock, buffered by mature hardwood forest. Stream contains a viable native trout population.
Mud Swamp	152	Hickory Run	Carbon County, Hickory Run Quad, south of PA Route 903	Remote emergent wetland containing rare plant species of concern.
Hemlock Trail	5.8	Laurel Hill	Somerset County, Bakersville Quad, off Buck Run Road	Scenic area of old growth eastern hemlock. Includes a picturesque portion of Laurel Hill Creek which contains a viable native trout population.
Neshaminy Tidal Marsh	70	Neshaminy	Bucks County, Beverly PA-NJ Quad, off State Road, Bensalem	Freshwater intertidal marsh along the shores of the Delaware River and Neshaminy Creek containing many rare plants.
Black Jack Swamp	725	Pymatuning	Crawford County, Leon, OH-PA and Linesville Quad, off Phelps Road	Palustrine, scrub-shrub, and emergent wetlands adjacent to Pymatuning Lake. Provides habitat for plant and animal species of concern.
Clark Island	161	Pymatuning	Crawford County, Linesville Quad, northernmost portion of Pymatuning Lake	Mature forest of hardwood and white pine containing an inland, lake-fed pond. Provides habitat for plant species of concern.
Fall Brook	34	Salt Spring	Susquehanna County, Franklin Forks, PA-NY Quad, off PA Route 29.	Area contains many old growth hemlocks and includes a steep gorge with picturesque stream and series of waterfalls.

[Pa.B. Doc. No. 96-1304. Filed for public inspection August 9, 1996, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Eisenhower Postsecondary Grant Application Guidelines

Applications from Pennsylvania institutions of higher education and nonprofit organizations, which have previously conducted successful mathematics and/or science professional development activities, will be accepted for professional development programs specially-designed to improve teaching and learning in mathematics and science education in the Commonwealth. Grant awards will be funded with higher education Federal funds authorized by Subchapter II—Dwight D. Eisenhower Professional Development Program—The Improving America's Schools Act of 1994 (P. L. 103-382). Awards issued under these guidelines will be for up to three full funding cycles.

Awards for this competition and the subsequent two funding cycles and payments to a successful applicant are specifically contingent upon the appropriation of funds by the Federal government and a fully executed contract. Pennsylvania has \$380,735 available for competition.

Copies of the Eisenhower Postsecondary Grant Applications (EPGA) are available from the Issuing Office, which is the sole point of contact for the guidelines: Division of Program Services, Bureau of Postsecondary Services, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623; TTY (717) 783-8445.

A preproposal conference is scheduled for Monday, September 16, 1996, at 10 a.m. in Heritage Room B, Lobby Level at 333 Market Street, Harrisburg. If special accommodations are required to participate in the preproposal conference, contact the Division of Program Services. Written questions are to be submitted on the form accompanying the EPGA guidelines and must be received by September 11, 1996.

Applications submitted in response to the EPGA guidelines are due in the Division of Program Services no later than 5 p.m., Friday, October 4, 1996.

EUGENE W. HICKOK,  
Secretary

[Pa.B. Doc. No. 96-1305. Filed for public inspection August 9, 1996, 9:00 a.m.]

**State Plan and Preschool Grant**

The Department of Education's State Plan and Preschool Grant under the Individuals with Disabilities Education Act has been amended and approved by the

U. S. Department of Education. The amendments have been disseminated to local school districts, intermediate units, and instructional support centers and thus are available for public inspection. Copies may be requested by writing to Samuel R. Bashore, Bureau of Special Education, 333 Market Street, 7th Floor, Harrisburg, PA 17126. Persons who require this information in an alternate format should contact Jill Deitrich at the above address or call (717) 772-0635 (TTY: 717/787-7367).

EUGENE W. HICKOK, Jr.,  
Secretary

[Pa.B. Doc. No. 96-1306. Filed for public inspection August 9, 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 standard 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 comment period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**PA 0056944.** Industrial waste, **Sun Company, Inc.**, 1801 Market Street, Philadelphia, PA 19103.

This application is for issuance of an NPDES permit to discharge stormwater from an existing petroleum products pipeline pump station in Upper Chichester Township, **Delaware County**. This is a new discharge to an unnamed tributary to Marcus Hook 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 and esthetics.

The proposed effluent limits for Outfall 001 are as follows:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Oil and Grease	15		30
Total Recoverable Petroleum Hydrocarbons			monitor/report
Diesel Range Organics			monitor/report
Gasoline Range Organics			monitor/report

The EPA waiver is in effect.

**PA 0051616.** Industrial waste, **Citizens Utilities Water Company of PA**, 135 North Fourth Street, Royersford, PA 19468.

This application is for renewal of an NPDES permit to discharge treated process wastewater from a water filtration plant in East Vincent Township, **Chester County**. This is an existing discharge to the Schuylkill River.

The receiving stream is classified for warm water fish, migratory fish, 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 0.111 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
Total Iron	2.0	4.0	5.0
Total Aluminum	4.0	8.0	10.0
Total Manganese	1.0	2.0	2.5
Total Residual Chlorine	0.5		1.0
Chlorodibromomethane	monitor/report		
Dichlorobromomethane	monitor/report		
Chloroform	monitor/report		
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

**PA 0040886.** Sewage, **Upper Pottsgrove Township**, 1420 Heather Place, Pottstown, PA 19464.

This application is for renewal of an NPDES permit to discharge treated sewage from Greengate Development in Upper Pottsgrove Township, **Montgomery County**. This is an existing discharge to an unnamed tributary to Manatawny Creek.

The receiving stream is classified for cold water fish, warm water fish, 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 0.018 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	15	30
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	1.0	2.0
(11-1 to 4-30)	3.0	6.0
Total Residual Chlorine	monitor/report	
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.

**PA 0054941.** Industrial waste, **Formal Affairs, Inc.**, Harold C. Yates, Cedar Hollow Road and Industrial Boulevard, Paoli, PA 19301.

This application is for issuance of an NPDES permit to discharge treated groundwater from groundwater remediation system in Willistown Township, **Chester County**. This is a new discharge to unnamed tributary 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 Outfall 001, based on an average flow of 14,400 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>
Oil and Grease	15		30
Total Iron	monitor/report	monitor/report	
Total Dissolved Solids	monitor/report	monitor/report	
Tetrachloroethylene	not detectable	not detectable	not detectable
Cis-1,2 Dichloroethylene	not detectable	not detectable	not detectable
Trichloroethylene	not detectable	not detectable	not detectable
pH	within limits of 6.0—9.0 standard units at all times		

*Other Requirements*

Groundwater Monitoring

Required Analytical Test Method

The EPA waiver is in effect.

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

**PA 0209333.** Sewerage, SIC: 4952, **Chippewa Chief LTD Partnership**, 48 West Third Street, Williamsport, PA 17701.

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

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Pennsylvania American Water Company located at Milton approximately 18 river miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.04 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (6-1 to 10-31)	10	20
(11-1 to 5-31)	20	40
TSS	10	20
Ammonia-N (6-1 to 10-31)	3	6
(11-1 to 5-31)	9	18
Fecal Coliforms	200/100 ml as a geometric mean within the range of 6.0—9.0	
pH		
Total Residual Chlorine	1.0	2.3

The EPA waiver is in effect.

**PA 0113182.** Sewerage, SIC: 4952, **Albert Drobka**, R. D. 1, Box 355, Centre Hall, PA 16828.

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

The receiving stream is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0105 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20	
TSS	10	20	
Total Residual Cl <sub>2</sub>	1.0	2.3	
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0113093.** Sewerage, SIC: 4952, **Christ Wesleyan Church**, R. D. 2, Box 2000, Milton, PA 17847.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to unnamed tributary of Limestone Run in Turbot Township, **Northumberland County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is Shamokin Dam Municipal Authority located on the Susquehanna River 14 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0021 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 200/100 ml as a geometric average minimum of mg/l at all times	
Dissolved Oxygen	6.0—9.0 standard units at all times	
pH		
Total Residual Cl <sub>2</sub>	1	2.3

The EPA waiver is in effect.

**PA 0209350.** Sewerage, SIC: 4952, **Delmar Township**, R. D. 5, Box 70A, Wellsboro, PA 16901.

This proposed action is for issuance of an NPDES permit for a new discharge of treated sewage to Heise Run in Delmar Township, **Tioga County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Jersey Shore Area Water Authority located at Pine Creek approximately 65 miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.007 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (6-1 to 10-31) (11-1 to 5-31)	10 20	15 30	20 40
Total Suspended Solids	10	15	20
Fecal Coliforms	200/100 ml as a geometric mean		
pH	6.0—9.0 at all times		
Total Residual Cl	monitor and report		

The EPA waiver is in effect.

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

**PA 0003832.** Industrial waste, SIC: 2869, 2821, 2865, **Aristech Chemical Corporation**, Neville Island Plant, Pittsburgh, PA 15225.

This application is for an NPDES permit to discharge untreated cooling water stormwater from the Neville Island Plant in Neville Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River (Back Channel), classified as a 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 3 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.85 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature					110°
COD			30	60	
TSS			30	60	
Pollutant Groups 2—5 in NPDES application			monitor and report		
pH	6.0—9.0				

*Other Conditions:* No net addition of pollutants to noncontact cooling water, no change in the temperature of the receiving stream by more than 2°F, stormwater runoff conditions, and approval of hydrostatic test water discharges.

The EPA waiver is in effect.

**PA 0110591.** Industrial waste, SIC: 3399, **SCM Metal Products, Inc.**, 101 Bridge Street, Johnstown, PA 15902.

This application is for amendment of an NPDES permit to discharge treated and untreated cooling water and stormwater from SCM Metal Products, Inc. in Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Stony Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Saltsburg Municipal Waterworks, located 45 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.039 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids	6.92	13.88	28.6	40	
Oil and Grease	4.53	7.01	8.7	30	
Copper	0.23	0.45	0.42	0.81	1.0
Cyanide	0.02	0.06	0.05	0.12	0.125
Lead	0.04	0.1	0.08	0.18	0.2
Chromium	0.022	0.061	0.07	0.17	0.175
Nickel	0.031	0.046	0.08	0.11	0.2
Fluoride	2.24	5.05	5.55	12.5	13.9
Ammonia	4.11	9.34			
Total Iron	0.132	0.264	0.61	1.2	1.5
pH	7.5—10				

Outfall 001: existing 0.075 mgd discharge to Stony Creek

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This outfall shall consist solely of those sources previously monitored at 101, noncontact cooling water, and uncontaminated stormwater runoff.					
TRC			0.5		1.0
pH	6.0—10				

Outfall 002: existing 0.02 mgd discharge to Stony Creek

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of noncontact cooling water, and uncontaminated stormwater runoff.					
TRC			0.5		1.0
pH	not less than 6.0				

Outfall 003: existing 0.0183 mgd discharge to Stony Creek

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of noncontact cooling water, and uncontaminated stormwater runoff.					
TRC			0.5		1.0
pH	not less than 6.0				

The EPA waiver is not in effect.

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

**PA 0045560.** Industrial waste, SIC: 3471, **Heritage Metal Finishing, Inc.**, 800 South Market Street, Elizabethtown, PA 17022.

This application is for renewal of an NPDES permit for a new discharge of treated industrial waste to Conoy Creek, in Elizabethtown Borough, **Lancaster County**.

The receiving stream is classified for trout stocking 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 the Columbia Borough Water Authority 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 0.016 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
pH	6.0—9.0 standard units at all times		



<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	40	80	100
Total Suspended Solids	31	60	77.5
Total Phosphorus as P	2	4	5
Oil and Grease	15		30
Total Cadmium	0.06	0.12	0.15
Total Chromium	1.71	2.77	4.3
Total Copper	0.66	1.3	1.65
Total Lead	0.25	0.5	0.63
Total Nickel	2.38	3.98	5.95
Total Silver	0.24	0.43	0.6
Total Zinc	3.78	6.65	9.45
Total Cyanide	0.65	1.2	1.6
Hexavalent Chromium	0.3	0.6	0.75
Total Boron	43.0	86.0	108.0
Total Toxic Organics		2.13	

The EPA waiver is in effect.

**PA 0087360.** Industrial waste, SIC: 5171, **Exxon Company**, USA, 140 South Village, Exton, PA 19341-1266.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to Laurel Run, in Muhlenberg Township, **Berks County**.

The receiving stream is classified for warm water fish, recreation, water supply and aquatic life. The existing downstream potable water supply intake considered during the evaluation was Pottstown Borough Authority Water Treatment Plant located in Pottstown. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0432 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	from 6.0—9.0 inclusive		
Total BTEX <sup>3</sup>	0.1	0.2	0.25
Benzene	0.001	0.002	0.0025
Toluene	monitor and report		
Ethylbenzene	monitor and report		
Xylene	monitor and report		

The EPA waiver is in effect.

**PA 0087572.** Industrial waste, SIC: 4941, **Williamstown Borough Authority**, P. O. Box 44, Williamstown, PA 17098.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to an unnamed tributary of 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 on the Susquehanna River 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 0.0037 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (s. u.)	from 6.0—9.0 inclusive		
Total Suspended Solids	30	60	75
Total Iron	2.0	4.0	5.0
Total Aluminum	4.0	8.0	10.0
Total Manganese	1.0	2.0	2.5

The EPA waiver is in effect.

**PA 0087581.** Sewage, SIC: 4951, **Maidencreek Associates, Inc.**, 39 Cornerstone Drive, Mohrsville, PA 19541.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary of Irish Creek, in Centre Township, **Berks 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 proposed downstream potable water supply intake considered during the evaluation was Glen Alsace Water Company located on the Schuylkill River by Robeson Township. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0228 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			50
Total Suspended Solids	30			60
NH <sub>3</sub> -N				9.5
(5-1 to 10-31)	4.5			28.5
(11-1 to 4-30)	13.5			0.97
Total Residual Chlorine	0.29			
Dissolved Oxygen	minimum of 5.0 at all times			
pH	from 6.0—9.0 inclusive			
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	800/100 ml as a geometric average			

The EPA waiver is in effect.

**PA 0087599.** Sewage, SIC: 8661, **Schuylkill Valley Bible Church**, Bellman's Church Road, Dauberville, PA 19517.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to Irish Creek, in Centre Township, **Berks 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 proposed downstream potable water supply intake considered during the evaluation was Glen Alsace Water Company located on the Schuylkill River by Robeson Township. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of .00405 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N	20		40
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen	5.0		
pH	6.0—9.0 s.u. inclusive		
Fecal Coliforms			
(5-1 to 9-30)	200		
(10-1 to 4-30)	100,000		

The EPA waiver is in effect.

**PA 0080675.** Industrial waste, SIC: 0161, **B & W Quality Growers, Inc.** (Midvale Facility), 17825-79th Street, Fellsmere, FL 32948.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Red Run, in Washington Township, **Franklin County**.

The receiving stream is classified for cold water fish, 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 at Brunswick Mayor and Council located in Brunswick, Maryland. The discharge is not expected to impact any potable water supply.

The proposed best management practice and monitoring requirements for Outfall M-1:

B & W Quality Growers, Inc. (B & W) shall restrict pesticide usage at the Midvale Facility to:

Dipel	Neemix
Malathion	Kocide 101
Induce	Roundup
Safer Insecticidal Soap	

B & W shall maintain a trout basin to serve as an aquatic indicator or potential flow-through of applied pesticides.

The EPA waiver is in effect.

### **Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges**

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Pro-

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

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

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

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Operations indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the

name, address and telephone number of the writer and a brief statement to inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

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

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on DEP's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0084646	Southern Fulton School District R. D. 2, Box 45 Warfordsburg, PA 17267	Fulton Bethel	Tributary to Tonotoway Creek	TRC
PA 0081710	Outdoor World Resorts USA, Inc. Route 209 Bushkill, PA 18324	Lancaster Pequea	Conestoga River	TRC
PA 0081612	Millstone MHP P. O. Box 571 Huntingdon, PA 16652	Huntingdon Brady	Mill Creek	TRC

**Public Notice of Draft NPDES General Permit No. PAG31001 for Discharges from Stripper Oil Well Facilities**

The Department of Environmental Protection proposes to reissue a general National Pollutant Discharge Elimination System (NPDES) permit for the controlled discharge of treated production fluids from primary recovery, waterflood, and gas drive stripper oil well facilities into surface waters of the Commonwealth. The permit will be issued subject to certain effluent limitations and special conditions.

This general permit will apply to certain discharges from primary recovery, waterflood, and gas drive stripper oil well facilities located in the Commonwealth of Pennsylvania. Stripper oil wells produce 10 barrels per well per calendar day or less of crude oil. Operations using secondary or tertiary recovery methods such as thermal or chemical methods, and commercial or offsite centralized treatment facilities are excluded from coverage under this permit. The facilities affected by the general permit are included under 40 CFR Part 435 Subpart F—Stripper Subcategory and SIC Code 1311, *Crude Petroleum and Natural Gas*.

The Department's regulations at 25 Pa. Code §§ 92.81 through 92.83 provide for the issuance of a general NPDES permit when:

(1) The same, or substantially similar, types of operations are involved;

- (2) The same types of wastes are being discharged;
- (3) The same effluent limitations and/or operating conditions are required;
- (4) The same or similar monitoring is required;
- (5) The discharge does not contain toxic or hazardous pollutants or any other substance which—because of its quantity, concentration, or physical, chemical, or infectious characteristics—may cause or contribute to an increase in mortality or morbidity in either an individual or the total population, or pose a substantial present or future hazard to human health or the environment when discharged into navigable waters;
- (6) The discharges are more appropriately controlled under a general permit than under individual permits;
- (7) Individually and cumulatively, the discharges do not have the potential to cause significant adverse environmental impact; and
- (8) The discharge is not to “special protection” waters.

The Department has determined that these discharges are eligible for a general NPDES permit because these facilities are similar in nature and discharge the same type of wastes. These facilities are relatively small in size and the rates of the discharge flow can be controlled to levels that do not have the potential to pose a threat to human health, cause environmental harm or violate water quality standards. Because of the size, number and

operational procedures of the facilities, the discharges from these facilities are more appropriately covered under a general permit.

A brief description of the conditions of the permit are as follows:

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*Parameter*

Total Suspended Solids  
Oil and Grease  
Total Iron  
Acidity  
pH

—The permit does not authorize discharges to waters classified as “Special Protection” as defined in 25 Pa. Code Chapter 93;

—The proposed effluent limitations are:

<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
30	60
15	30
3.5	7
less than alkalinity	
not less than 6.0 standard units or greater than 9.0 standard units (except where the discharge is to an acid stream, in which case the pH may be greater than 9.0).	

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Also, the discharge shall at no time cause a film or sheen upon or discoloration of the waters of the Commonwealth or adjoining shoreline. And, there shall be no discharge of floating solids or visible foam in other than trace amounts.

—The discharge shall not result in a violation of the water quality criteria prescribed in 25 Pa. Code Chapters 16 and 93 for the various designated uses of the receiving stream.

—The operator shall not add any water as dilution water in order to meet the effluent limits in the permit.

—Prior to commencing any discharge, A Part II Construction/Operation Permit under section 308 of The Clean Streams Law must be obtained.

Once notice of the final permit is issued, eligible dischargers who wish to be covered by this general NPDES permit will need to file an application for coverage with the Department and receive approval for coverage for each discharge prior to commencing any discharge. Application for renewal of coverage or notification to cease discharging must be submitted in accordance with the notice sent to the permittee by the Department. Each application for coverage will be reviewed for compliance with the terms of the general permit which includes verifying that the water quality standards of 25 Pa. Code Chapter 93 will not be violated. An individual approval will be issued to dischargers that qualify. No application fee will be required for coverage under this general NPDES permit.

Persons wishing to comment on the draft general permit are invited to submit a written statement to James E. Erb, Director, Bureau of Oil and Gas Management, located at P. O. Box 8765, Harrisburg, PA 17105-8765, telephone number (717) 772-2199, 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 determination of the permit. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Director considers the public interest in holding a hearing significant. 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 Bureau of Oil and Gas Management. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

Following the 30-day comment period, the Department will make a final determination on the draft 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 draft permit and related documents are on file at the Harrisburg office of the Bureau of Oil and Gas Management at the location noted above. Anyone wishing to review or receive a copy of the permit documents, or to receive further information, should contact that office.

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**A. 0496403.** Sewerage. **Borough of Koppel**, Third Avenue and Arthur Street, Koppel, PA 16136. Application for the installation and operation of approximately 1,400 feet of 12 inch diameter sanitary sewer line for the purpose of bypassing/diverting a portion of system flow around/away from a portion of the Borough's existing main interceptor sewer located in Koppel Borough, **Beaver County**.

**A. 6596406.** Sewerage. **Penn Township**, P. O. Box 452, Harrison City, PA 15636. Application for the construction and operation of sewers and a pumping station to serve Level Green Commons located in Penn Township, **Westmoreland County**.

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

**WQM Permit No. 2096406.** Sewage, **James Schmid**, SRSTP, 221 Downieville Rd., Valencia, PA 16059. This project is for the construction of a single residence sewage treatment plant in S. Shenango Township, **Crawford County**.

**WQM Permit No. 4396407.** Sewage, **James Lawrence**, SRSTP, 175 N. State Line Rd., Greenville, PA 16125. This project is for the construction of a single residence sewage treatment plant in W. Salem Township, **Mercer County**.

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

**A. 2196404.** Sewage, **Brian K. and Kimberly L. Kurtz**, 2131 Longs Gap Road, Carlisle, PA 17013 to construct an individual residence small flow treatment facility in North Middleton Township, **Cumberland County** was received in the Southcentral Regional Office on July 18, 1996.

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

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

**A. 2096502.** Public water supply. **Meadville Area Water Authority**, 984 Water Street, Meadville, PA 16335. This proposal involves the construction of a permanent well, test well, pump, pumphouse and raw water line at the Meadville Area Water Authority Water Works Park in the City of Meadville, **Crawford County**.

**A. 2596503.** Public water supply. **Corry Area School District**, Conelway Elementary School, 800 East South Street, Corry, PA 16407. This proposal involves the construction of a polyphosphate silicate blend system for the purpose of corrosion control in Wayne Township, **Erie County**.

*Southcentral Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.*

**A. 0696508.** Public water supply. **Schlegel's Grove and Campsites, Inc.**, Colebrookdale and Washington Townships, **Berks County**, (Francis J. Kelsch, Schlegel's Grove and Campsites, Inc., 66 Franklin Street, Bechtelsville, PA 19505), conversion of an existing water system to a community water system which will serve on existing campground, apartment building and 25 permanent sites. System will consist of two wells, hypochlorination, two storage tanks, four pressure tanks, three pumps

and distribution lines, (Mark H. Feibes, P.E., 402 Grant Avenue, Downingtown, PA 19335).

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

**4096503.** Public water supply. **Penn State University**, Wilkes-Barre Campus, c/o The Pennsylvania State University, 113 Physical Plant Building, University Park, PA 16802-1118. This proposal involves the installation of corrosion control (zinc orthophosphate inhibitor) chemical feed systems at wells no. 1 and no. 2 at the Penn State Wilkes-Barre Campus.

*Engineer: Robert E. Cooper, P.E., Mgr. Engineering Services*

**4596504.** Public water supply. **Borough of Delaware Water Gap**, 49 Main St., Delaware Water Gap, PA 18327. This proposal involves construction of two new well sources, transmission line, 0.4 mg storage tank and treatment building.

*Engineer: Brick Linder, Linder Engineering, R. R. 1, Box 4080, Skytop Road, Canadensis, PA 18325.*

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#### **Acknowledgment of Notices of Intent to Remediate**

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (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, contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

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

**Pennsylvania Power & Light Company (PP&L)**—distribution pole # 56095N49849, North Abington Township, **Lackawanna County**. Lisa Palfrey, Environmental Consultant for PP&L, 2 North Ninth Street, Allentown, PA has submitted a Notice of Intent to Remediate site soils found to be contaminated with polychlorinated biphenyls (PCBs). The applicant proposes to remediate the site to meet the Statewide health standard.

**Pennsylvania Power & Light Company (PP&L)**—distribution pole # 56526N50832, North Abington Township, **Lackawanna County**. Lisa Palfrey, Environmental Consultant for PP&L, 2 North Ninth Street, Allentown, PA has submitted a Notice of Intent to Remediate site soils found to be contaminated with polychlorinated biphenyls (PCBs). The applicant proposes to remediate the site to meet the Statewide health standard.

Sections 304 and 305 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 is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known 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.

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

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

**Special Metals Operations**, Babcock & Wilcox Company, Big Beaver Borough, **Beaver County**. Babcock & Wilcox Company, 1450 Poybras Street, New Orleans, LA 70112-6050 has submitted a Notice of Intent to Remediate soil contaminated with PAHs, PHCs, solvents and heavy metals. The applicant proposes to remediate the site to meet a site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Beaver County Times* on July 1, 1996.

*Southcentral Regional Office: Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Former Loewengart Tannery Site**, Borough of Mercersburg, **Franklin County**. Mercersburg Borough has submitted a Notice of Intent to Remediate site soils, groundwater and surface water contaminated with heavy metals. The applicant proposes to remediate the site to meet the special industrial area standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Mercersburg Journal* on July 24, 1996.

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#### **Proposed Remedial Response under the Hazardous Sites Cleanup Act**

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##### **Crown Industries Site Lackawaxen Township, Pike County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), proposes to initiate the second phase of the remedial response at the Crown Industries Site (site) located in Lackawaxen Township, Pike County.

The site is located near the small rural town of Bohemia on an unpaved road known as Blue Stone Drive in the Huggy Bear Lake Development, Lackawaxen Township, Pike County. The site is approximately 7 acres in size and consists of two areas of ponded water and several piles of contaminated soil. A quarry operation lies to the Southwest of the site. Eighty-eight homes (approximately 225 persons) are located within 1 mile of the site.

Chemical analysis of the contaminated soil found on the site shows that it contains polynuclear aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), tetrachlorodibenzo dioxin (dioxin) and metals.

The Department's objective in addressing the site is to eliminate the threat to human health posed by inhalation and/or dermal contact from site contaminants.

To achieve this objective, the following alternatives were considered:

##### *Alternative 1: No Action*

Alternative 1 provides a baseline against which other alternatives can be compared. Under this alternative, no activities would be implemented at the site. Because no remedial actions would be implemented with this alternative, neither the human nor the environmental risks associated with the site would decrease.

##### *Alternative 2: Limited Action*

Alternative 2 combines no action with the implementation of institutional controls (fencing, posting signs and deed restrictions) to restrict access to and reduce the

potential exposure to contaminants. Long-term groundwater monitoring and periodic site reviews would be performed.

*Alternative 3: Removal and Treatment/Disposal at Off-Site Disposal Facility*

This alternative would implement remedial actions to excavate and remove soil identified as containing contaminants at levels above the respective cleanup levels. In this alternative, contaminated soil would be excavated and transported off of the site for disposal. Although the contaminated material will be removed, limited deed restrictions and groundwater monitoring may be necessary.

*Alternative 4: Removal and Onsite Treatment with Rotary Kiln Incineration*

*Alternative 5: Removal and Onsite Treatment with Thermal Desorption*

*Alternative 6: Removal and Onsite Treatment with Slagging*

Each of the onsite treatment alternatives listed above is characterized by the following identical components:

- \* Excavation of soils from on-Site areas containing contamination above the selected cleanup levels followed by treatment for removal of dioxin and PCBs.

- \* Processing to homogenize the waste prior to treatment in an attempt to maximize the effectiveness of the treatment system.

- \* Offsite disposal of residual material.

- \* Onsite disposal of treated soil as backfill material in areas of the site where native material is excavated. Areas of the site that appear to have been filled will not be backfilled.

- \* Deed restrictions, groundwater monitoring and periodic site reviews.

*Alternative 7: Removal, Stabilization/Solidification and Disposal in Onsite Landfill*

In this alternative, contaminated soil would be excavated, stabilized/solidified and placed in a new landfill that would be constructed on the site. The onsite landfill would be constructed in accordance with the regulations of 40 CFR Part 264, Subpart N—Landfills. The material to be placed within the landfill, in addition to being a TSCA waste (PCB levels in excess of 50 mg/kg), will have the characteristics of a RCRA hazardous waste (contain levels of lead in leachate that equal or exceed the maximum concentrations for toxicity characteristic). This alternative would include long-term groundwater monitoring and deed restrictions.

*Proposed Response*

The Department's proposed response to address the contaminated material at the site is Alternative 3 (removal of contaminated soils followed by disposal at an offsite disposal facility). This response is considered a final remedial response addressing onsite contaminated soils. The Department's goal is to remove the threats of direct contact and offsite migration by excavating contaminated soils and removing to an offsite permitted facility. This alternative was selected over the others since this method was proven to be permanent and more cost effective than the other alternatives.

The administrative record, which contains the information that forms the basis and documents the selection of this response action, is available for public review. The

administrative record will be available for public inspection from 8 a.m. to 4 p.m., Monday through Friday, at the Department's Northeast Regional Office located at 2 Public Square, Wilkes-Barre, PA 18711.

Written comments concerning the response or information in the administrative record will be accepted in person, if delivered, or by mail, if postmarked, on or before November 12, 1996, to the attention of Paul Panek, Project Officer—Hazardous Sites Cleanup Program, at the Northeast Regional Office address.

Additionally, the public will have an opportunity to present oral comments at a public hearing. The public hearing has been scheduled for September 24, 1996, at 7 p.m. at the Lackawaxen Township Municipal Building which is located off of Route 590 in the village of Lackawaxen. Persons wishing to present oral comments must register on or before September 17, 1996, by calling Paul Panek at (717) 826-2589. Persons interested in finding out if anyone has registered or the location of the hearing should contact Paul Panek.

The Department is providing this notice under section 506(b) of the HSCA. The date of publication of this notice in the *Pennsylvania Bulletin* initiates the minimum 90 day public comment period on the administrative record, as provided under that act. Questions concerning this site may be directed to Paul Panek at (717) 826-2589, or Dennis Abraham, Assistant Counsel, at (610) 832-6300.

Persons with a disability who wish to attend the public hearing referenced above and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Paul Panek directly or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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

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*Regional Office: Regional Solid Waste Manager, 555 North Lane, Suite 6010, Lee Park, Conshohocken, PA 19418.*

**Beneficial Use No. BU10029. Nutrecon, Inc.,** South Main at Randolph Avenue, P. O. Box 442, Ambler, PA 19002. On July 19, 1996, the Southeast Regional Office received an application from Nutrecon, Inc., for the Agricultural Utilization of Nutresoil in an agricultural utilization program.

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

**PAD087098653. Unitank Terminal Services,** Allegheny Avenue and Delaware Avenue, Philadelphia, PA 19134. On June 24, 1996, the Southeast Regional Office received a request from Unitank Terminal Services to release \$348,000 of a Collateral Bond because Unitank Terminal Services has completed closure of their commercial hazardous waste container and tank storage facility. Any comments on this request should be submitted to Lawrence Lusk, Facility Manager, Bureau of Waste Management. Facility located in the City of Philadelphia.

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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.**

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

**A. 602497. Reuben Weaver Farm**, Ephrata Borough Authority, (114 East Main Street, Ephrata, PA 17522). Application for modification of an agricultural utilization of sewage sludge site in Ephrata and West Cocalico Townships, **Lancaster County**. Application determined to be administratively complete in the Regional Office July 22, 1996.

**A. 400556. Bridgeview, Inc.**, (R. R. 1, Box 364, Morgantown, PA 19543). Application for modification for the addition of a Chem-Clav processing unit to a site in Robeson Township, **Berks County**. Application determined to be administratively complete in the Regional Office July 22, 1996.

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

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

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described for:

Permit: **OP-15-0003**  
 Source Synthetic Minor NOx Emitting Facility  
 Company: **Cheyney University**  
 Location: Cheyney  
 County: **Chester**

Permit: **OP-46-00030A**  
 Source: Synthetic Minor NOx and VOC Facility  
 Company: **Lockheed Martin Corporation**  
 Location: King of Prussia  
 County: **Montgomery**

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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.*

**08-313-024C.** The Department intends to issue an operating permit to **Osram Sylvania, Inc.** (Hawes Street, Towanda, PA 18848) for the operation of several tungsten oxide blenders and associated air cleaning devices (a fabric collector and an absolute filter) in North Towanda Township, **Bradford County**.

**41-312-010D.** The Department intends to issue an operating permit to **Coastal Oil New York, Inc.** (P. O. Box 818, Hasbrouck Heights, NJ 07604) for the operation of a bulk petroleum products storage tank (No. 20) and associated air cleaning device (an internal floating roof with a double seal) in Armstrong Township, **Lycoming County**.

**8-310-001C.** The Department intends to issue an operating permit to **Dalrymple Gravel and Contracting Company, Inc.** (1209 Upper Broadway, Pine City, NY

14871) for the operation of stone crushing, and the like equipment and associated air cleaning device (a water spray dust suppression system) in Athens Township, **Bradford County**. This equipment is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

**OP-55-0004.** The Department intends to issue an operating permit to **Philips Products, a Division of Tomkins Industries, Inc.** (499 West Sassafras Street, Selinsgrove, PA 17870) for the operation of a vinyl and aluminum door and window frame manufacturing facility in Penn Township, **Snyder County**. This operating permit will establish a "synthetic minor" with respect to the Department's Reasonably Available Control Technology (RACT) regulations.

**53-399-005A.** The Department intends to issue an operating permit to **Morgan Advanced Materials and Technology, Inc., Pure Carbon Company** (East Second Street, Coudersport, PA 16915) for the operation of two batch carbon parts baking ovens and associated air cleaning devices (thermal oxidizers) in Eulalia Township, **Potter County**.

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

**32-305-032B.** The Department intends to issue an Air Quality Control Operating Permit to **Mears Enterprises, Inc.**, (P. O. Box 157, Clymer, PA 15728) for a wet coal prep plant/rotary breaker and loadout facility at its Clymer Tipple located in Cherryhill Township, **Indiana County**.

**63-000-023.** The Department intends to issue an Air Quality Control Operating Permit to **Washington Steel Corporation**, (P. O. Box 494, Washington, PA 15301) for Sources of NOx Emissions at its Washington Plant located in Washington City, **Washington County**.

**04-000-059.** The Department intends to issue an Air Quality Control Operating Permit to **Koppel Steel Company**, (P. O. Box 750, Beaver Falls, PA 15010) for NOx Sources at its Koppel Plant located in Koppel Borough, **Beaver County**.

**32-000-230.** The Department intends to issue an Air Quality Control Operating Permit to **Texas Eastern Transmission Corporation**, (P. O. Box 1642, Houston, TX 77251) for an internal combustion engine at its Armagh Station Facility located in West Wheatfield Township, **Indiana County**.

**65-305-050.** The Department intends to issue an Air Quality Control Operating Permit to **Loransen Coal Contractors, Inc.**, (P. O. Box 241, Harrison City, PA 15636) for a mine refuse washing plant at its McCullough Plant located in Penn Township, **Westmoreland County**.

**04-307-112.** The Department intends to issue an Air Quality Control Operating Permit to **Koppel Steel Corporation**, (P. O. Box 750, Beaver Falls, PA 15010) for a 7 1/2" upsetter furnace at its Ambridge Plant located in Harmony Township, **Beaver County**.

**03-309-035.** The Department intends to issue an Air Quality Control Operating Permit to **Sylvan America, Inc.**, (West Hills Industrial Park, R. R. 3, Kittanning, PA 16201) for a conveyor at its Sylvan Spawn Laboratory located in East Franklin Township, **Armstrong County**.

**63-309-052.** The Department intends to issue an Air Quality Control Operating Permit to **Therm-O-Rock, Inc.**, (P. O. Box 429, New Eagle, PA 15067) for a baghouse



for the Perlite Processing system at its Plant 2 facility located in New Eagle Borough, **Washington County**.

**63-309-057.** The Department intends to issue an Air Quality Control Operating Permit to **Therm-O-Rock East, Inc.**, (P. O. Box 429, New Eagle, PA 15067) for dust collectors on the Perlite and Vermiculite Furnaces at its Plant 2 facility located in New Eagle Borough, **Washington County**.

**30-000-077.** The Department intends to issue an Air Quality Control Operating Permit to **Texas Eastern Transmission Corporation**, (P. O. Box 1642, Houston, TX 77251) for internal combustion engines at its Holbrook Compressor Station facility located in Richhill Township, **Greene County**.

**26-000-413.** The Department intends to issue an Air Quality Control Operating Permit to **Texas Eastern Transmission Corporation**, (P. O. Box 1642, Houston, TX 77251) for internal combustion engines at its Uniontown Station (21-A) facility located in North Union Township, **Fayette County**.

**32-000-230.** The Department intends to issue an Air Quality Control Operating Permit to **Texas Eastern Transmission Corporation**, (P. O. Box 1642, Houston, TX 77251) for internal combustion engines at its Armagh Station located in West Wheatfield Township, **Indiana County**.

**65-000-839.** The Department intends to issue an Air Quality Control Operating Permit to **Texas Eastern Transmission Corporation**, (P. O. Box 1642, Houston, TX 77251) for internal combustion engines at its Delmont Station facility located in Salem Township, **Westmoreland County**.

**11-000-258.** The Department intends to issue an Air Quality Control Operating Permit to **Texas Eastern Transmission Corporation**, (P. O. Box 1642, Houston, TX 77251) for internal combustion engines at its Lilly Station facility located in Cresson Township, **Cambria County**.

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

**06-1040.** The Department intends to issue a NOx RACT Air Quality Operating Permit to **East Penn Manufacturing Company, Inc.** (P. O. Box 147, Lyon Station, PA 19536-0147) for a secondary lead smelter controlled by an afterburner, five fabric collectors, a wet scrubber and two demisters in Richmond Township, **Berks County**. The reverberatory furnace is subject to 40 CFR 60, Subpart L, Standards of Performance for New Stationary Sources.

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

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

**14-310-017I.** Construction of a portable stone crusher and associated air cleaning device (a water spray dust suppression system) by **Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16804) in Spring Township, **Centre County**. This crusher is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

**14-399-009D.** Construction of two ceramic capacitor binder removal ovens and associated air cleaning devices (electrically heated thermal afterburners) by **Murata Electronics North America, Inc.** (1900 West College Avenue, State College, PA 16801-2799) in Ferguson Township, **Centre County**.

**14-329-001.** Construction of a 120 horsepower natural gas fired reciprocating engine and associated air cleaning device (a catalytic converter) by **Eastern States Exploration Company** (P. O. Box 178, Snow Shoe, PA 16874) at the Dehass Compressor Station in Curtin Township, **Centre County**.

**53-399-006A.** Construction of three powdered metal parts sintering furnaces by **St. Marys Carbon Co.** (P. O. Box 1, Galeton, PA 16922) in Pike Township, **Potter County**.

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

**28-311-015.** Construction of two new cement storage silos with dust collectors by **Nitterhouse Concrete Products, Inc.** (P. O. Box N, Chambersburg, PA 17201) in Guilford Township, **Franklin County**.

**36-3027A.** Construction of three new rotogravure presses and a permanent total enclosure of the entire press room by **R. R. Donnelley & Sons Company** (216 Greenfield Road, Lancaster, PA 17601-5885) in **Lancaster County**. The sources are subject to 40 CFR 60, Subpart QQ, Standards of Performance for New Stationary Sources.

**36-308-033L.** Modification of the existing battery production facility by **C & D Powercom** (82 East Main Street, Leola, PA 17540) in Upper Leacock Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart KK, Standards of Performance for New Stationary Sources.

**67-310-004E.** Installation of an air classifying system with fabric collector by **Thomasville Stone & Lime Company** (P. O. Box 220, Thomasville, PA 17364) in Jackson Township, **York County**.

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

**30-000-063. Consolidation Coal Company** (1800 Washington Road, Pittsburgh, PA 15241) for a coal preparation plant at its facility located in Greensboro Borough, **Greene County**.

**PA-63-570A. Midland Slag Processors** (303A Smiths Ferry Road, Midland, PA 15059) for a slag processing facility located in Ohioville Borough, **Beaver County**.

**PA-63-028A. Cerdec Corporation Drakenfeld Products** (P. O. Box 519, Washington, PA 15301) for glass flux furnaces, ribbon blender and ice and specs at its facility located in Canton Township, **Washington County**.

**PA-04-684A. Beaver Valley Aggregates, Inc.** (1150 Brodhead Road, Monaca, PA 15061) for a slag processing plant at its facility located in Hopewell Township, **Beaver County**.

**PA-63-180A. Findlay Refractories** (P. O. Box 517, Washington, PA 15301) for a CO-5 cast mixer feed system at its facility located in Washington City, **Washington County**.

**PA-65-788A. Sony Electronics, Inc.** (1001 Technology Drive, Mt. Pleasant, PA 15666) for an aperture grille manufacturing line at its facility located in East Huntingdon Township, **Westmoreland County**.

**P-65-621A. Kennametal, Inc.** (P. O. Box 231, Latrobe, PA 15650) for a titanium carbide powder production facility located in Derry Township, **Westmoreland County**.

**PA-04-468A. S. H. Bell Company** (644 Alpha Drive, P. O. Box 11495, Pittsburgh, PA 15238) for a material screener at its facility located in Glasgow Borough, **Beaver County**.

**PA-65-864A. Zeus Aluminum Products (USA), Inc.** (R. R. 6, Box 20, Latrobe, PA 15650) for a sand reclamation unit at its facility located in Unity Township, **Westmoreland County**.

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**Applications received for Minor Source Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**OP-56-119.** The Department received an application for an Air Quality Control Operating Permit from **West Salisbury Foundry & Machine Co.** (P. O. Box 45, Main Road, West Salisbury, PA 15565) for their foundry located in Elk Lick Township, **Somerset County**.

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**Notice of Plan Approval Application Minor Source**

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The following stationary sources have filed a request for plan approval with the Department of Environmental Protection (DEP), Bureau of Air Quality. Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protest or comments to the Regional Office at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval application by filing a request with the Regional Office stating the reason for the request.

The Department will evaluate and consider all protests and comments received. The Department will, where appropriate, modify the proposed plan approval based on the protests and comments received.

The final plan approval will contain terms and conditions to ensure that the source is constructed and operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121 through 143 and the requirements of the Federal Clean Air Act. A notice of the Department's final decision on the proposed plan approval will be published in the *Pennsylvania Bulletin*. Air contaminants emitted from these sources are less than the amounts that would trigger major new source review requirements. For additional information on the following applications contact Devendra Verma, Engineering Services Chief, (814) 332-6940.

*Northwest Regional Office: Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335.*

The Department received the following four plan approval applications from **Tri-County Landfill, Inc.** (156 Landfill Road, Grove City, PA 16127) in Pine and Liberty Twp., **Mercer County** for the following sources:

**43-322-001.** Installation of an interim landfill gas flare and 800 kw engine generator to control VOC emissions

from the existing landfill. The existing landfill will be subject to New Source Performance Standard 40 CFR Part 60 Subpart CC.

**43-322-002.** Installation of a landfill gas flare and 3 Mw engine generator to control VOC emissions from the new landfill. This new landfill will be subject to New Source Performance Standard 40 CFR Part 60 Subpart WWW.

**43-399-017.** Construction of a screening plant for earthen materials and a screening plant for refuse/soil.

**43-399-018.** Construction of an 85,000 gpd wastewater treatment plant with an anaerobic flare and several carbon canisters.

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**Reasonably Available Control Technology; Public Hearings**

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Revision of Reasonably Available Control Technology (RACT) plan for Pennsylvania Power & Light Company, Sunbury SES, Shamokin Dam Borough, Snyder County.

The Department of Environmental Protection has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a facility (Sunbury SES) owned and operated by Pennsylvania Power & Light Company in Shamokin Dam Borough, Snyder County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT approval for the facility to comply with current regulations.

The preliminary RACT determination, if finally approved, will result in the revision of operating permit # OP-55-0001 previously issued on December 27, 1994, and will be submitted to the U. S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The following is a summary of the preliminary RACT determination which the Department proposes to incorporate into operating permit # OP-55-0001 for 4 pulverized coal and petroleum coke arch-fired electric utility boilers as a revision to the respective permit:

<i>Source</i>	<i>nitrogen oxides emission limit</i>
Units 1A and 1B (Stack # 1)	not to exceed 1.10 pounds of nitrogen oxides (NO <sub>x</sub> , expressed as NO <sub>2</sub> ) per million BTU of heat input, 30 day rolling average
Units 2A and 2B (Stack # 2)	not to exceed 1.16 pounds of nitrogen oxides (NO <sub>x</sub> , expressed as NO <sub>2</sub> ) per million BTU of heat input, 30 day rolling average

One public hearing will be held for the purpose of receiving comments on the proposed operating permit revision and SIP revision. The hearing will be held on September 10, 1996, at 1 p.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, Pennsylvania. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (717) 327-3659 at least 1 week in advance of the hearing to reserve a time to

present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (717) 327-3659 or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to Joseph Cooper, Air Quality Environmental Program Manager, DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by September 25, 1996.

All pertinent documents are available for review from 8 a.m. to 4 p.m. in the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (717) 327-3693.

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

Under Act 181 of 1984, the Department of Environmental Protection gives notice of an unsolicited proposal received from **Kraynak Coal Company**, Mahaffey, Pennsylvania, to reclaim an abandoned surface mine in Grant Township, **Indiana County**. The Department intends to enter into negotiations with Kraynak Coal Company to contract for site reclamation.

The project, BF 344-102.1, involves reclamation of the area mined by Benjamin Coal Company where bonds were forfeited by the Department under Permit Number SMP 32860105.

Kraynak Coal Company proposes to backfill, regrade and revegetate 22.0 acres. All areas will be regraded to promote surface drainage and provide integration with surrounding unmined areas.

Interested parties should send comments to Richard L. Joyce, Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA no later than 4 p.m., September 9, 1996.

Newspaper: *Indiana Evening Gazette*,  
899 Water Street,  
Indiana, PA 15701.

Mailed: August 2, 1996.

Published First Time: August 9, 1996.

Published Second Time: August 16, 1996.

30 Days Ends—September 9, 1996.

#### **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 §§ 86.31—86.34 and 77.121—77.123 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

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

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

#### *Coal Applications Received*

**32940105. Kent Coal Mining Company** (P. O. Box 729, Indiana, PA 15701), to utilize circulating fluidized bed (CFB) ash from a cogeneration plant for beneficial use and abandoned deep mine reclamation in Center Township, **Indiana County**, affecting 180.0 acres, receiving streams unnamed tributaries to Yellow Creek to Yellow Creek to Two Lick Creek. Application received July 23, 1996.

**11960107. T. J. Mining, Inc.** (P. O. Box 370, Carrolltown, PA 15722), commencement, operation and restoration of bituminous strip mine in Cresson Township,

**Cambria County**, affecting 62.0 acres, receiving stream unnamed tributary to Burgoon Run, application received July 16, 1996.

**56960106. Dunamis Resources, Inc.** (P. O. Box 846, Latrobe, PA 15650), commencement, operation and restoration of bituminous strip-auger mine in Lincoln Township, **Somerset County**, affecting 374.5 acres, receiving stream north branch of Quemahoning Creek and Horner Run and their tributaries, application received July 17, 1996.

**11960108. Laurel Land Development, Inc.** (P. O. Box 629, Carrolltown, PA 15722), commencement, operation and restoration of bituminous strip mine, beneficial use of circulating fluidized bed ash in Blacklick Township, **Cambria County**, affecting 54.1 acres, receiving stream Coalpit Run, application received July 23, 1996.

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

**17910118. Swisher Contracting, Inc.** (P. O. Box 1223, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Lawrence Township, **Clearfield County** affecting 74.2 acres, receiving streams three unnamed streams, tributaries to Clearfield Creek, application received July 9, 1996.

**17920114. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), transfer of an existing bituminous surface mine permit from James I. Cowfer Contracting, Inc., Decatur Township, **Clearfield County** affecting 61.7 acres, receiving streams unnamed tributary of Little Beaver Run, north branch of Morgan Run, application received July 12, 1996.

**17753050. River Hill Coal Co., Inc.** (Kylertown, PA 16847), revision to an existing bituminous surface mine permit for a change in the erosion and sedimentation control plan, and an encroachment within 100 feet of a stream barrier on an unnamed tributary to the west branch Susquehanna River, application received July 23, 1996.

**17960114. Larry D. Baumgardner Coal Co., Inc.** (P. O. Box 186, Lanse, PA 16849), commencement, operation and restoration of a bituminous surface mine permit in Brady Township, **Clearfield County** affecting 57 acres, receiving streams unnamed tributary to Luthersburg Branch, Laborde Branch, application received July 25, 1996.

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

*Noncoal Applications Received*

**09960301. Warner Company**, (600 Tyburn Road, Morrisville, PA 19067), commencement, operation and restoration of a quarry operation in Falls Township, **Bucks County** affecting 46.0 acres, receiving stream—none. Application received July 15, 1996.

**45900301C. Haines & Kibblehouse, Inc.**, (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit # PA0595241 in Ross Township, **Monroe County**, receiving stream—Buckwha Creek. Application received July 19, 1996.

**6575SM4C2. Haines & Kibblehouse, Inc.**, (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit # PA0611964 in Ross and Eldred Townships, **Monroe County**, receiving stream—Buckwha Creek, Aquashicola Creek. Application received July 19, 1996.

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

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

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

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

**E05-238. Encroachment. Diann L. and Raymond A. Cosgrove**, 513 B Maryland Ave., Westernport, MD 21562. To rehabilitate and maintain an existing bridge having a new total span of 56 feet with an underclearance of 7 feet 8 inches across Little Wills Creek to provide continued access to area residents located about 1 mile south of Madley Village (Buffalo Mills, PA Quadrangle N: 1.6 inches; W: 7.85 inches) in Londonderry Township, **Berford County**.

**E22-353. Encroachment. Mary Brooks and Robert Southard**, Box 307, Dauphin, PA 17018-0307. To construct and maintain a garage next to an existing house in the floodway of the Susquehanna River at a point along River Road (Harrisburg West, PA Quadrangle N: 20.75 inches; W: 8.5 inches) in Dauphin Borough, **Dauphin County**.

**E28-239. Encroachment. E. Lewis Leaman**, President/CEO, Menno Haven, Inc., 2075 Scotland Avenue, Chambersburg, PA 17210. To relocate and maintain and to place fill along the floodway of an unnamed tributary to Conococheague Creek in order to construct a detention basin for the proposed expansion of the Menno Haven Retirement Community located about 1,200 feet southeast of Red Bridge Village (Chambersburg, PA Quadrangle N: 15.45 inches; W: 1.75 inches) in Greene Township and Chambersburg Borough, **Franklin County**.

**E29-071. Encroachment. Dublin Township Supervisors**, HCR 75, Box 240, Fort Littleton, PA 17223. To rehabilitate an existing bridge across North Branch Little Aughwick Creek on T-457 by removing the center pier

and underpinning the abutment with concrete and rocks located about 1.2 miles northwest of Burnt Cabins Village (Burnt Cabins, PA Quadrangle N: 16.7 inches; W: 4.8 inches) in Dublin Township, **Fulton County**.

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

**E09-721.** Encroachment. **Newtown Enterprises**, P. O. Box 8297, Trenton, NJ 08650. To construct a stormwater management facility on an unnamed tributary to Hough Creek (WWF) impacting approximately 1,080 feet of stream channel and adjacent floodway associated with the proposed Eagleton Farms Subdivision located near the intersection of Stoopville Road and Eagle Road (Lambertville, PA-NJ Quadrangle N: 3.4 inches; W: 10.7 inches) in Newtown Township, **Bucks County**.

**E46-749.** Encroachment. **Cheltenham Township**, 8230 Old York Road, Elkins Park, PA 19027-1589. To reconstruct and maintain the William Gottschalk Fire Training Center which is located within the 100-year floodway fringe of Tookany Creek (aka Tacony Creek). Construction activities include: 1. Reconstruction of a Fire Training Center building at approximately its original location. 2. Removal of the approach embankment of the vacated Stetson's Lane which is located on the west side of the site. 3. Construction of approximately 300 linear feet of diversion/detention curbing on the east side of the site. 4. Installation of bituminous paving adjacent to the Training Center. The site is located approximately 800-linear feet downstream of the New Second Street Bridge (Frankford, PA Quadrangle N: 12.25 inches; W: 15.75 inches) in Cheltenham Township, **Montgomery County**.

**E51-154.** Encroachment. **Rohm & Haas Co.**, 5000 Richmond Street, Philadelphia, PA 19137-0000. To perform maintenance dredging of the Delaware River which impacts approximately 0.44 acre (WWF-MF), adjacent to the Rohm and Haas Plant Dock Facility situated along the western shoreline at 5000 Richmond Street, in the Frankford Section of Philadelphia. This project also includes the modification of an existing berth area by the installation of an additional mooring cluster. The purpose of this project is to enhance an existing mooring area to accommodate large barges. This site is located approximately 3/4 mile east from the intersection of I-95 and Bridge Street (Camden, NJ-PA Quadrangle N: 22.6 inches; W: 8.75 inches) in the City of Philadelphia, **Philadelphia County**.

**E51-155.** Encroachment. **Philadelphia Gas Works**, 800 W. Montgomery Avenue, Philadelphia, PA 19122. To operate and maintain an existing 24-inch petroleum pipeline crossing the Schuylkill River (WWF-MF) associated with the Philadelphia Gas Works. It is planned to

convert this pipeline for natural gas use. The site is situated approximately 600 feet upstream of the Passyunk Avenue Bridge (Philadelphia USGS Quadrangle N: 8.2 inches; W: 11.0 inches) in the City and **County of Philadelphia**.

**Requests for Certification under Section 401 of the Federal Water Pollution Control Act**

The following requests have been made to the Department of Environmental Protection for certification under § 401(a) of the 1972 amendments to the Federal Water Pollution Control Act, 33 U.S.C.A. § 1341(a), that there is reasonable assurance that the construction herein described will not violate applicable Federal and State water quality standards.

Prior to final approval of the proposed certification, consideration will be given to any comments, suggestions and objections which are submitted in writing 30 days from the date of this notice. Comments should be submitted to the Department of Environmental Protection at the address indicated above each of the following requests for certification. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections and suggestions in sufficient detail to inform the Department of the exact basis of the proposal and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given comments if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated above each request for certification between the hours of 8 a.m. and 4 p.m on each working day.

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

*Certification Request Initiated By:* Department of the Army, Philadelphia District Corp of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3391.

*Project Description/Location:* This project involves the discharge of 26 mgd of supernatant from the Ft. Mifflin Dredge Disposal Area. Sediments dredged from the Delaware River and Schuylkill River are placed in the Disposal Area. The sediments settle out and the supernatant is discharged back to the Schuylkill River. The following effluent limits and monitoring requirements apply:

	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)	Monitoring Frequency
Flow				daily
Total Suspended Solids			8,000	daily
pH		6—9 std units at all times		daily
Total Arsenic	0.08 mg/l	0.12		1/week
Total Antimony	0.016 mg/l	0.025		1/week
Total Beryllium	not detectable			1/week
Total Cadmium	0.0015 mg/l	0.002		1/week
Total Copper	0.014 mg/l	0.02		1/week
Hex Chromium	0.016 mg/l	0.025		1/week

	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)	Monitoring Frequency
Total Lead	0.0035 mg/l	0.005		1/week
Total Zinc	0.096 mg/l	0.15		1/week
4,4'-DDT	not detectable			1/week
4,4'-DDD	not detectable			1/week
4,4'-DDE	not detectable			1/week
Total PCBs	not detectable			1/week

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

**E41-380.** Water obstruction and encroachment. **Transcontinental Gas Pipeline Corp.**, P. O. Box 405, Sal-ladasburg, PA 17740. To remove unvegetated gravel and to place and maintain about 900 linear feet of fill and riprap along bank of Loyalsock Creek. This project is located near Rt. 87 about 1.5 miles north of Rt. 180 (Montoursville North, PA Quadrangle N: 5.5 inches; W: 5.6 inches) in Fairfield Township, **Lycoming County**. Estimated stream disturbance 900 feet; stream classification is TSF.

**E41-381.** Water obstruction and encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To construct and maintain streambed paving and rock protection at wings and upstream and downstream banks for an existing bridge across Gamble Run. The project is located on Rt. 414 just south of Gamble Run Road (Cedar Run, PA Quadrangle N: 1.5 inches; W: 11.2 inches) in Brown Township, **Lycoming County**. Estimated stream disturbance 60 feet; stream classification HQ-CWF.

**E41-383.** Water obstruction and encroachment. **Clinton Twp. Supervisors**, R. R. 1, Box 33, Montgomery, PA 17752. To place and maintain fill in 0.04 acre of palustrine emergent wetlands for the purpose of enlarging an existing stone parking lot and to redefine a stormwater drainageway. The project site is located approximately 1.9 miles east southeast of the SR 15 and SR 54 intersection (Montoursville South, PA Quadrangle N: 10.0 inches; W: 0.3 inch) in Clinton Township, **Lycoming County**. The proposed work will result in impact to a deminimus area of wetlands less than 0.05 acre and therefore, replacement will not be required.

**E53-288.** Water obstruction and encroachment. **Ulysses Twp. Supervisors**, R. R. 1, Box 220, Ulysses, PA 16948. To remove the existing structure and to construct and maintain a 121 inch by 173 inch corrugated metal culvert with a length of 30 feet in middle branch of the Genesee River. The project is located on T-450 about 400 feet east of SR 449 (Ulysses, PA Quadrangle N: 5.2 inches; W: 12.4 inches) in Ulysses Township, **Potter County**. Estimated stream disturbance 60 feet; stream classification is HQ-CWF.

**E59-325.** Water obstruction and encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing far right wingwall and to construct and maintain a new wingwall and streambed paving for an existing bridge across an unnamed tributary to North Elk Run. The project is located on SR 6 about 600 feet west of T-648 (Crooked Creek, PA Quadrangle N: 2.8 inches; W: 10.5 inches) in Charleston Township, **Tioga County**. Estimated stream disturbance 40 feet; stream classification CWF.

**E59-329.** Water obstruction and encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To construct and maintain approximately 450 square feet of streambed paving with a rough finish along with aprons and cutoff walls, to place a partial jacket along both abutments and a rock apron at the outlet end of the bridge on an existing bridge over Hills Creek on SR 4039 about 2 miles south of SR 4037 (Crooked Creek, PA Quadrangle N: 12.0 inches; W: 13.3 inches) in Charlestown Township, **Tioga County**. Estimated stream disturbance less than 250.0 linear feet; stream classification WWF.

**E18-213.** Water obstruction and encroachment. **Wal-Mart Stores, Inc.**, 701 S. Walton Blvd., Bentonville, AR 72716. To place 280,000.0 cubic yards of fill in the floodway of Bald Eagle Creek for the construction of a 181,120.0 square foot retail facility and its associated appurtenances. The proposed work shall consist of placing and compacting fill on 23.0 acres of floodplain, all designated as floodway, from an existing elevation of 557.0 feet to a proposed elevation of 569.0 feet. The project is located along the western right-of-way of SR 0150 approximately 400.0 feet north of the intersection of SR 0150 and Country Club Road (Mill Hall, PA Quadrangle N: 21.0 inches; W: 14.5 inches) in Bald Eagle Township, **Clinton County**. As proposed, the project will not impact wetlands or any linear footage of Bald Eagle Creek: a warm water fishery.

**E55-139.** Water obstruction and encroachment. **Sheetz, Inc.**, 5700 6th Ave., Altoona, PA 16602. To construct and maintain two reinforced concrete box culverts with a span of 16 feet, a rise of 8 feet and a length of 35 to 40 feet to be used to connect three existing stream enclosures in an unnamed tributary to Penns Creek located in the northeast intersection of SR 0011/0015 and SR 8005 (Susquehanna Mall Drive) (Sunbury, PA Quadrangle N: 12.9 inches; W: 13.7 inches) in the Borough of Shamokin Dam, **Snyder County**. This project proposes to impact approximately 75 linear feet of an unnamed tributary to Penns Creek which is designated CWF.

**E55-140.** Water obstruction and encroachment. **Shamokin Dam Borough**, 144 W. 8th Ave., Shamokin Dam, PA 17876. To construct and maintain a reinforced box culvert with a span of 16 feet, a rise of 4 feet and a length of 32.3 feet in an unnamed tributary to the Susquehanna River located on Stettler Avenue and Maple Street (Sunbury, PA Quadrangle N: 16.9 inches; W: 11.0 inches) in the Borough of Shamokin Dam, **Snyder County**. This project proposes to impact approximately 60 linear feet of an unnamed tributary to the Susquehanna River which is designated as a WWF.

**E59-326.** Water obstruction and encroachment. **William Bennett**, R. R. 2, Box 32, Wellsboro, PA 16901. Remove an existing structure and to construct and maintain a single span bridge to carry T-305 across an unnamed tributary to Bald Eagle Creek. The proposed

bridge shall be constructed with a single span of 30.50 feet, an underclearance of 5.00 feet and a curb-to-curb width of 14.25 feet. The project is located along the eastern right-of-way of SR 0220 approximately 100.0 feet east of the intersection of SR 0220 and T-305 (Port Matilda, PA Quadrangle N: 3.1 inches; W: 13.5 inches) in Taylor Township, **Centre County**. Estimated stream disturbance is approximately 44 linear feet; no wetland impact. Stream classification is CWF.

**E14-291.** Water obstruction and encroachment. **Keith G. Benner**, HC 1 Box 75, Aaronsburg, PA 16820. To construct and maintain two 48-inch diameter CMP culverts 16 feet long in an unnamed tributary to Pine Creek. The project is located off Middle Road about 600 feet east of Applebutter Road (Millheim, PA Quadrangle N: 6.3 inches; W: 0.6 inch) in Haines Township, **Centre County**. Estimated stream disturbance 50 feet; stream classification EV.

**E08-235.** Water obstruction and encroachment. **Towanda Area Joint Municipal Auth.**, R. R. 2, Box 69A, Towanda, PA 18848. To construct and maintain a 4,300 foot airport runway with associated electrical vault building and oil/water separator within the 100 year designated FEMA floodplain of the Towanda Creek just south of the existing runway and to construct and maintain a 66-inch diameter 225 foot long stream enclosure with a 200 foot wide overflow spillway in an unnamed tributary replacing an existing 108 inch x 78 inch oval culvert under the present airport access road and to extend an existing 60-inch diameter stormwater culvert by the addition of 465 feet of 77-inch x 52-inch enclosure beyond the end of the proposed runway. (Monroeton, PA Quadrangle N: 22.0 inches; W: 9.5 inches) in Towanda Township, **Bradford County**. Estimated stream disturbance more than 250 linear feet; stream classification is CWF.

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

**E39-316.** Encroachment. **Washington Township**, P. O. Box 27, Slatedale, PA 18079. To place fill in 0.03 acre of wetlands (PEM) to maximize the development area for a multipurpose recreational park. This project is located in the southeast corner of the intersection of Eagle Road (T-855) and Best Station Road (L. R. 39054) (Slatedale, PA Quadrangle N: 16.2 inches; W: 0.4 inch) in Washington Township, **Lehigh County** (Philadelphia District, Army Corps of Engineers).

**E40-446.** Encroachment. **Pocono Downs, Inc.**, 1280 Highway 315, Wilkes-Barre, PA 18702. To construct and maintain 120 linear feet of dual 13.3 foot x 9.4 foot corrugated steel arch pipe stream enclosure in Mill Creek (CWF), for the purpose of replacing a flood-damaged road crossing providing horse and vehicular access to the stables and race track. The project is located at Pocono Downs (Pittston, PA Quadrangle N: 4.2 inches; W: 8.9 inches), in Plains Township, **Luzerne County** (Baltimore District, Army Corps of Engineers).

**E64-172.** Encroachment. **Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To maintain two 48-inch C.M.P. culverts in the channel of Hiawatha Creek (HQ-CWF) located along S. R. 4014, Segment 0130, Offset 3726 (Starrucca, PA Quadrangle N: 12.5 inches; W: 0.1 inch) in Scott Township, **Wayne County**. These culverts replaced two collapsed 48-inch C.M.P. culverts at the same location under Emergency Permit No. EP6496406 (Philadelphia District, Army Corps of Engineers).

**E64-173.** Encroachment. **Dr. Paul and Mrs. Bonnie Mancia**, 1485 Wyoming Avenue, Forty Fort, PA 18704. To place fill in 0.9 acre of PEM/PSS wetlands and to construct and maintain a stream enclosure consisting of 170 linear feet of 48-inch concrete pipe culvert, connecting to approximately 75 feet of 36-inch concrete culvert in a tributary to Wallenpaupack Creek for unknown future commercial development. This project is located along the north side of S. R. 0590, 0.75 mile west of the intersection with S. R. 0191 (Lake Ariel, PA Quadrangle N: 5.4 inches; W: 4.9 inches) in Salem Township, **Wayne County** (Philadelphia District, Army Corps of Engineers).

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

**E42-242.** Encroachment. **Columbia Gas Transmission Corp.**, P. O. Box Drawer A, Brookville, PA 15825. To install and maintain cathodic protection for 15,000 feet adjacent to the existing 8-inch steel gas transmission pipeline. The project will include crossing four streams/watercourses and seven wetland areas. The project is located on the west approximately 2,800 feet south of the intersection of Bingham Road and S. R. 0646 in Cyclone (Cyclone, PA Quadrangle N: 14.3 inches; W: 13.0 inches) to the east approximately 1,800 feet south of the intersection of S. R. 0059 and S. R. 0646 in Ormsby (Cyclone, PA Quadrangle N: 10.4 inches; W: 6.75 inches) located in Keating Township, **McKean County**.

*Central Office: Bureau of Dams, Waterways and Wetlands, 400 Market Street, Floor 6, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.*

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

**EA46-022C0.** Environmental assessment. **T. H. Properties**, P. O. Box 159, Franconia, PA 18924. To construct and maintain two non-jurisdictional dams (Basin A and Basin B) across tributaries to Skippack Creek (TSF) for the purpose of stormwater management at the proposed Summerwind Subdivision located approximately 1,800 feet north of the intersection of Clemens Road and Yoder Road (Telford, PA Quadrangle N: 4.15 inches; W: 15.20 inches) in Lower Salford Township, **Montgomery County**.

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## ACTIONS

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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, 400 Market Street Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure 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 audio tape from the Secretary to the Board at (717)

787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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*Permits Issued*

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

**NPDES Permit No. PA0034941.** Sewage. **West Mead Industrial Park**, Crawford County Development Corporation, R. D. 2, Dunham Road, Meadville, PA 16335 is authorized to discharge from a facility located in West Mead Township, **Crawford County** to French Creek.

*Northcentral Regional Office: Regional Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**Permit No. NPDES PA0020583,** Sewerage. **Door W. Stock**, Middleburg Sewer Authority, 13 North Main Street, Middleburg, PA 17842. Has been approved for renewal to discharge treated sewage from facility located in Middleburg Borough, **Snyder County**.

**Permit No. NPDES PA 0031852.** Sewerage. **Dr. Ivan A. Shibley**, Central Columbia School District, 4777 Old Berwick Road, Bloomsburg, PA 17815. Has been approved for renewal to discharge treated sewage from facility located in South Centre Township, **Columbia County**.

**Permit No. NPDES PA0029831.** Sewerage. **Paul A. Schaefer**, Sullivan County School District, P. O. Box 346, Dushore, PA 18614. Has been approved for renewal to discharge treated sewage from facility located in Laport Borough, **Sullivan County**.

**Permit No. NPDES PA0046159.** Sewerage. **Houtzdale Borough Municipal Sewer Authority**, P. O. Box 277, Houtzdale, PA 16651. Has been approved for renewal to discharge treated sewage to Beaver Run. Authority is located in Woodward Township, **Clearfield County**.

**Permit No. NPDES PA0110540.** Industrial waste. **Furman Foods, Inc.**, Box 500, Northumberland. Has been approved for renewal to discharge treated effluent from facility located in Point Township, **Northumberland County**.

**Permit No. NPDES PA0030601.** Sewerage. **Walter Clark**, Clearfield Area School District, P. O. Box 710, 438 River Street, Clearfield, PA 16830. Has been approved for renewal to discharge from facility located at Goshen Township, **Clearfield County**.

**Permit No. NPDES PA 0028631.** Sewerage. **Mid-Cameron Authority**, 421 North Broad Street, Emporium, PA 15834. Has been approved for renewal to discharge from facility at Emporium Borough, **Cameron County**.

**Permit No. NPDES PA0114880.** Sewerage. **James M. Underwood**, Church of Jesus Christ Latter Day Saints, P. O. Box 750, Clarks Summit, PA 18411. Has been

approved for renewal to discharge from facility at North Centre Township, **Columbia County**.

**Permit No. NPDES PAG044881.** Sewerage. **Joseph Cochran**, R. D. 4, Box 140, Westfield, PA 16950. Applicants has been approved to discharge from facility located in Brookfield Township, **Tioga County**.

**Permit No. NPDES PA0112585.** Sewerage. **Calvin Williams**, R. D. 1, Box 141, Athens, PA 18810. Approval has been granted for renewal of an existing NPDES Sewerage Permit. Facility located in Ulster Township, **Bradford County**.

**Permit No. NPDES PA0044652.** Sewerage. **DCNR Bureau of State Parks**, Mt. Pisgah State Park, R. R. 3, Box 362, Troy, PA 16947. Has been approved to discharge treated wastewater from facility located in West Burlington Township, **Bradford County**.

**Permit No. NPDES PA0033928.** Sewerage. **Thomas Calkins**, Town and Country Estates, R. D. 3, Box 8, Troy, PA 16947. Has been approved for renewal. Facility is located in Troy Township, **Bradford County**.

**Permit No. NPDES PA0209376.** Sewerage. **Linda Geyer**, Twin Oaks Bar and Grille, R. D. 1, DuBois, PA 15801. Has been approved to discharge treated wastewater from facility located in Brady Township, **Clearfield County**.

**Permit No. NPDES PA0111414.** Sewerage. **McEwensville Municipal Authority Community Building**, McEwensville, PA 17749. Has been approved to discharge treated wastewater from facility located in Delaware Township, **Northumberland County**.

**Permit No. NPDES PA0029068.** Sewerage. **Valley Township Municipal Authority**, P. O. Box 307, Danville, PA 17821. Has been authorized to discharge from facility located at Valley Township, **Montour County** to receiving waters named Mause Creek.

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**Final Actions**

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

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

*Permits Issued*

*Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701-0000, telephone (717) 327-3664.*



<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR 804836	University Park Airport 2535 Fox Hill Road University Park, PA 16802	Centre County College, Benner and Patton Township	Buffalo Run CWF unnamed tributaries to Spring Creek	4522

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

*Permits Issued*

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

**NPDES Permit No. PA0004936.** Industrial waste, **Vesuvius McDanel**, 510 Ninth Avenue, P. O. Box 560, Beaver Falls, PA 15010-0560 is authorized to discharge from a facility located at City of Beaver Falls, **Beaver County** to Walnut Bottom Run.

**NPDES Permit No. PA0030082.** Sewage, **Brownsville General Hospital**, 125 Simpson Road, Brownsville, PA 15417 is authorized to discharge from a facility located at Brownsville General Hospital Sewage Treatment Plant, Redstone Township, **Fayette County** to unnamed tributary of Dunlap Creek.

**NPDES Permit No. PA0041238.** Sewage, **Meyersdale-Summit Park Recreation Commission**, 117 Olinger Street, Meyersdale, PA 15552 is authorized to discharge from a facility located at Maple Valley Park Sewage Treatment Plant, Summit Township, **Somerset County** to Blue Lick Creek.

**NPDES Permit No. PA0096164.** Sewage, **Jeffrey D. Smith**, 264 East Beaver Street, Sewickley, PA 15143 is authorized to discharge from a facility located at little Village Sewage Treatment Plant, Donegal Township, **Westmoreland County** to Indian Creek.

**Notices of Intent for Coverage Under General Permits Received**

The following parties have submitted Notices of Intent for coverage under General NPDES permits to discharge treated wastewater into the surface waters of this Com-

<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>
PAR123527	3	Frito-Lay, Inc. 3553 Gillespie Dr. York, PA 17404	York County West Manchester Twp.	York City Sewer System	2099
PAR233527	3	G & T Industries 52 Hess Road Leola, PA 17540	Lancaster County Upper Leacock Twp.	UNT of Mill Creek	3086
PAR123543	3	Harrisburg Plant Purina Mills, Inc. P. O. Box 248 Camp Hill, PA 17011	Cumberland County, Hampden Twp.	UNT of Cedar Run Creek	2048
PAR223521	3	Mt. Airy Lumber Co. 209 Mt. Airy Road New Providence, PA 17560	Lancaster County Providence Twp.	Big Beaver Creek	2448
PAR803555	3	Navy Ships Parts Control Center 5450 Carlisle Pike Mechanicsburg, PA 17055	Cumberland County, Hampden Twp.	Trindle Spring Run	4225
PAR203581	3	Letterkenny Army Depot Franklin St. Extended Chambersburg, PA 17201	Franklin County Greene Twp.	Conococheague Creek, Rowe Run and Rocky Spring Branch	3471

monwealth. Unless otherwise indicated on the basis of preliminary review, or application of lawful standards and regulations, the Department of Environmental Protection proposes to issue coverage under the General Permit subject to effluent limitations, monitoring and reporting requirements and other conditions set forth in the General Permits.

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.

The Notice of Intent, related documents, proposed effluent limitations, special conditions, comments received and other information are on file and may be inspected and copied at the Regional Office indicated as receiving the Notice of Intent.

**List of NPDES General Permits Issued by DEP's Water Management Deputate**

<i>NPDES General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Responsible Bureau</i>
PAG-2	Stormwater—Construction Activities	BLWC
PAG-3	Stormwater—Industrial Activities	BWQM
PAG-4	Single Residence Sewage Treatment Plant	BWQM
PAG-6	Combined Sewer Overflows	BWQM

**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.

NPDES No.	Applicable GP No.	Facility Name and Address	Facility Location	Stream Name	SIC
PAG043556	4	Kimberly and Brian Kurtz 2131 Longs Gap Road Carlisle, PA 17013	Cumberland County, North Middleton	UNT to Meeting House Run	

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

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

NPDES Permit No.	Applicant Name and Address	County and Municipality	Receiving Stream
PAS107413	Wal-Mart Stores, Inc. 701 South Walton Blvd. Bentonville, AZ 72716-8703	Texas Township Wayne County	Tributary to Holbert Creek and Holbert Creek
PAS10S043	Mount Pocono Borough 303 Pocono Boulevard Mount Pocono, PA 18344	Mount Pocono Borough Monroe County	An unnamed tributary to Paradise Creek

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

NPDES Permit No.	Applicant Name and Address	County and Municipality	Receiving Stream
PAS10F056	Spring-Benner-Walker Joint Auth. c/o Walter Yearick 170 Irish Hollow Rd. Bellefonte, PA 16823	Walker Township	Little Fishing Ck.

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

*Permits Issued*

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

**Permit No. 6596405.** Sewerage, **Rostraver Township Sewer Authority**, P. O. Box 92, Brownsville, PA 15417-0092. Construction of gravity sewer, pump station, force main located in the Township of Rostraver, **Westmoreland County** to serve the Rostraver Square.

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

*Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.*

**Permit No. 3496503.** Public water supply. **Richfield Area Joint Authority**, Monroe Township, **Juniata County**, (Alvin Graybill, P. O. Box 215, Richfield, PA 17086), the construction of a chemical feed system to control corrosion by the addition of soda ash and Aqua Mag.

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

**Permit No. 2395502.** Public water supply. **Glen Mills Schools**, Joe A. Schmucker, Glen Mills Road, Concordville, PA 19331. This permit has been approved for existing well no. 10 to be used as the primary source of supply, it replaces well nos. 1 and 2 in Thronburg Township, **Delaware County**.

*Type of Facility:* Water supply system.

*Consulting Engineer:* Weldon C. Harris & Associates, P. O. Box 1361, Doylestown, PA 18901.

*Permit to Construct Issued:* July 22, 1996.

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

**Permit No. 3596504.** Public water supply. **Happy Acres, c/o Gerald Fritz**, Cliff Street, Honesdale, PA. James F. Knash, PE, HC 62, Box 455A, Honesdale, PA 18431. This proposal involves a public water system existing since 1964 consisting of well no. 1 wellhouse and hypochlorinator, well no. 2 wellhouse and hypochlorinator, and the distribution system. It is located in Jefferson Township, **Lackawanna County**.

*Permit to operate issued:* July 15, 1996.

**Permit No. 4596502.** Public water supply. **Blue Mountain Lake Associates, L.P. c/o Charles Vogt**, Chief Operating Officer, One Blue Mountain Lake, East Stroudsburg, PA 18301. This proposal involves the construction of additional distribution system to serve phases 7, 8, 9 and 10 of the Blue Mountain Lake Development. It is located in Stroud Township, **Monroe County**.

*Permit to operate issued:* July 2, 1996.

**Permit No. 4596506.** Public water supply. **Hillside Mobile Home Park, c/o Dennis Dougherty**, R. R. 1, Box 1444, East Stroudsburg, PA 18301. This proposal involves a new well source, hypochlorinator, hydropneumatic tanks and distribution system. It is located in Hamilton Township, **Monroe County**.

*Permit to operate issued:* July 5, 1996.

**Permit No. 6495505.** Public water supply. **Honesdale Consolidated Water Co., c/o Lynn Simons**, Manager, Honesdale Consolidated Water Co., 175 N. Main Street, Honesdale, PA 18431. This proposal involves the permitting of the construction of six new wells and four new storage tanks along with the necessary disinfection facilities and transmission piping to interconnect all.

*Permit to operate issued:* July 12, 1996.

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

**Permit No. 6593510.** Public water supply. **Highridge Water Authority**, 28 North Walnut Street Complex, Suite 200, Blairsville, PA 15717.

*Type of Facility:* 2.5 mgd Water Treatment Plant with a 2.5 mg storage tank, below the Sugar Run Reservoir.

*Permit to Operate Issued:* July 19, 1996.

**Permit No. 0291502.** Public water supply. **Harrison Township Water Authority**, 1705 Rear Freeport Road, P. O. Box 175, Natrona Heights, PA 15065.

*Type of Facility:* Ridge Road 1 million gallon tank.

*Permit to Operate Issued:* July 19, 1996.

**Permit No. 2689509-A2.** Public water supply. **Indian Creek Water Authority**, P. O. Box 486, Indian Head, PA 15446.

*Type of Facility:* Chlorination facility.

*Permit to Operate Issued:* July 19, 1996.

**Permit No. 6593502.** Public water supply. **New Florence Water Authority**, Box 263, New Florence, PA 15944.

*Type of Facility:* 203,000 gpd slow sand filter and 350,000 gallon storage tank.

*Permit to Operate Issued:* July 19, 1996.

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#### **Notice of Settlement Under the Hazardous Sites Cleanup Act**

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Industrial Solvents and Chemical Company  
Newberry Township, York County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has entered into a consent order and agreement with George Kovacs Lighting, Inc. (Kovacs) regarding the Department's costs incurred for conducting response activities at the Industrial Solvents and Chemical Company (ISCC) site. The ISCC site is a 9-acre parcel of land in Newberry Township, York County, adjacent to Interstate 83. The surrounding area is primarily rural, although residential, commercial and industrial developments are located within a close vicinity of the site. A number of private residential wells have been contaminated by hazardous substances migrating from the ISCC site.

ISCC was involved in the reprocessing of used solvents. Because of violations of hazardous waste requirements, the Department, on July 6, 1989, terminated ISCC's authority to operate a hazardous waste treatment and storage facility. The site was abandoned in 1990 when ISCC declared bankruptcy. A total of 996 parties potentially responsible for the hazardous substances located at the ISCC site were identified by the Department.

Because of the threat to human health and the environment posed by the ISCC site, the site was placed on the Pennsylvania Priority List for Remedial Response on October 26, 1991. The Department and a group of approximately 136 cooperating potentially responsible parties have conducted a number of interim actions at the site to address the release or threat of release of hazardous substances. To date, the Department has incurred costs of approximately \$3 million to implement and/or oversee these interim actions. A final remedial action for

the groundwater and soil at the ISCC site will be selected by the Department and implemented in the future.

Under the terms of the proposed consent order and agreement, Kovacs will pay the Department \$14,361.40 to reimburse the Department for its response costs at the ISCC site. The Department considers Kovacs to be a *de minimis* contributor of hazardous substances at the site and therefore eligible for a settlement as authorized by section 707 of HSCA, (35 P. S. § 6020.707).

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). This section provides that the settlement will become final upon the filing of the Department's response to any significant written comments. The consent order and agreement that contains the specific terms of the settlement is available for public review and comment. The consent order and agreement can be examined from 8 a.m. to 4 p.m. at the Department's office at One Ararat Boulevard, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 657-4592. A public comment period on the proposed consent order and agreement will extend for 60 days from today's date. Persons may submit written comments regarding the consent order and agreement to the Department by October 9, 1996, by submitting them to Barbara Faletti at the above address.

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#### **Notice of Interim Action**

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Blose Site  
Montgomery Township, Indiana County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), has conducted a Prompt Interim Response Action at the Blose site in Indiana County, Pennsylvania.

The Blose site is located in Montgomery Township, Indiana County off of T936/Rod and Gun Club Road. The site consists of a small area of contaminated soil (approximately 25 x 50 feet), one 55 gallon drum of sodium hydroxide and one 30 gallon drum of nickel chloride. The materials were illegally dumped at the site by unknown persons.

These materials are considered hazardous substances as defined under HSCA. Sodium hydroxide is highly corrosive and very reactive and nickel chloride is considered a human carcinogen. The area of the site is topographically upgradient and approximately 2,000 feet from the Blose family house. The Blose house and other homes in the area obtain their drinking water from springs that emanate beneath the site. Based on this information the Department determined that the hazardous materials posed a threat of direct contact and offsite migration to drinking waters.

The objective of the Prompt Interim Response Action is to protect the public health, safety and the environment by excavating and offsite disposal of the hazardous materials and contaminated soils. The excavation area will be regraded and revegetated and the hazardous materials will be disposed at an appropriate disposal facility.

The Department considered the following alternatives for the remediation of this site:

1. No Action—The Department would not conduct any response action at the site. The contaminants in the soil would continue to pose a threat of migration to the surface waters and drinking water sources in the area. The potential for release for the drums of hazardous

substances would be a constant threat. The site would continue to remain a source of direct contact threat to the citizens of the Commonwealth.

2. Excavation with offsite disposal of contaminated soils and offsite disposal of hazardous substances—This action involves the excavation of the stained soils and removal of the soils and hazardous substances to a permitted offsite TSD facility. Confirmatory samples will be taken of the excavation area to assure the levels of contamination meet the Department's Statewide Health Standards for Contaminated Soils and the area will be regraded and revegetated. This action will permanently eliminate offsite threats to the public health and welfare and the environment.

The Department determined that an imminent danger existed and conditions at the Blose site presented a reasonable basis for taking action to protect human health and the environment. An Interim Response Contractor (OHM Corp.) was hired by the Department to carry out the tasks defined under alternative no. 2. The soils were excavated and placed in a roll-off container and are currently awaiting approval for disposal at an appropriate disposal facility.

This notice is being provided under section 506(b) of HSCA (35 P. S. § 6020.506(b)). The administrative record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The administrative record is located at the Indiana County Courthouse and at the Department's Southwest Regional Office at 400 Waterfront Drive, Pittsburgh, PA 15222-4745 and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will be open for comment until November 11, 1996. Persons may submit written comments into the record during this time only, by sending them to Terry E. Goodwald at Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by delivering them to this office.

In addition, persons may present oral comments, for inclusion into the administrative record, at a public hearing on September 12 at 7 p.m. in the Schryrock Grange in Bowdertown on Bowdertown Road. Persons wishing to present comments must register with Betsy Mallison before September 10 by telephone at (412) 442-4000 or in writing at the above address.

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**Beneficial Use Order issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations.**

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

**Beneficial Use ID No. BU50092. Brooke County Sanitary Landfill Compost Facility,** Valero Terrestrial Corporation, R. D. 2, Box 410, Colliers, WV 26035, located in **Brooke County**, West Virginia. Beneficial use of composted sewage sludge. Beneficial use order issued in Regional Office on July 23, 1996.

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

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

**ID No. 603414.** Sewage sludge transfer facility, **Hapchuk Inc.**, R. D. 2, Box 205, Washington, PA 15301. Operation of a sewage sludge transfer facility in North Bethlehem Township, **Washington County**. Application withdrawn per applicant's request of July 10, 1996 in the Regional Office on July 25, 1996.

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

*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, telephone (717) 327-3653.*

*Correction of Issuance Date:*

**Permit No. 100955.** (Permit Modification). **Wayne Township Landfill, Clinton County Solid Waste Authority** (P. O. Box 209, McElhattan, PA 17748). Permit modification to accept Form S Waste (municipal-like residual waste) from various generators at facility located in Wayne Township, **Clinton County**, issued in the regional office on July 3, 1996. This notice was previously printed with an incorrect issuance date of June 3, 1996.

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

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

**Permit No. 101237. Solid Waste Services, Inc. d/b/a, J. P. Mascaro and Sons,** 320 Godshall Drive, Harleysville, PA 19438. This permit is for the continuing operation of the Mascaro Transfer Station located in Franconia Township, **Montgomery County**. Permit issued in the Southeast Regional Office on July 15, 1996.

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**Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**63-399-003.** The Department issued an Air Quality Control Operating Permit on June 20, 1996, to **Elliott Turbomachinery Company, Inc.**, (213 Scott Street Extension, Donora, PA 15033) for dust collectors on the abrasive blasting process at its Elliott Support Services facility located in Donora Borough, **Washington County**.

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

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

**General Plan Approval and Permit No. BAQ-GPA/GP-1** for small combustion units was issued to the following: **Farmers Cheese**, R. D. 1, P. O. Box 198, New Wilmington, PA 16142. Date Issued: July 17, 1996.

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

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

**65-307-065A.** On July 15, 1996, a Plan Approval was issued to **Labrobe Steel Company** (2626 Ligonier St., P. O. Box 31, Latrobe, PA 15650) for a batch heating furnace at its Latrobe Plant located in Latrobe Borough, **Westmoreland County**.

**32-302-033A.** On July 15, 1996, a Plan Approval was issued to **GPU Generation Corporation** (1001 Broad Street, Johnstown, PA 15907) for Auxiliary Boiler A at its Conemaugh Station Plant located in West Wheatfield Township, **Indiana County**.

**11-305-033.** On July 15, 1996, a Plan Approval was issued to **Dunamis Resources, Inc.** (R. R. 4 Box 1542, Homer City, PA 15748) for a coal crushing/screening process at its South Fork Strip located in Adams Township, **Cambria County**.

**11-302-013B.** On July 3, 1996, a Plan Approval was issued to **Good Samaritan Medical Center** (1020 Franklin Street, Johnstown, PA 15905) for a low emissions burner on the natural gas/oil boiler at the Good Samaritan Medical Center located in Johnstown, **Cambria County**.

**56-322-002.** On June 21, 1996, a Plan Approval was issued to **Resource Conservation Corporation** (R. R. 1, Box 305, Cairnbrook, PA 15924) for a landfill gas management system at its Shade Township Waste Management Facility located in Shade Township, **Somerset County**.

**65-305-051.** On June 21, 1996, a Plan Approval was issued to **North Central Processing, Inc.**, (P. O. Box 396, Chagrin Falls, OH 44022) for a FA-6-Spec 14,000 CFM Baghouse on the coke processing operation at its Canestrade Yards facility located in Rostraver Township, **Westmoreland County**.

**04-313-053B.** On July 3, 1996, a Plan Approval expiration date was extended to December 31, 1996, for **Envirotrol, Inc.** (P. O. Box 61, Sewickley, PA 15143) for an afterburner and scrubber on the rotary kiln carbon regenerator at its facility located in Darlington Township, **Beaver County**.

**56-307-001E.** On July 15, 1996, a Plan Approval expiration date was extended to January 31, 1997, for **FirstMiss Steel, Inc.** (P. O. Box 509, Hollsopple, PA 15935) for an electric arc furnace at its facility located in Quemahoning Borough, **Somerset County**.

**04-000-032.** On July 15, 1996, a Plan Approval expiration date was extended to November 1, 1996, for **LTV Steel Company** (P. O. Box 490, Franklin Avenue, Aliquippa, PA 15001) for low NOx burners on the steam boilers at its facility located in Aliquippa Borough, **Beaver County**.

**04-000-446.** On July 15, 1996, a Plan Approval expiration date was extended to September 30, 1996, for **AES Beaver Valley Partners, Inc.**, (394 Frankfort Road, Monaca, PA 15061) for three cogeneration units at its facility located in Potter Township, **Beaver County**.

**03-318-019.** On June 20, 1996, a Plan Approval was issued to **5 Rubber Corporation** (1655 Orr Avenue,

Kittanning, PA 16201) for a elastomer coating line at its Kittanning Plant located in Kittanning Borough, **Armstrong County**.

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

On July 24, 1996, Plan Approvals were issued to **Borden Chemical, Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) for the construction of the following storage tanks at Hutchins Road, Sergeant Township, **Mercer County**.

**42-399-018C.** One 27,500 gal. VOC Storage Tank.

**42-399-033.** Two 25,000 gal. VOC Storage Tanks.

#### **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. §§ 4401—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*

**32850109.** Permit renewal, **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of a bituminous strip-auger mine in Buffington Township, **Indiana County**, affecting 388.4 acres, receiving stream unnamed tributary to/and Mardis Run, application received February 20, 1996, permit issued July 22, 1996.

**56823142.** Permit renewal, **Scurfield Coal, Inc.** (228 Main Street, Berlin, PA 15530), commencement, operation and restoration of a bituminous strip mine, valid for reclamation, only in Paint and Ogle Townships, **Somerset County**, affecting 140.7 acres, receiving stream unnamed tributary to Dark Shade Creek and Dark Shade Creek, application received May 22, 1996, permit issued July 22, 1996.

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

**17930117.** **Al Hamilton Contracting Company** (R. D. 1, Box 87, Woodland, PA 16881), transfer of an existing bituminous surface mine permit from Moravian Run Reclamation Co., Inc., Goshen Township, **Clearfield County** affecting 327 acres, receiving streams unnamed tributary to Surveyor Run and Surveyor Run, application received April 24, 1996, permit issued July 1, 1996.

**17950118.** **Compass Coal Company** (Box 169, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous surface mine permit in Chest Township, **Clearfield County** affecting 117 acres, receiving streams North Camp Run to Chest Creek to west branch of the Susquehanna River, application received December 11, 1995, permit issued July 9, 1996.

**17950119. Moravian Run Reclamation Co., Inc.** (605 Sheridan Drive, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine-auger permit in Pike Township, **Clearfield County** affecting 168 acres, receiving streams unnamed tributaries of Little Clearfield Creek, to Little Clearfield Creek, to Clearfield Creek, to West Branch Susquehanna River, application received December 21, 1995, permit issued July 10, 1996.

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

*Large Industrial Mineral Permits Issued*

**14930301. Glenn O. Hawbaker, Inc.** (325 West Aaron Drive, State College, PA 16801), commencement, operation and restoration of a Large Industrial Mineral Permit (Sandstone), Spring Township, **Centre County** affecting 66.1 acres, receiving streams Logan Branch to Spring Creek to Bald Eagle Creek to the Susquehanna River, application received October 18, 1996, permit issued June 27, 1996.

*Small Industrial Mineral Authorizations Granted*

**08960802. John Norton** (R. R. 2, Box 112, Laceyville, PA 18623), commencement, operation and restoration of a small industrial mineral (flagstone) permit in Wyalusing Township, **Bradford County** affecting 1 acre, application received March 28, 1996, authorization granted July 10, 1996.

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

*General Small Noncoal Authorizations Granted*

**58960802. Matthew R. McClain**, (R. R. 4 Box 438B, Tunkhannock, PA 18657), commencement, operation and restoration of a small quarry operation in Auburn Township, **Susquehanna County** affecting 2.0 acres, receiving stream—none. Authorization granted July 22, 1996.

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

*Coal Applications Returned*

**32950102. D. J. & W. Mining Inc.** (P. O. Box 425, Indiana, PA 15701), commencement, operation and restoration of bituminous strip-auger mine in Rayne Township, **Indiana County**, affecting 71.0 acres, receiving stream Brush Run to Crooked Creek and Crooked Creek, application received January 19, 1995, cancelled/returned July 24, 1996.

*Field Operations—Mining and Reclamation, 5 West Laurel Blvd., Pottsville, PA 17901.*

**54960102. Harriman Coal Corporation**, (P. O. Box 127, Valley View, PA 17983), commencement, operation and restoration of an anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 708.0 acres, receiving stream—Lorberry Creek. Application received January 24, 1996. Application returned July 24, 1996.

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 to 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 rule 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 to 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 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.*)

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*Permits Issued and Actions on 401 Certifications*

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

**E09-664.** Encroachment. **Perkasie Borough**, P. O. Box 275, Perkasie, PA 18944; **Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087. To improve the roadway and storm drainage facilities along Constitution Avenue (S. R. 0152), within the 100 year flood plain of Pleasant Spring Creek near its confluence with the East Branch Perkiomen Creek. The project consists of: 1) The addition of a left turn lane at the intersection of Constitution Avenue and Walnut Street; 2) Elimination of an existing side road drainage channel and to construct and maintain a roadside swale and a 24-inch R.C.P. drainage pipe; 3) To remove an existing outfall structure and to construct and maintain a 24-inch R.C.P. storm sewer and outfall structure. This work extends from the intersection of Constitution Avenue and Walnut Street south to a point where Constitution Avenue intersects with East Spruce Street (Telford, PA Quadrangle N: 21.2 inches, W: 6.3 inches) in Perkasie Borough, **Bucks County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E35-265.** Encroachment. **Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a single-span prestressed concrete box beam bridge, having a span of approximately 40 feet and an underclearance of approximately 6 feet, across Dundaff Creek. The project includes bank rehabilitation utilizing R-8 riprap, extending approximately 100 feet upstream of the structure and a channel realignment extending approximately 280 feet downstream of the structure. The bridge is located on S. R. 1013, approximately 1.2 miles north of S. R. 1002 (Clifford, PA Quad-

rangle N: 2.7 inches; W: 13.5 inches), in Greenfield Township, **Lackawanna County**.

**E39-301.** Encroachment. **City of Allentown**, Department of Public Works, 435 Hamilton Street, Allentown, PA 18101-1699. To construct and maintain a single span prestressed concrete bulb tee-beam bridge, with precast arched fascia panels, having a span of 107 feet with an underclearance of approximately 24 feet across Jordan Creek. The project, known as the Proposed Sumner Avenue Bridge, is located approximately 0.25 mile upstream (northeast) of the intersection of S. R. 1002 (Tilghman Street) and Jordan Creek (Allentown East, PA Quadrangle N: 21.5 inches; W: 12.5 inches) in the City of Allentown, **Lehigh County**.

**E40-436.** Encroachment. **Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a single-span prestressed concrete bridge, having a normal span of approximately 30 feet and an underclearance of approximately 5 feet, across Balliet Run. The bridge is located on S. R. 3011 and T-398 (Sybertsville, PA Quadrangle N: 10.8 inches; W: 9.0 inches), in Hollenback Township, **Luzerne County**.

**E64-166.** Encroachment. **Wal-Mart Stores, Inc.**, 701 South Walton Boulevard, Bentonville, AZ 72716-8703. To remove an existing outfall structure and to (1) place fill and/or excavate in 2.01 acres of wetlands, (2) construct and maintain approximately 680 linear feet of channel change in a tributary to Holbert Creek and (3) to construct and maintain three stormwater outfall structures (42-inch, 24-inch and 18-inch) along a tributary to Holbert Creek, for the purpose of constructing a commercial retail store. The project is located along Old Willow Avenue (T-405), east of the intersection T-405 and S. R. 0006 (White Mills, PA Quadrangle N: 10.4 inches; W: 14.4 inches), in Texas Township, **Wayne County**. The permit-tee is required to provide 2.53 acres of replacement wetlands.

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

**E14-382.** Water obstruction and encroachment. **Barbara Stiber**, 1818 Frey Ave., Williamsport, PA 17701. Remove a flood damaged trailer and to construct and maintain a 23 foot 8 inch by 40 foot modular home on a reinforced concrete masonry unit foundation in the floodway of Lycoming Creek located approximately 600 feet east from SR 0015 on Fry Avenue (Old Lycoming Creek Road) (Cogan Station, PA Quadrangle N: 2.5 inches; W: 6.0 inches) in Old Lycoming Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-321.** Water obstruction and encroachment. **William Brace**, 525-184 Riverleigh Ave., Riverhead, NY 11901-3618. To construct and maintain two 71" x 103" corrugated pipe arch culverts 24 feet in length with R-5 riprap stabilization in Seeley Creek on the east side of SR 549 approximately 0.2 mile south of SR 1011 (Millerton, PA Quadrangle N: 10.2 inches; W: 7.9 inches) in Jackson Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E43-246.** Encroachment. **Rodney B. McClelland**, 101 Beaver Street, Mercer, PA 16137. To construct and maintain a hotel building and appurtenances within the regulated left floodway beginning approximately 120 feet downstream of Falls Road (T-335) and extending downstream a total distance of approximately 450 feet with the last approximately 140 feet of the building overhanging the channel of a tributary to Neshannock Creek (Schollard Run) approximately 1,000 feet east of S. R. 19 (Mercer, PA Quadrangle N: 3.5 inches; W: 12.75 inches) located in Springfield Township, **Mercer County**.

**E43-251.** Encroachment. **Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear normal span of 56.5 feet and an average underclearance of 9.5 feet across Otter Creek on S. R. 0062, Segment 0380, Offset 0856 approximately 6,500 feet northeast of S. R. 19 (Mercer, PA Quadrangle N: 22.0 inches; W: 13.1 inches) located in Coolspring Township, **Mercer County**.

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

**E05-234.** Encroachment. **Snake Spring Township Municipal Authority**, R. R. 1, Box 453, Everett, PA 15537. To construct and maintain a treatment facility and a chlorine contact tank within the left banks floodway of an unnamed tributary to Raystown Branch of the Juniata River for the expansion of the existing treatment plant located just east of Hartley Village (Everett West, PA Quadrangle N: 3.3 inches; W: 10.1 inches) in Snake Spring Township, **Bedford County**.

**E07-246.** Encroachment. **Westvaco**, 1600 Pennsylvania Avenue, Tyrone, PA 16686. To remove a three span steel beam privately owned bridge along with its concrete support piers in Bald Eagle Creek located about 75 feet downstream of Pennsylvania Avenue bridge at the northern boundary of Tyrone Borough (Tyrone, PA Quadrangle N: 10.1 inches; W: 15.1 inches) in Snyder Township, **Blair County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E34-083.** Encroachment. **William B. Darrow**, Box 10 Creek Road, Honey Grove, PA 17035. To construct and maintain a three span bridge having three spans of 70 feet and an underclearance of about 12 feet across Tuscarora Creek for the purpose of providing year round access to three existing dwellings located off the south side of T-333 about 0.46 mile southeast of its intersection with S. R. 0850 (McCoysville, PA Quadrangle N: 11.3 inches; W: 10.6 inches) in Tuscarora Township, **Juniata County**.

**E36-606.** Encroachment. **Lancaster Area Habitat for Humanity**, 321 South Queen Street, Lancaster, PA 17603. To construct and maintain channel improvements consisting 150 L. F. of 8-foot bottom width riprap lined trapezoidal channel and approximately 800 L. F. of riprap slope protection along the right downstream bank of a tributary to Conestoga River. Fill to be placed within floodway area of tributary for construction of residential units along the east side of Euclid Avenue extended from Hager Street (Lancaster, PA Quadrangle N: 3.7 inches; W: 9 inches) in Lancaster City, **Lancaster County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E36-614.** Encroachment. **Department of Transportation**, 2140 Herr Street, Harrisburg, PA 17103-1699. To remove the existing structure, construct and maintain a bridge having a clear span of 39 feet on a 60 degree skew with an underclearance of 4.6 feet across Less Creek on S. R. 1061-001 (Willow Street), Segment 0030 (Terre Hill, PA Quadrangle N: 19.9 inches; W: 8 inches) in Adams-town Borough, **Lancaster County**. The project will have a de minimus wetland impact of less than 0.05 acre.

**E36-616.** Encroachment. **Caernarvon Township**, 2147 Main Street, Narvon, PA 17555. To remove the existing 1996 flood damaged structure, construct and maintain a precast concrete box culvert having a 18.5-foot span x 7-foot rise across the Little Conestoga Creek on Smoketown School Road (T-773), located 300 feet north of its intersection with Churchtown Road (Morgantown, PA Quadrangle N: 3.7 inches; W: 15.9 inches) in Caernarvon Township, **Lancaster County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E50-175.** Encroachment. **Marysville Borough**, 201 Chestnut Street, Marysville, PA 17053. To construct and maintain the expansion and refurbishment of an existing wastewater treatment plant by placing fill in the floodplain of the Susquehanna River for the purpose of upgrading the plant's treatment capacity located along South Main Street just above the Rockville Bridge at the southern end of the Borough of Marysville (Harrisburg West, PA Quadrangle N: 16.5 inches; W: 8.5 inches) in the Borough of Marysville, **Perry County**.

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## SPECIAL NOTICES

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### Alternative Fuels Incentive Grant Program; Opportunity Notice

The Department of Environmental Protection (DEP), Office of Pollution Prevention and Compliance Assistance announces Cycle 4 of a program to promote and expand the use of alternative transportation fuels and fuel systems such as compressed natural gas (CNG), liquefied natural gas (LNG), propane (LPG), ethanol (E85), and methanol (M85) (85% alcohol and 15% gasoline mixture) and advanced electric vehicle systems in private and public sector vehicles. The DEP will provide a portion of the cost for the purchase and installation of equipment necessary to retrofit existing vehicles, the purchase of Original Equipment Manufacturer produced vehicles to operate on alternative transportation fuels, and the cost associated with constructing refueling and recharging facilities. Projects incorporating innovative alternative fuel vehicle technologies or applications that improve refueling and recharging facilities are eligible for funding. Eligible applicants for incentive grants are school and vocational school districts, municipal authorities, counties, cities, boroughs, incorporated towns, townships, county institution districts, corporations, partnerships, nonprofit entities, and Commonwealth residents. An application package, which provides more detail on the program, can be obtained from the Department of Environmental Protection, Office of Pollution Prevention: AFIG-96, P. O. Box 8772, 13th Floor Rachel Carson State Office Building, Harrisburg, PA 17105-8772, or by contacting the office at (717) 783-9981 to provide your

mailing address. The deadline for submitting a Cycle 4 application to the DEP is October 1, 1996.

[Pa.B. Doc. No. 96-1307. Filed for public inspection August 9, 1996, 9:00 a.m.]

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### Draft Compliance Strategy on Reasonably Available Control Technology for Major Nitrogen Oxide Sources with Continuous Emission Monitoring Systems; Notice of Availability

The Department of Environmental Protection (DEP) is requesting public comments on a proposed policy to establish and implement a compliance strategy on reasonably achievable control technology (RACT) emission standards for certain major nitrogen oxide (NOx) sources with continuous emission monitoring systems (CEMSs). The proposed policy will assist regional air quality staff in enforcement of the NOx emission standards established under the RACT regulation codified in 25 Pa. Code §§ 129.91—129.95.

Section 182 of the Federal Clean Air Act Amendments (CAAA) requires the Commonwealth of Pennsylvania to develop and implement a RACT program for major stationary sources which emit volatile organic compounds (VOCs) or NOx. DEP's RACT program, effective on January 14, 1994, required the owners and operators of major VOC and NOx emitting sources or facilities to submit RACT proposals to the DEP by July 15, 1994. The CAAA mandated that the RACT sources achieve compliance with the RACT limitations as expeditiously as possible but no later than May 31, 1995. In circumstances where facility owners and operators demonstrated to the DEP that they could not achieve compliance by the May 31, 1995 deadline, a schedule of compliance with the RACT requirements was approved by the DEP in a plan approval, or operating permit.

The majority of the RACT proposals received by the DEP have been approved and permits containing enforceable emission limitations have been issued. Many of these permits have been submitted to EPA as a revision to the State Implementation Plan (SIP). The permitted emission limits, enforceable under State law, are also Federally enforceable upon approval of the SIP revisions. In many cases permits contain NOx RACT limitations which may be revised based on continuous emission monitoring data.

This proposed compliance strategy on RACT for major NOx-emitting facilities with CEMSs will provide guidance to regional air quality staff regarding the settlement of penalties for exceedances of NOx RACT emission standards by NOx RACT sources. Pending the development of a compliance assurance policy addressing NOx emissions, the proposal will provide for the use of the existing boiler policy, entitled "*Enforcement Policy—Continuous Emission Monitoring Systems (CEMS) and Coal Sampling/Analysis Systems (CSAS)*" (Policy Id. No. 273-4000-005), for delinquency, data availability, and excess emission enforcement (substituting NOx for SO<sub>2</sub>).

The proposed policy is designed to encourage compliance assistance by providing the owners or operators of the affected sources an opportunity to meet with regional staff to discuss the circumstances of the NOx exceed



ances. Such circumstances may include unrepresentative or incomplete emissions data or the installation of new or innovative technology. If circumstances warrant, the regional staff may reduce or waive the penalties for exceedances of the NOx RACT emission standards.

A copy of the proposed policy is available by writing Donald Kerstetter, Bureau of Air Quality, P. O. Box 8468, Harrisburg, Pennsylvania 17105-8468. A copy of the policy is also posted on the DEP World Wide Web Site at <http://www.dep.state.pa.us> (select Public Participation Center/Proposals Open for Comment).

Comments on the draft NOx RACT Compliance Strategy for NOx Sources with CEMSs should be sent to Donald Kerstetter, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468 or by e-mail to: [Kerstetter.Donald@a1.dep.state.pa.us](mailto:Kerstetter.Donald@a1.dep.state.pa.us) by September 9, 1996 (30 days after publication of this notice).

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-1308. Filed for public inspection August 9, 1996, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Community Health Review Program

Under the act of July 2, 1996 (No. 87, P. L. 517) (Act 87), the Department of Health is required to establish a review program to determine the feasibility and effectiveness of local health care providers either operating State Health Centers or providing equivalent services. Act 87 mandates that the Department identify an urban area, a suburban area, and a rural area, for this review program and to contract with local health care providers either to operate the identified State Health Centers or to provide equivalent services for the identified areas. The review program shall begin on November 1, 1996, and continue for 12 months.

On August 12, 1996, the Department of Health will make available to the public, a draft Request for Proposal (RFP) for this review program. Notice of the availability of the final RFP will be published in the State Contracts Information section of the August 31, 1996 *Pennsylvania Bulletin*.

The draft RFP will be available upon request from Gary L. Gurian, Deputy Secretary for Health Promotion, Disease and Substance Abuse Prevention, by telephone at (717) 787-9857 or by mail at P. O. Box 90, Harrisburg, PA 17108. Comments on the draft may be submitted to Deputy Secretary Gurian at that address in writing no later than August 23, 1996. Persons with a disability who require an alternative format of the draft RFP (for example, large print, audio tape, braille) should contact Deputy Secretary Gurian at the above address or telephone number or by calling TDD: (717) 783-6514.

DANIEL F. HOFFMANN,  
*Acting Secretary*

[Pa.B. Doc. No. 96-1309. Filed for public inspection August 9, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

**Armstrong, Butler, Clarion, Indiana  
and Jefferson Counties  
Reference No. 08430AG2008**

The Department of Transportation will retain an engineering firm for an open-end contract to provide supplementary construction inspection staff under the Department's Inspectors-in-Charge to perform construction inspection services on various projects in Engineering District 10-0, that is Armstrong, Butler, Clarion, Indiana and Jefferson Counties. The contract will include roadway and bridge construction projects, and material plant inspection. The contract will be for a period of 30 months with a maximum cost of \$750,000.

It is anticipated that a maximum supplementary construction inspection staff of 35 inspectors will be required for this assignment.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the maintenance and protection of traffic, soils, structures, concrete, asphalt paving and drainage.
- b. Number of available inspectors in each payroll classification.
- c. Number of NICET certified inspectors in each payroll classification.
- d. Past performance.
- e. Workload.
- f. Understanding of Department's requirements, policies and specifications.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	3 (3)
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	12 (7)

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector— Materials (TCI—Materials) (NICET Highway Materials Level 2 or equivalent)	5 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	15 (9)

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

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

The maximum reimbursement of direct payroll cost for each Department Payroll Classification for calendar year 1996 will be limited to the actual direct salary of the individual employe, or the following rates, whichever is less:

<i>Payroll Classification</i>	<i>Direct Payroll Rate</i>
Transportation Construction (TCM-1) Manager 1	\$19.79
Transportation Construction (TCIS) Inspector Supervisor	\$17.34
Transportation Construction (TCI) Inspector	\$15.18
Transportation Construction (TCI) Inspector—Material	\$15.68

Maximum reimbursable direct payroll rates for subsequent calendar years, if applicable, will be established at the scope of work meeting.

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

Technical questions concerning the requirements for this project should be directed to Craig A. Chelednik, P.E., District 10-0, at (412) 357-2842.

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

**Allegheny County  
Reference No. 08430AG2009**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately five inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on S. R. 0065, Section A13, widening of PA 65 (Ohio River Boulevard) also milling resurfacing, placement of concrete median barrier, concrete curbs, guiderail, impact attenuators, pavement markings, signing, highway lighting, traffic signal updating, drainage improvements, and concrete roadway repairs, Allegheny County.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the maintenance and protection of traffic, soils, concrete, asphalt paving, drainage, signals, guiderail and median barrier.
- b. Understanding of Department's requirements, policies and specifications.
- c. Past performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.
- f. Workload.

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

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

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

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

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

The maximum reimbursement of direct payroll cost for each Department Payroll Classification for calendar year 1996 will be limited to the actual direct salary of the individual employe, or the following rates, whichever is less:

<i>Payroll Classification</i>		<i>Direct Payroll Rate</i>
Transportation Construction Inspector Supervisor	(TCIS)	\$17.34
Transportation Construction Inspector	(TCI)	\$15.18
Technical Assistant	(TA)	\$10.43

Maximum reimbursable direct payroll rates for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a preconstruction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; provide one inspector certified in computer documentation and perform other duties as may be required.

Letters of interest for this project must include a letter, signed by the individuals proposed for the TCIS position, giving their approval to use their name in the letter of interest for this specific project. The lead Inspector's Name, Classification, and Years in Classification must also be shown.

Technical questions concerning the requirements for this project should be directed to Terry McCue, District 11-0, at (412) 429-4926.

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. 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 performing 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. 96-1310. Filed for public inspection August 9, 1996, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Downington Area Regional Authority v. DEP; EHB Doc. No. 96-154-MG

Downington Area Regional Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in East Caln Township, Chester County, PA.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 96-1311. Filed for public inspection August 9, 1996, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Triploid Grass Carp Permit Applications

Under 58 Pa. Code § 71.7, the Fish and Boat Commission may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate circumstances, help control aquatic vegetation. The Commission has determined,

consistent with 58 Pa. Code § 71.7(e)(3), to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 96-1312. Filed for public inspection August 9, 1996, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Availability of 1997 PennHOMES Program Funds

The Housing Finance Agency (Agency) is announcing the availability of 1997 PennHOMES Program Funds. PennHOMES Program funds include Federal HOME Program funds and Agency funds and may be utilized for the construction and permanent financing of multifamily rental housing developments located in the Commonwealth containing five or more units. To assist prospective applicants in preparing applications for funding, five workshops will be offered Statewide. A review of the PennHOMES Program, the application process, and an explanation of selection criteria will be provided at each of the workshops listed below or by contacting the Agency at the address below.

#### *PennHOMES Pre-Application Workshop Schedule*

September 26, 1996	Erie
September 27, 1996	Monroeville
October 3, 1996	King of Prussia
October 4, 1996	Allentown
October 15, 1996	Harrisburg

The registration deadline for these workshops is September 16, 1996. A nonrefundable registration fee of \$10 will be charged for each registrant.

The Agency will accept applications from November 1, 1996 through December 31, 1996 for developments located in the following Non-Participating Jurisdictions for Federal HOME funds made available by the Department of Community and Economic Development. Reservation of funds are anticipated to be made in March 1997.

Non-Participating Jurisdictions: Abington Township (Montgomery County), Adams County, Arnold City (Westmoreland County), Armstrong County, Bradford County, Bedford County, Bradford Woods Borough (Allegheny County), Blair County (except Altoona City), Bristol Township (Bucks County), Butler County, Cambria County, Cameron County, Carbon County, Centre County, Clarion County, Clearfield County, Clinton County, Columbia County, Conshocken Borough (Montgomery County), Crawford County, Cumberland County, Dauphin County (except Harrisburg City), Elk County, Ellwood City Borough (Beaver County), Erie County (except Erie City), Fayette County, Forest County, Franklin County, Fulton County, Greene County, Haverford Township (Delaware County), Huntingdon County, Indiana County, Jefferson County, Juniata County, Lackawanna County (except Scranton City), Lawrence County, Lebanon County, Lehigh County (except Allentown City), Limerick Township (Montgomery County), Lower Merion Township (Montgomery County), Lycoming County (except Williamsport City), McKean County, McKeesport City (Allegheny County), Mercer County, Mifflin County, Mon-

roe County, Montour County, New Kensington City (Westmoreland County), Norristown Borough (Montgomery County), Northampton County (except Bethlehem), Northumberland County, Penn Hills Township (Allegheny County), Perry County, Pike County, Potter County, Scottdale Borough (Westmoreland County), Schuylkill County, Snyder County, Somerset County, Sullivan County, Tioga County, Union County, Venango County, Warren County, Wayne County, Wyoming County.

The Agency will accept applications from January 1, 1997, through February 28, 1997, for projects located in the following Participating Jurisdictions for other Agency funds. Reservation of these funds are anticipated to be made in June 1997.

Participating Jurisdictions: Allegheny County (except Bradford Woods, McKeesport, Penn Hills Township), Allentown, Altoona, Beaver County, Berks County, Bethlehem, Bucks County Consortium (except Bristol Township), Chester County, Delaware County Consortium (except Haverford Township), Erie, Harrisburg, Lancaster, Lancaster County, Luzerne County Consortium, Montgomery County (except Abington Township, Conshohocken Borough, Limerick Township, Lower Merion, Norristown), Philadelphia, Pittsburgh, Reading, Scranton, State College, Williamsport, Washington County, Westmoreland County Consortium (except Arnold, New Kensington, Scottdale), York, York County.

The Agency is committed to the policy that all persons shall have equal access to its programs and employment without regard to race, religion, gender, national origin, handicap, familial status, or age. Requests for a copy of the 1997 PennHOMES Program Application and Guidelines or request for information regarding the PennHOMES Pre-Application Workshops may be submitted to Housing Finance Agency, Attn: Joanne Cypcar, P. O. Box 8029, Harrisburg, PA 17105-8029, (717) 780-3882, TDD (717) 780-1869.

KARL SMITH,  
*Executive Director*

[Pa.B. Doc. No. 96-1313. Filed for public inspection August 9, 1996, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinion

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (P. L. 744, No. 222) hereby announces the publication of the Stipulations of Fact, Findings of Fact, Conclusions of Law, Final Decision and Order, made after a public hearing under section 9(e)—(g) of the Act, in the following case:

*Ronald R. Drew v. City of Erie, Department of Public Safety*; Doc. No. E56948AD; (Pennsylvania Human Relations Commission, July 30, 1996); Alleged race-based refusal to promote; Ruling for Respondent, 7-2 decision; 28 pages.

The final order in the above-listed case is subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinion listed in this notice may be obtained by mailing a request indicating the opinions

desired, accompanied by a check or money order in the amount of 10 cents per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Information Director, Human Relations Commission, 101 South Second Street, Suite 300, Harrisburg, PA 17101. The check or money order should be made payable to the "Commonwealth of Pennsylvania."

HOMER C. FLOYD,  
*Executive Director*

[Pa.B. Doc. No. 96-1314. Filed for public inspection August 9, 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>
	State Ethics Commission	7/26/96
63-5	Statements of Financial Interest	
	Department of Transportation	7/30/96
18-324	School Buses and School Vehicles	

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 96-1315. Filed for public inspection August 9, 1996, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Per Diem Charges for Market Conduct Examinations of Insurance Companies

Each year, the Insurance Department updates its schedule of per diem charges for market conduct examinations conducted by the Department. These charges are authorized by section 907 of The Insurance Department Act of 1921 (40 P. S. § 323.7) and 31 Pa. Code § 12.4 (relating to per diem charges).

The new schedule of charges is as follows:

Examiner Trainee	\$224 per day
Examiner 1	\$254 per day
Examiner 2	\$312 per day
Examiner Manager	\$376 per day

As prescribed in 31 Pa. Code § 12.4(c), the Insurance Department will calculate and bill per diem charges for examination costs in 1/2 hour units.

This schedule is effective August 1, 1996.

This notice supersedes the schedule of per diem charges published at 25 Pa.B. 3430 (August 19, 1995), which prior notice is hereby repealed. These new charges shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1316. Filed for public inspection August 9, 1996, 9:00 a.m.]

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

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

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

Appeal of Jamie R. Hemmann; file no. 96-121-04452; Goodville Mutual Casualty Company; doc. no. P06-07-035; September 4, 1996, at 1 p.m.;

Appeal of Vince P. Wesolowski, file no. 96-265-33988; Donegal Mutual Insurance Company; doc. no. PH96-07-032; September 4, 1996, at 2 p.m.;

Appeal of Christopher and Paula Maul; file no. 96-121-04506; State Farm Mutual Insurance Company; doc. no. P96-07-036; September 25, 1996, at 10 a.m.;

Appeal of Gail T. Sullivan; file no. 96-265-33574; Keystone Insurance Company; doc. no. PH96-07-034; October 17, 1996, at 11 a.m.;

Appeal of Lance Bret Kaplan; file no. 96-265-33829; Keystone Insurance Company; doc. no. PH96-07-033; October 17, 1996, at 1 p.m.

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

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

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1317. Filed for public inspection August 9, 1996, 9:00 a.m.]

### Timetable for Submission of Petitions to Intervene

The Pennsylvania Supreme Court recently issued a landmark decision affecting the rescission of personal auto policies in *Erie Insurance Exchange v. Lake*, Pa. \_\_\_\_\_, 675 A.2d 681 (1996). This decision may affect Act 78 cases which are pending before the Insurance Department. Under Act 78 (40 P.S. § 1008.1 et seq.), consumers may seek review from the Insurance Department regarding the termination, including the rescission, of their auto policy.

By this notice, the Insurance Department establishes the following timetable for the submission of Petitions to Intervene and *amicus curiae* briefs for the following pending Act 78 cases:

Appeal of Nationwide Insurance Company  
Insured: Misael Roldan  
Docket No. P95-06-026

Appeal of Nationwide Insurance Company  
Insured: Andrew Ancona  
Docket No. PH94-07-005

Interested persons must submit a Petition to Intervene, under 1 Pa. Code § 35.27 et seq. on or before August 30, 1996. If intervention is granted, *amici* briefs must be filed on or before September 30, 1996, at the Insurance Department, Administrative Hearing Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

The submission of *amici* briefs shall be limited to the sole issue of the interpretation and effect of the *Erie Insurance Exchange v. Lake* decision.

Interested persons are reminded of the need to serve all parties with any document which is filed with the Administrative Hearing Office. Copies of pertinent docket material relating to the referenced cases may be obtained from Donna Sherrick, Docket Clerk at the above address, telephone (717) 783-2126.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-1318. Filed for public inspection August 9, 1996, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Luzerne County, Wine & Spirits Shoppe #4006, Luzerne Shopping Center, 576 Union Street, Luzerne, PA 18709-1245.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space within 1/2 mile of the 500 block of Union Street, Luzerne Borough.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661

**Contact:** Charles D. Mooney, (717) 657-4228

Allegheny County, Wine & Spirits Shoppe #0297, Dusquesne Village, 1874 Homeville Road, West Mifflin, PA 15122-3650.

*Lease Expiration Date:* June 30, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,600 net useable square feet of new or existing retail commercial space within 1.0 mile of the Homeville Road and Homestead Duquesne Road intersection in West Mifflin Borough. Free off-street parking and good loading facilities are requested.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Tom Deal, (412) 565-5130

Butler County, Wine & Spirits Shoppe #1007, Cranberry Mall Suite 20, 20111 Route 19, Cranberry Township, PA 16066-6207.

*Lease Expiration Date:* April 30, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment. Storeroom should be located within 0.5 mile of the intersection of Route 19 and Route 28 in Cranberry Township.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Tom Deal, (412) 565-5130

Cambria County, Wine & Spirits Shoppe #1109, 465 Magee Avenue, Patton, PA 16668-1227.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space in the commercial district of Patton.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Erie County, Wine & Spirits Shoppe #2504, 10720 W. Main Street, North East, PA 16428-2228.

*Lease Expiration Date:* August 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,200 net useable square feet of new or existing retail commercial space fronting U.S. Route 20 and having free off-street parking. Location must be no more than 1 mile south or 1/2 mile north of the U.S. Route 20 and PA Route 89 intersection.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Lawrence County, Wine & Spirits Shoppe #3701, Lawrence Village Plaza, 2650 Ellwood Road, New Castle, PA 16101-6299.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space in a shopping center environment near the intersection of Routes 65 and 422, south of New Castle.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Lawrence County, Wine & Spirits Shoppe #3702, 729 Lawrence Avenue, Ellwood City, PA 16117-1931.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space in the Ellwood City area.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Tom Deal, (412) 565-5130

McKean County, Wine & Spirits Shoppe #4204, 66 Mill Street, Port Allegany, PA 16743-1346.

*Lease Expiration Date:* August 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,200 to 1,500 net useable square feet of new or existing retail commercial space in the Port Allegheny Business District.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Mercer County, Wine & Spirits Shoppe #4305, 517 Main Street, Sharpsville, PA 16150-2055.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space in the Sharpsville Business District.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board

**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Warren County, Wine & Spirits Shoppe #6202, 212 S. Main Street, Sheffield, PA 16347-0372.

*Lease Expiration Date:* May 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,200 net useable square feet of new or existing retail commercial space in Sheffield's Central Business District.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Warren County, Wine & Spirits Shoppe #6203, 107 E. Main Street, Youngsville, PA 16371-1142.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,800 net useable square feet of new or existing retail commercial space on Business Route 6 in Youngsville.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Washington County, Wine & Spirits Shoppe #6315, Donaldsons Crossroads S.C., 3929 Washington Road, McMurray, PA 15317-2532.

*Lease Expiration Date:* August 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,500 net useable square feet of new or existing retail commercial space within 1.5 miles of Donaldsons Crossroads (Route 19 and McMurray Road) in Peters Township.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Tom Deal, (412) 565-5130

Westmoreland County, Wine & Spirits Shoppe #6514, 147 Columbia Avenue, Vandergrift, PA 15690-1101.

*Lease Expiration Date:* July 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 to 3,000 net useable square feet of new or existing retail commercial space in the Vandergrift area.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222



**Contact:** Tom Deal, (412) 565-5130

The Liquor Control Board seeks the following new site:

Centre County, Wine & Spirits Shoppe #1406, State College, PA.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space in College Township between the Struble Road/Gerald Street intersection. Space should have adequate off-street parking and loading facilities.

*Proposals due:* September 6, 1996, at 12 noon

**Department:** Pennsylvania Liquor Control Board

**Location:** Bureau of Real Estate, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222

**Contact:** Tom Deal, (412) 565-5130

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 96-1319. Filed for public inspection August 9, 1996, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Railroad With Hearing

**A-00108476. Township of Muhlenberg, Board of Commissioners.** 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 reconstruction of crossing (AR 592 474 T) where George Street crosses above-the-grade of the tracks of Consolidated Rail Corporation, in Muhlenberg Township, Berks County, and the allocation of the cost and expenses incident thereto.

A further hearing upon this proceeding will be held Wednesday, September 11, 1996, at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth, Harrisburg, PA.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1320. Filed for public inspection August 9, 1996, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before September 3, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of

property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00113199. Lisa A. Steinbugl, t/d/b/a Classic Limousine Service** (1403 Jefferson Avenue, Altoona, Blair County, PA 16602), persons in limousine service between points in Blair County, and from points in said county to points in Pennsylvania and return; which is to be a transfer of the rights authorized under the certificate issued at A-00109268 to Floyd W. Musselman, t/d/b/a Classic Limousine Service, subject to the same limitations and conditions.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.**

**A-00112977. Bobby Bullet Productions, Inc.** (11737 Old Route 16, Rouzerville, Franklin County, PA 17250), a corporation of the Commonwealth of Pennsylvania—persons on schedule, between the boroughs of Waynesboro and Chambersburg, Franklin County, the borough of Gettysburg, Adams County, and the city of Harrisburg, Dauphin County, over the following routes: beginning in the borough of Waynesboro, Franklin County, thence over borough streets to PA Route 316, thence north on PA Route 316 to its intersection with Interstate Route 81, thence north on Interstate Route 81 to the borough of Chambersburg, Franklin County, thence east on U. S. Route 30 to the borough of Gettysburg, Adams County, thence over borough streets to PA Route 116, thence south of PA Route 116 to its intersection with PA Route 16, thence west on PA Route 16 through the borough of Waynesboro, Franklin County, the place of beginning. Spur route: beginning in the borough of Waynesboro, Franklin County, thence west by PA Route 116 to the borough of Greencastle, Franklin County, thence over borough streets to PA Route 116 and its intersection with Interstate Route 81, thence north on Interstate 81, to the city of Harrisburg, Dauphin County, and return by the same routes. Spur route: beginning in the borough of Chambersburg, Franklin County, thence over various borough streets to U. S. Route 30, thence east on U. S. Route 30, to its intersection with Interstate Route 81, thence north on Interstate Route 81, to the city of Harrisburg, Dauphin County, and return by the same routes. *Attorney:* Deborah K. Hoff, 154 South Potomac Street, Waynesboro, PA 17268.

**A-00113240. Listowel Limo Company, Inc.** (1600 Locust Street, Philadelphia, Philadelphia County, PA 19103), a corporation of the Commonwealth of Pennsylvania—persons in airport transfer service, from that part of the city and county of Philadelphia north of the south side of Cottman Avenue running east and west between the Montgomery County Line and the Delaware River, and bounded on the north by the Bucks County Line, to the Philadelphia International Airport, in the city and county of Philadelphia and the township of Tinicum, Delaware County. *Attorney:* Michael J. Stack, Jr., 1600 Locust Street, Philadelphia, PA 19103.

**Applications of the following for amendment to the certificate of public convenience approving the**

**operation of motor vehicles as common carriers for transportation of persons as described under each application.**

**A-00109808, Folder 1, Am-B. Shawn J. Pulver and Howard Gyle, Copartners, t/d/b/a Plymouth Taxi Company** (Rear 148 Cherry Street, Plymouth, Luzerne County, PA 18651), persons upon call or demand, in the boroughs of Plymouth and Larksville, and the township of Plymouth, Luzerne County, *so as to permit* the transportation of persons upon call or demand in the borough of Plymouth, Luzerne County, and points within an airline distance of 10 statute miles of the limits of said borough. *Attorney:* David J. Harris, Suite 405 Bicentennial Building, 15 Public Square, Wilkes-Barre, PA 18701.

**A-00112415, Folder 1, Am-A. Armando Ocando, t/d/b/a A and B Limousine** (213 Gerrie Drive, Pittsburgh, Allegheny County, PA 15241), persons in limousine service from points in Allegheny County to points in Pennsylvania, and return; *so as to permit* the transportation of persons in limousine service, between points in Washington County, and from points in said county to points in Pennsylvania and return; subject to the following conditions: that no right, power or privilege is granted to provide service from Washington County to the Pittsburgh International Airport located in Allegheny County, and the Latrobe Airport located in Westmoreland County. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

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

**A-00108950, F. 2. Lazer Limousine Services, Inc.**, (329 Swamp Pike, Schwenksville, Montgomery County, PA 19473-1407), a corporation of the Commonwealth of Pennsylvania—additional right—persons and their baggage in airport transfer service, from points in the counties of Berks and Lancaster, and points in the county of Montgomery on U. S. Highway Route 422 and within 2 miles on either side of said route, to its intersection with Route 202; and from points in the county of Chester on U. S. Highway Route 30 and within 2 miles on either side of said route, to its intersection with Route 100, to the Philadelphia International Airport, in the city of Philadelphia and the township of Tinicum, Delaware County. *Attorney:* William L. Landsburg, 484 Norristown Road, Suite 100, Blue Bell, PA 19422-2326.

**Applications of the following for approval of discontinuance of service for the transportation of persons as described under each application.**

**A-0092235, Folder 1, Am-D. City Transfer, Inc.** (900 Brussels Street, St. Marys, Elk County, PA 15857), a corporation of the Commonwealth of Pennsylvania—partial discontinuance of service—household goods, in use, from points in the borough of St. Marys, Elk County, and within 25 miles by the usually traveled highways of the limits of said borough, to other points in Pennsylvania. *Attorney:* David H. Radcliff, 2616 Walnut Street, Harrisburg, PA 17103.

**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 August 26, 1996.
- A-00113225 Ralph Bley, t/d/b/a Bley Trucking-Excavating  
R. R. 1, Box 384, Ringtown, PA 17967
- A-00113230 Zudi Redzepi, t/d/b/a Redzepi's Hauling  
124 North Lincoln Avenue, Scranton, PA 18504
- A-00113231 Pete Zarelli Excavating Company  
1322 West Chester Pike, West Chester, PA 19382
- A-00113237 Rodney W. Swigart, t/d/b/a R. S. Trucking  
R. R. 2, Box 90B, Benton, PA 17814
- A-00113249 Envirite Corporation  
620 West Germantown Pike, Suite 250, Plymouth Meeting, PA 19462
- A-00113248 Pinnacle Trucking, Inc.  
2921 Haskins Road, Waterford, PA 16441
- A-00113241 Paul M. Martin  
1634 Springville Road, New Holland, PA 17557
- A-00113243 Robert J. Koester  
3555 Sandis Road, Murryville, PA 15668
- A-00113244 James R. Liggitt, t/d/b/a James Liggitt Trucking  
485 Kramer Road, Burgettstown, PA 15021
- A-00113245 George E. Carroll, t/d/b/a George E. Carroll General Hauling  
R. D. 1, Box 202, Lucinda, PA 16235
- A-00113246 Pennington Trucking, Inc.  
R. D. 1, Box 454A, Morrisdale, PA 16858; Dwight L. Koerber, Jr., P. O. Box 1320, Clearfield, PA 16830
- A-00113247 John C. Diehl  
P. O. Box 83, Tyler Hill, PA 18469

**Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Dispatch Trucklines, Inc.; A-0011144C9601**

*Complaint*

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That DISPATCH TRUCKLINES, INC., respondent, maintains a principal place of business at 2512 EAST SOLWAY, SIOUX CITY, IA 51104.

2. That at all times relevant to this Complaint, respondent held a CERTIFICATE OF PUBLIC CONVENIENCE issued by this Commission at Application Docket No. A-0011144.

3. That pursuant to section 512 of the Public Utility Code, 66 Pa. Code § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of CARGO INSURANCE, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Commission revoke respondent's CERTIFICATE OF PUBLIC CONVENIENCE or order such other remedy as the Commission may deem to be appropriate.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke the CERTIFICATE OF PUBLIC CONVENIENCE held by DISPATCH TRUCKLINES, INC., at Docket No. A-00111144, for failure to maintain current evidence of insurance on file with the Commission and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,  
Kenneth E. Nicely, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

I, Kenneth E. Nicely, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

*Notice to Plead*

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this complaint. Your answer must be verified and the original and two (2) copies sent to:

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1321. Filed for public inspection August 9, 1996, 9:00 a.m.]

**Transfer by Sale  
Without Hearing**

**A-110550 F0126. PECO Energy Company.** Application of PECO Energy Company for approval of the transfer by sale to the Township of Lower Chichester for certain electric facilities located in Delaware County, Philadelphia, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before August 26, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Mary McFall Hopper, Esquire, PECO Energy Company, 2301 Market Street, P. O. Box 8699, Philadelphia, PA 19101-8699.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1322. Filed for public inspection August 9, 1996, 9:00 a.m.]

**Transfer by Sale  
Without Hearing**

**A-110550 F0127. PECO Energy Company.** Application of PECO Energy Company for approval of the transfer by sale to the Borough of Upland for certain electric facilities located in Delaware County, Philadelphia, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before August 26, 1996, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Mary McFall Hopper, Esquire, PECO Energy Company, 2301 Market Street, P. O. Box 8699, Philadelphia, PA 19101-8699.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-1323. Filed for public inspection August 9, 1996, 9:00 a.m.]

**PHILADELPHIA REGIONAL  
PORT AUTHORITY**

**Request for Proposals**

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, August 16,

1996, for project #96-193-001 (Purchase of Roofing Materials). The Bid Document can be obtained from the Procurement Administrator, Phila. Regional Port Authority (PRPA), 210 W. Washington Square, 8th Floor, Phila., PA 19106, (215) 928-9100. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 96-1324. Filed for public inspection August 9, 1996, 9:00 a.m.]

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## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

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

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

August 12, 1996	Edith Kukuda (Disability)	1 p.m.
August 18, 1996	John Gvazdinskas (decd) (Disability)	1 p.m.

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

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 96-1325. Filed for public inspection August 9, 1996, 9:00 a.m.]

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