

# 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 March 25, 1997.

#### BANKING INSTITUTIONS

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-24-97	Northwest Interim Savings Bank I Warren Warren County	Warren	Approved
	Interim savings bank being formed in connection with the "two-tier" reorganization of Northwest Savings Bank, Warren.		

##### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
3-21-97	Farmers Building and Loan Association Rochester Beaver County	Rochester	Filed
	<i>To:</i> Farmers Building and Savings Bank Rochester Beaver County		
	Application represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.		

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-3-97	First Union National Bank, Avondale, and Centre Square Trust Company, Philadelphia surviving institution— First Union National Bank, Avondale	Avondale	Effective

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-3-97	Premier Bank Doylestown Bucks County	Southampton Shopping Center 516 Second Street Pike Southampton Bucks County	Opened
3-24-97	The Drovers & Mechanics Bank York York County	Intersection of I-83 and Route 851 Shrewsbury Township York County	Approved

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-25-97	Johnstown Bank and Trust Company Johnstown Cambria County	<i>To:</i> Corner of Rambler Drive and Route 356 Sarver Butler County  <i>From:</i> 111 South Pike Road Sarver Butler County	Approved

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
3-21-97	Public Savings Bank Bala Cynwyd Montgomery County	To provide for a change in the principal place of business <i>From:</i> 100 Presidential Boulevard, North, Bala Cynwyd, Montgomery County; <i>To:</i> 2300 Computer Avenue, Suite H-42, Willow Grove, Montgomery County	Approved and Effective

**SAVINGS ASSOCIATIONS****Branch Applications**

<i>Date</i>	<i>Name of Savings Association</i>	<i>Location</i>	<i>Action</i>
3-17-97	Slovenian Savings and Loan Association of Franklin-Conemaugh Conemaugh Cambria County	Riverside Shopping Center 1512 Jefferson Ave. Windber Somerset County	Opened

**Voluntary Liquidations**

<i>Date</i>	<i>Name of Savings Association</i>	<i>Action</i>
3-21-97	Progressive Building & Loan Association of Kennett Square Kennett Square Chester County	Certificate of Election for Voluntary Dissolution filed. Effective as of the close of business March 21, 1997.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-511. Filed for public inspection April 4, 1997, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### School-to-Work Challenge Grant Guidelines; Request for Proposals

The School-to-Work Challenge Grant guidelines are available through the Office of School-to-Work Opportunities, Department of Education. These guidelines will provide funding under P. L. 103-239 to provide networking of technical assistance to STW local partnerships or replicate effective practice models which address access and participation of all youth.

Deadline for proposal submission is 1 p.m. on April 21, 1997. Guidelines can be requested by contacting the Office of School-to-Work Opportunities at (717) 772-4177.

EUGENE W. HICKOK, Jr.,  
*Secretary*

[Pa.B. Doc. No. 97-512. Filed for public inspection April 4, 1997, 9:00 a.m.]

### Work-Based Learning Youth Apprenticeship Funding Guidelines; Request for Proposals

The Work-Based Learning Youth Apprenticeship Funding guidelines are available through the Office of School-to-Work Opportunities, Department of Education. These

guidelines will provide for funding as many as 12 sites/programs which develop and implement all aspects of the School-to-Work Opportunities Act's work-based learning component.

Proposals may be submitted by area vocational-technical schools and/or school districts in STW local partnerships.

Deadline for proposed submission is on April 21, 1997. Guidelines can be requested by contacting the Office of School-to-Work Opportunities at (717) 772-4177.

EUGENE W. HICKOK, Jr.,  
*Secretary*

[Pa.B. Doc. No. 97-513. Filed for public inspection April 4, 1997, 9:00 a.m.]

### Availability of 1997-1998 Competitive Funds under the Carl D. Perkins Vocational and Applied Technology Education Act

Applications for FY 1997-98 Perkins Vocational and Applied Technology Education competitive funds are invited for the following two funding categories:

375—Single Parent/Displaced Homemaker Statewide Service Assistance

377—Sex Equity Statewide Service Assistance

1. *Eligibility Requirements*

LEA with dedicated space for office operations and resource room. The recipient will subcontract with hotels for lodging, food and meeting space. The recipient will coordinate four Statewide meetings for 30 people. The recipient will review and purchase materials for Statewide distribution and facilitate the lending of materials. Statewide travel is required.

2. *Application Deadlines*

Applications are due May 5, 1997, by 4 p.m.

3. *Application Forms and Guidelines*

Completion of applications requires the use of three references: general and categorical guidelines. Documents are available from Jerilynn Millvan, Division of Advisory and Approval Services, Bureau of Vocational-Technical Education, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, telephone (717) 787-5293.

4. *Completed Applications*

All completed applications should be mailed or delivered (not faxed) to the Division of Advisory and Approval Services.

5. *Preproposal Workshops*

Project writers can obtain additional assistance by attending a preproposal workshop. The workshop will be held on April 22 at 8:30 a.m. in Heritage A, Lobby Level at PDE in Harrisburg.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 97-514. Filed for public inspection April 4, 1997, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

##### [National Pollution Discharge Elimination System Program (NPDES)]

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

##### (Part I Permits)

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

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

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

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. 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 0054259.** Sewage, **Wasser Partners**, 404 Main Street, Pennsburg, PA 18073.

This application is for renewal of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant in Upper Hanover Township, **Montgomery County**. This is an existing discharge to Macoby Creek Branch.

The receiving stream is classified for the following uses: warm water fishery, trout stocking fishery, high quality trout stocking fishery, high quality warm water fishery, high quality cold water fishery, exceptional value waters, aquatic life, water supply and recreation.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 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 0030023.** Sewage, **The Academy of the New Church**, 2815 Huntingdon Pike, Bryn Athyn, PA 19009.

This application is for renewal of an NPDES permit to discharge treated sewage from an STP serving the church, school and office building in Bryn Athyn Borough, **Montgomery County**. This is an existing discharge to an unnamed tributary to Huntingdon Valley Creek.

The discharge is to a dry swale, 1 mile above the confluence with a stream classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 65,000 gallons per day 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)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	0.8	1.87
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

**PA 0209872.** Sewage, **Arthur and Jane Eaton**, New Horizons Recycling, Box 19A and Route 18, Adamsville, PA 16110.

This application is for renewal of an NPDES permit, to discharge sewage to an unnamed tributary to Crooked Creek in Sugar Grove Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stocked fishes, 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 considered during the evaluation is the Greenville Municipal Water Authority on the Little Shenango River located at Greenville, approximately 3.4 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.00045 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>	10		20
TSS	20		40
Fecal Coliforms (all year)	200/100 ml as a geometric average		
Total Residual Chlorine	XX		XX
pH	6.0—9.0 at all times		

XX = Monitor and Report on Annual Maintenance Report.

The EPA waiver is in effect.

*Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2553.*

**PA 0062570.** Sewerage, **Covington Township Sewer Authority**, Box 266, Moscow, PA 18444.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Roaring Brook Creek in Covington Township, **Lackawanna County**.

The receiving stream is classified for the following uses: cold 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 existing/proposed downstream potable water supply (PWS) considered during the evaluation is American Water Company, Elmhurst Reservoir on Roaring Brook Creek.

The proposed effluent limits for Outfall 001 based on a design flow of .2 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>7-day Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	15	25	30
(11-1 to 4-30)	25	37	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15.0
Phosphorus as "P"	1	1.5	2
Dissolved Oxygen	a minimum of 6 mg/l at all times		
Fecal Coliforms			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine	1		2.3

The EPA waiver is in effect.

**PA 0060267.** Sewerage, **N. Pocono School District**, Church Street, Moscow, PA 18444.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary to W. Branch of Wallenpaupack Creek in Jefferson Township, **Lackawanna County**.

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

Effluent requirements were evaluated at point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .009 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	13	26
(11-1 to 4-30)	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	1.5	3
(11-1 to 4-30)	4.5	9
Phosphorous as "P"	.5	1
Dissolved Oxygen	a minimum of 6 mg/l at all times	
Fecal Coliforms	200/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine	1.2	2.8

The EPA waiver is in effect.

**PA 0061123.** Sewerage, **Moscow Sewer Authority**, P. O. Box 525, Moscow, PA 18444.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Roaring Brook Creek in Moscow Borough, **Lackawanna County**.

The receiving stream is classified for the following uses: cold 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 existing/proposed downstream potable water supply (PWS) considered during the evaluation is the American Water Company, Elmhurst Reservoir on Roaring Brook Creek.

The proposed effluent limits for Outfall 001 based on a design flow of .180 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24
Phosphorus as "P"	.5	.75	1
Dissolved Oxygen	a minimum of 5 mg/l at all times		
Fecal Coliforms			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine	1		2.3

The EPA waiver is in effect.

**PA 0063665.** Industrial waste, **Municipal Separate Storm Sewer System**, City of Allentown, 112 Union Street, Allentown, PA 18102-4910.

This proposed action is for issuance of an NPDES permit to discharge stormwater from the municipal separate storm sewer system in the City of Allentown, **Lehigh County**. This is a new discharge to waters of the Commonwealth.

The permittee must develop and implement programs to characterize the stormwater outfalls located in the City of Allentown and minimize their impact on water quality.

Permit requirements include:

1. Establishing legal authority.
2. Source identification.
3. Discharge characterization.
4. Stormwater management programs including implementation of appropriate best management practices.
5. Assessment of controls.
6. Adequate fiscal resources.
7. Submission of annual report.

The EPA waiver is in effect.

**PA 0036439.** Sewerage, **Department of Public Welfare**, c/o Gregory M. Smith, White Haven Center, R. R. 2, Box 2195, White Haven, PA 18661-9602.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Linesville Creek in Foster Township, **Luzerne County**.

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

Effluent requirements were evaluated at the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.384 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	15.0	30.0
(11-1 to 4-30)	25.0	50.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Dissolved Oxygen	a minimum of 7.0 mg/l at all times	
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine		
1st Month through 36th Month	monitor and report	
37th Month through Expiration Date	0.2	0.4

The EPA waiver is in effect.

**PA 0061361.** Sewerage, **Smithfield Township Sewer Authority**, Box 5209, East Stroudsburg, PA 18301.

This proposed action is for renewal issuance amendment of an NPDES permit to discharge treated sewage into Little Sambo Creek in Smithfield Township, **Monroe County**.

The receiving stream is classified for the following uses: trout stocking 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 proposed downstream potable water supply (PWS) considered during the evaluation is East Stroudsburg/Stroudsburg Water Supply on Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.4 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>7 Day Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5		5
(11-1 to 4-30)	7.5		15
Dissolved Oxygen	a minimum of 5 mg/l at all times		
Fecal Coliforms			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine			
1st Month through 36th Month	monitor and report		
37th Month through Expiration Date	0.9		2.0

The EPA waiver is in effect.

**PA 0062642.** Industrial waste, SIC: 4941, **Blythe Township Municipal Authority**, Glen Dower WTP, 375 Valley Street, New Philadelphia, PA 17959.

This proposed action is for renewal of an NPDES permit to discharge treated/process wastewater into Taylorsville Creek to the west branch of the Schuylkill River in Foster Township, **Schuylkill County**.

The receiving stream is classified for the following uses: cold 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 existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Pottstown Water Authority located on the Schuylkill River.

The proposed effluent limits for Outfall 001 based on a design flow of .000075 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Aluminum	4.0	8.0	
Total Iron	2.0	4.0	
Total Manganese	1.0	2.0	
Total Suspended Solids	30.0	60.0	
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0062693.** Industrial waste, SIC: 4941, **Blythe Township Municipal Authority** (Moss Glen WTP), Schuylkill Township, Schuylkill County.

This proposed action is for renewal of an NPDES permit to discharge treated process wastewater into Big Creek in Schuylkill Township, **Schuylkill County**.

The receiving stream is classified for the following uses: cold 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 existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Pottstown Water Supply located on the Schuylkill River.

The proposed effluent limits for Outfall 001 based on a design flow of .0114 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Aluminum	4.0	8.0	
Total Iron	2.0	4.0	
Manganese	1.0	2.0	
Suspended Solids	30.0	60.0	
pH	6—9 std. units at all times		

The EPA waiver is in effect.

**PA 0060518.** Sewerage, **Hallstead-Great Bend Joint Sewer Authority**, Attention: John W. Ord, P. O. Box 757, Great Bend, PA 18821-0757.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Susquehanna River in Great Bend Borough, **Susquehanna 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 proposed downstream potable water supply (PWS) considered during the evaluation is the New York-Pennsylvania border 2 miles downstream of the discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.35 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine			
1st month—24th month	monitor and report		
25th month—Expiration	1.0		2.0

The EPA waiver is in effect.

**PA 0062332.** Sewerage, **Eaton Sewer and Water Co.**, 25 West Tioga Street, Tunkhannock, PA.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into the north branch of the Susquehanna River in Eaton Township, **Wyoming 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 existing/proposed downstream potable water supply (PWS) considered during the evaluation is Danville Water Supply on the Susquehanna River.

The proposed effluent limits for Outfall 001, based on a design flow of .05 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	1.2	2.8
Dissolved Oxygen	a minimum of 5.0 mg/l at all times	
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

**PA 0085006.** Sewage, SIC: 4952, **Conoy Township—Bainbridge**, 211 Falmouth Road, Bainbridge, PA 17502.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Conoy Creek, in Conoy Township, **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 Columbia Water Company located in Columbia Borough, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.08 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40		50
Total Suspended Solids	30	45		60
Total Residual Chlorine	0.5			1.6
Dissolved Oxygen	minimum of 5.0 at all times			
pH	from 6.0—9.0 inclusive			

<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>
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 3,000/100 ml as a geometric average			

The EPA waiver is in effect.

**PA 0085022.** Sewage, SIC: 4952, **Conoy Township** (Village of Falmouth), 211 Falmouth Road, Bainbridge, PA 17502.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary of the Susquehanna River, in Conoy Township, **Lancaster 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 the Columbia Water Company located in Columbia Borough, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.025 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40		50
Total Suspended Solids	30	45		60
NH <sub>3</sub> -N (5-1 to 10-31)	10			20
Total Residual Chlorine	0.5			1.6
Dissolved Oxygen	minimum of 5.0 at all times			
pH	from 6.0—9.0 inclusive			
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 11,000/100 ml as a geometric average			

The EPA waiver is in effect.

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

**PA 0003816.** Industrial waste, SIC: 5171, **BP Oil Company**, 200 Public Square 7-T, Cleveland, OH 44114.

This application is for renewal of an NPDES permit to discharge treated stormwater from Petroleum Marketing Terminal in Moon Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, 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 Midland Borough Municipal Authority, located at Midland, 25 miles below the discharge point.

Outfall 001: existing discharge.

<i>Parameter</i>	<i>Interim Limits</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>
Flow (mgd)	monitor and report				
Oil and Grease			15		30
Total xylenes					monitor/report
Total BTEX					monitor/report
Total Recoverable Petroleum Hydrocarbons					monitor/report
pH	6.0—9.0				

Outfall 001: existing discharge

<i>Parameter</i>	<i>Final Limits</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>
Total Recoverable Petroleum Hydrocarbons					monitor/report
Total Xylenes					monitor/report

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total BTEX					monitor/report

The EPA waiver is in effect.

**PA 0021156.** Sewage, **Bullskin Township Board of Supervisors**, R. D. 2, Box 234G, Connellsville, PA 15425.

This application is for amendment of an NPDES permit to discharge treated sewage from the Merit Manor Sewage Treatment Plant in Bullskin Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.05 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10
(11-1 to 4-30)	15	22.5		30
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration				2.9
pH	6.0—9.0			

*Other Conditions:* The permittee is authorized to discharge the above during the period from issued date through the NPDES expiration date, or the date the proposed expansion to 0.0626 mgd is completed and in operation, whichever comes first.

Outfall 001: expanded discharge, design flow of 0.0626 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10
(11-1 to 4-30)	15	22.5		30
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine				2.3
pH	6.0—9.0			

*Other Conditions:* The permittee is authorized to discharge the above during the period from the date the proposed treatment plant expansion to 0.0626 mgd is completed and in operation through the NPDES expiration date, or the date the proposed expansion to 0.085 mgd is completed and in operation, whichever comes first.

Outfall 001: expanded discharge, design flow of 0.085 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	4.0	6.0		8.0
(11-1 to 4-30)	12	18		24

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine	0.7			1.7
Dissolved Oxygen	not less than 3.0 mg/l			
pH	6.0—9.0			

*Other Conditions:* The permittee is authorized to discharge during the period from the date the treatment facility is expanded to 0.085 mgd through NPDES expiration date.

The EPA waiver is in effect.

**PA 0046426.** Sewage, **Franklin Township Sewer Authority**, 570 Rolling Meadows Road, Waynesburg, PA 15370.

This application is for renewal of an NPDES permit to discharge treated sewage from Franklin Township STP in Franklin Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as South Fork Tenmile Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri County Joint Water Authority.

Outfall 001: existing discharge, design flow of 1.25 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.5	3.8		5.0
(11-1 to 4-30)	4.0	6.0		8.0
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month to 36th month	monitor and report			
37th month to expiration	.3			1.1
Dissolved Oxygen	not less than 5 mg/l			
pH	6.0—9.0			

Outfall 003: This outfall consists solely of uncontaminated stormwater runoff.

The EPA waiver is not in effect.

**PA 0090018.** Sewage, **North Strabane Township Municipal Authority**, 1929 B, Route 519 South, Canonsburg, PA 15317.

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

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

Outfall 001: existing discharge, design flow of 0.14 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10	15		20
Suspended Solids	25	37.5		50
Ammonia Nitrogen (5-1 to 10-31)	2	3		4
(11-1 to 4-30)	3.5	5.3		7
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine	monitor and report			0.12
1st month to 36th month	0.04			
37th month to expiration	not less than 5 mg/l			
Dissolved Oxygen	6.0—9.0			
pH	6.0—9.0			

*Other Conditions:*

The EPA waiver is in effect.

**PA 0217581.** Sewage, **Louis Yemc**, 350 Arona Road, New Stanton, PA 15672.

This application is for issuance of an NPDES permit to discharge treated sewage from Yemc New Stanton Mack Truck Dealer sewage treatment plant in South Huntingdon Township, **Westmoreland County**.

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

Outfall 001: new discharge, design flow of 0.0004 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	monitor and report			
Dissolved Oxygen	not less than 3.0 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

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

NPDES No.	Facility Name and Address	County and Municipality	Tributary Stream	New Permit Requirements
PA0051721	Mountain View Mobile Home Park Richard Becker 901 South Best Avenue Route 145 Walnutport, PA 18088	Northampton Lehigh Township	Unnamed tributary of Bertsch Creek	TRC
PA0070203	Craftex Mills, Inc. Michael Middlebrook R. D. 2, Route 895 West Auburn, PA 17922	Schuylkill West Brunswick Township	Pine Creek	TRC

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

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

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

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, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

**1597405.** Sewerage. **Landis and Graham Partnership**, (310 North High Street, West Chester, PA 19480). Construction of a wastewater treatment plant to serve Ludwig's Village Shoppes located in West Vincent Township, **Chester County**.

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

**WQM Permit No. 2097403.** Sewerage. **City of Titusville**, 107 North Franklin Street, Titusville, PA 16354. This project is for the construction and operation of two pump stations which will be modifications to existing facilities in City of Titusville, **Crawford County**.

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

**A. 0297202.** Industrial waste. **Department of Energy**, Pittsburgh Naval Reactors Office, P. O. Box 109, West Mifflin, PA 15122-0109. Application for the construction and operation of the Springwater Intercept System (SIS) to serve the Bettis Atomic Power Laboratory located in West Mifflin Borough, **Allegheny County**.

**A. 0274469.** Amendment No. 2. Sewerage. **Allegheny County Sanitary Authority**, 3300 Preble Avenue, Pittsburgh, PA 15233-1092. Application for the expansion and operation of the existing Alcosan treatment facility located in the City of Pittsburgh, **Allegheny County**.

**INDIVIDUAL PERMITS**

**(PAS)**

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

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

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

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

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

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

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

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

*Southeast Regional Office, Regional Water Management Program Manager, Ste. 6010, Lee Park, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6131.*

*Chester County Conservation District, District Manager, 601 Westtown Road, Government Services Center, West Chester, PA 19382, telephone (610) 696-5126.*

**NPDES Permit PAS10G255.** Stormwater. **Franklin Township**, P. O. Box 118, Kemblesville, PA 19347 has applied to discharge stormwater from a construction activity located in Franklin Township, **Chester County**, to UNT to the west branch of White Clay.

**NPDES Permit PAS10G256.** Stormwater. **John Sbarbaro III**, 107 S. Church Street, West Chester, PA 19383 has applied to discharge stormwater from a construction activity located in West Pikeland Township, **Chester County**, to Pickering Creek.

**NPDES Permit PAS10G257.** Stormwater. **William Hammell**, R. D. 1 Box 301, Honey Brook, PA 19344 has applied to discharge stormwater from a construction activity located in West Brandywine Township, **Chester County**, to UNT to Beaver Creek.

**NPDES Permit PAS10G258.** Stormwater. **Malvern Hills II Partners**, P. O. Box 3085, West Chester, PA 19381 has applied to discharge stormwater from a con-

struction activity located in Malvern Borough, **Chester County**, to Schuylkill Basin.

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

**NPDES Permit PAS10N023.** Stormwater. **Jefferson Township Sewer Authority**, R. R. 3 Box 287, Lake Ariel, PA 18436 has applied to discharge stormwater from a construction activity located in Jefferson Township, **Lackawanna County**, to UNT to the west branch of Wallenpaupack Creek.

*Lehigh County Conservation District, District Manager, 4184 Dorney Park Road, Allentown, PA 18104, telephone (610) 391-9583.*

**NPDES Permit PAS10Q136.** Stormwater. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106 has applied to discharge stormwater from a construction activity located in South Whitehall and Upper Macungie Townships, **Lehigh County**, to Little Lehigh Creek.

*Montgomery County Conservation District, District Manager, 1015 Bridge Road, Colledgeville, PA 19426, telephone (610) 489-4506.*

**NPDES Permit PAS10T081.** Stormwater. **Quaker Homes Inc.**, 2001 Swinging Bridge Road, Green Lane, PA 18054 has applied to discharge stormwater from a construction activity located in Upper Hanover Township, **Montgomery County**, to UNT to Perkiomen Creek through site.

*York County Conservation District, District Manager, 118 Pleasant Acres Road, York, PA 17402, telephone (717) 840-7430.*

**NPDES Permit PAS10Y063.** Stormwater. **Harry Fox Jr.**, 241 Old York Road, Dillsburg, PA 17019 has applied to discharge stormwater from a construction activity located in Fairview Township, **York County**, to UNT to Lake Silver.

## SAFE DRINKING WATER

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

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

**4895503-A1.** Public water supply. **Portland Borough Authority**, James Courtright, Secretary, Portland Borough Authority, P. O. Box 572, Portland, PA 18351. This proposal involves improvements to existing well nos. 1 and 2 and construction of transmission mains; proposed installation of telemetering and control system for wells and chemical feed systems for: disinfection, corrosion control and manganese control. Provisions have also been made for controls, chemical treatment and piping connections for the addition of a future well no. 3 to the system. (One transmission line wetland crossing [replacement] is proposed—General Permit 5—will be obtained).

*Engineer: Samuel D'Alessandro, P. E., RKR Hess Associates, Inc., P. O. Box 268, East Stroudsburg, PA 18301.*

**5497501.** Public water supply. **Minersville Water Filtration Plant**, James Cleary, Manager, Minersville Borough Authority, 2 East Sunbury Street, Minersville, PA 17954. This proposal involves installation of chemical feed equipment for addition of soda ash and potassium

permanganate for pH adjustment and oxidation of iron during summer months when iron bacteria hinder plant operation.

*Engineer: Edward E. Davis, Sr., P. E., WJP Engineers, 1406 Laurel Boulevard, Pottsville, PA 17901.*

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

**A. 6593502-A1.** **New Florence Water Authority**, P. O. Box 263, New Florence, PA 15944. Installation of a pitless adapter, submersible pump and electrical service to utilize a well as a supplemental source of water serving St. Clair Township, **Westmoreland County**.

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

**A. 1596504.** Public water supply. **Elverson Water Company, Inc.**, 26 E. Main Street, Elverson, PA 19520. This proposal involves the use of well no. 4 as an additional source of supply for the Elverson Water Company located in Elverson Borough, **Chester County**.

**A. 0997506.** Public water supply. **Northampton Bucks County Municipal Authority**, 111 Township Road, Richboro, PA 18954. This proposal involves the construction of a 3 million gallon storage tank along with a booster pump station in Northampton Township, **Bucks County**.

**A. 0997505.** Public water supply. **Peddler's Village Partnership**, P. O. Box 218, Lahaska, PA 18931. This proposal involves the use of well no. 3 in place of well no. 2 in providing a second source of supply for Peddler's Village, Penn's Market II commercial development, and the proposed Stone Ridge Development in Solebury Township, **Bucks County**.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**Under Act 2, 1995**

### Preamble 1

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

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

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:

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

**Union Tank Car Company, City of Altoona, Blair County.** Union Tank Car Company, 151st Street and Railroad Avenue, East Chicago, IN 46312, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror* on March 14, 1997.

## SOLID AND HAZARDOUS WASTE

### BENEFICIAL USE DETERMINATIONS

**Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning and Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

**General Permit Application No. WMGR053. Environmental Coordination Services and Recycling, Inc.,** R. D. 2, Box 250A-1, Cochranon, PA 16314. An application for the processing of consumer commodity containers (for example, plastic, glass, metal, and the like) containing food items and health care products. The contents of the containers will be removed and reused when possible; the containers will be cleaned, separated, shredded and bulked for recycling.

Comments on the general permit application may be submitted to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in examining the application may make arrangements by calling the Division of Municipal and Residual Waste at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Arrangements can also be made for persons with disabilities who wish to inspect the application. Public comments must be submitted to the Department within 60 days of the date of this notice and may recommend revisions to, and approval or denial of the application.

**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.**

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

**Beneficial Use No. BU10030. Pennridge Waste Water Treatment Authority,** 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960. On January 22, 1997 the Southeast Regional Office received an application from Pennridge Waste Water Treatment Authority for the agricultural utilization of alkaline stabilized biosolids product.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**A. 100585. Waste Management Disposal Services of Pennsylvania, Inc.** (Northwest Sanitary Landfill), 1436 West Sunbury Road, West Sunbury, PA 16061. Major permit modification application for the revision of the landfill's approved groundwater monitoring plan to place three of the monitoring wells on inactive status. The landfill is located in Clay Township, **Butler County**. Permit modification application accepted in Regional Office on March 18, 1997.

**Unpermitted. Armco Inc.,** Butler Operations, P. O. Box 832, Butler, PA 16003-0832, located in Butler Township, **Butler County**. An application to close Sludge Beds 4 and 6 at the Butler Plant was determined to be administratively complete by the Regional Office on March 13, 1997. Sludge Beds 4 and 6 were used as disposal impoundments for lime stabilized waste pickle liquor sludge generated at the Butler Plant.

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

**A. 603452. Summit Level Farm, Land Resource Recycling Management, Inc.,** (1296 High Street, Pottstown, PA 19464). Application for agricultural utilization of sewage sludge to a site in Robeson Township, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Peifer Brothers Farm. Wheelbrator Water Technologies,** (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Oley Township, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Omar Zook Farm. Wheelbrator Water Technologies,** (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Oley Township, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Charles Wagner Farm. Wheelbrator Water Technologies,** (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Oley Township, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Harold Hetrick Farm. Wheelbrator Water Technologies**, (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Oley Township, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Kelcher Farm. Wheelbrator Water Technologies**, (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Oley and Pike Townships, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Levi Lapp Farm. Wheelbrator Water Technologies**, (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Little Britain Township, **Lancaster County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Booncroft Farm. Wheelbrator Water Technologies**, (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Exeter Township, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

**A. 603285. Charles Hetrick Farm. Wheelbrator Water Technologies**, (180 Admiral Cochrane Drive, Annapolis, MD 21401). Application for modification for an agricultural utilization of sewage sludge site in Exeter and Oley Townships, **Berks County**. Application determined to be administratively complete in the Regional Office March 17, 1997.

#### PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

##### INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

**Renewal applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Allegro Carting and Recycling Inc.**, 1024 Jefferson Street, Hoboken, NJ 07030; Frank Savino, Secretary/Treasurer; License No. **PA-HC 0159**; application received March 17, 1997.

**Interboro Disposal and Recycling Corp.**, 1024 Jefferson Street, Hoboken, NJ 07030; Frank Savino, Secretary/Treasurer; License No. **PA-AH 0160**; application received March 17, 1997.

## AIR POLLUTION

### OPERATING PERMITS

**Construct, modify or activate air contaminant sources**

**25 Pa. Code § 129.1**

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

*Regional Office: Northeast Regional Office, Bureau of Air Quality Control, 2 Public Square, Wilkes-Barre, PA 18711-0792.*

The Department intends to issue a Compliance Permit for the air contamination sources and associated air cleaning devices described below for the specified company.

Permit: **48-305-001C**

Source: Coke Oven Battery A Combustion Stack

Company: **Bethlehem Structural Products Corporation (Coke Oven Division)**

Location: 1805 East Fourth Street, Bethlehem, PA 18016

County: **Northampton**

#### Notice of Intent to Issue Title V Operating Permit

##### Title V Operating Permit No. 39-00005

Under 25 Pa. Code 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to Prior Coated Metals, Inc. The facility contains coil coating operations located in Allentown, Lehigh County. The Prior Coated Metals, Inc. contact regarding this application is Gregory Gemgnani, Environmental, Health and Safety Manager, 2233 26th Street S. W., Allentown, PA 18103.

Prior Coated Metals consists of a coil coating operation. As a result of the levels of Volatile Organic Compound (VOC) emissions from the coil coating operations, the facility is considered a major stationary source subject to Title V Operating Permit requirements adopted in 25 Pa. Code 127, Subchapter G. The proposed Title V Operating Permit will incorporate all applicable air quality requirements for each significant source at the facility and does not reflect any change in air emissions from the facility.

Copies of the application, DEP's analysis and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Any person wishing to provide the Department of Environmental Protection with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the Department of Environmental Protection at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comment.
- Identification of the proposed permit (specify permit No. 39-00005).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Michael Safko, Chief, Title V Section, Department of Environmental

Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.

**Title V Operating Permit No. 40-00022**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to Pennsylvania Power & Light Company (PP&L). The facility contains two combustion turbines located in Hazle Township, Luzerne County. The PP&L contact regarding this application is Bradley J. Piatt, Senior Power Production Engineer, 2 North Ninth Street N-5, Allentown, PA 18101.

PP&L consists of two combustion turbines. As a result of the levels of Nitrogen Oxide emissions from the combustion turbines, the facility is considered a major stationary source subject to Title V Operating Permit requirements adopted in 25 Pa. Code 127, Subchapter G. The proposed Title V Operating Permit will incorporate all applicable air quality requirements for each significant source at the facility and does not reflect any change in air emissions from the facility.

Copies of the application, DEP's analysis and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Any person wishing to provide the Department of Environmental Protection with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the Department of Environmental Protection at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comment.
- Identification of the proposed permit (specify permit No. 40-00022).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by Publication in the newspaper or the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Michael Safko, Chief, Title V Section, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.

**Title V Operating Permit No. 46-00039**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to Peco Energy, for its Moser facility. The PECO Energy Moser plant is located in Lower Pottsgrove Township, Montgomery County.

The Moser facility is primarily used for peak electrical production. As a result of the potential level of Nitrogen Oxides (NOx) emitted, Moser is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

The proposed Title V Operating Permit does not adopt any new regulations and does not reflect any change in air emissions from the facility. It incorporates all of the applicable air quality requirements for each source at the existing plant into a single permit as required under Title V of the Clean Air Act Amendments of 1990. Upon final approval, the permit will be issued for a period of 5 years.

An appointment to review the permit application and the draft Title V Operating Permit at the Department's Southeast Regional Office may be scheduled by contacting the Record's Management staff, at (610) 832-6000 between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

A 30 day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and phone number of the person submitting the comments.
- Identification of the proposed permit (specify permit No. TVOP-46-00039).
- Concise statements regarding the relevancy of the information of objections to issuance of the permit. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified on the decision to hold a hearing by publication in this newspaper, or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Francine Carlini, Regional Air Quality Program Manager, Department of Environmental Protection, Southeast Region—Field Operations, 555 North Lane, Suite 6010, Lee Park, Conshohocken, PA 19428, (610) 832-6000.

For additional information, contact Edward J. Brown, Facilities Section Chief, Air Quality Program, at the same address and phone number.

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**Notice of Intent to Issue State Only Operating Permit**

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**Permit No. OP-03-047**

Per 25 Pa. Code § 127.424, the Department intends to issue a facility-wide State Only Operating Permit to Freeport Brick Company, Drawer F, Freeport, PA 16229 for the Freeport Facility operating in Freeport Borough, Armstrong County.

Permit conditions cover all equipment located at the facility, including the No. 1 Tunnel Kiln, the No. 2 Tunnel Kiln, three pans and four screens. Maximum allowable annual emissions (after control) are established at less than 10 tons per year of fluorides, 22 tons per year of NOx, 80 tons per year of SO<sub>2</sub> and 11 tons per year of particulate emissions.

Copies of the application, DEP's analysis, and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at

the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit no. OP-03-047).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, phone (412) 442-4000. For additional information contact Francis D. Condrick, APCE II Air Quality at the same address.

#### Permit No. OP-03-201

Per 25 Pa. Code § 127.424, the Department intends to issue a facility-wide State Only Operating Permit to Peoples Natural Gas Co., 625 Liberty Avenue, Pittsburgh, PA 15222 for the Baum Compressor Station facility operating in Boggs Township, Armstrong County.

Permit conditions cover all equipment located at the facility, consisting of one Cooper-Bessemer GMX-6, 330 hp, integral compressor engine. Maximum allowable annual emissions (after control) are established at less than 50 tons of NOx.

Copies of the application, DEP's analysis, and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit no. OP-03-201).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest

Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, phone (412) 442-4000. For additional information contact Donald F. Rinald, Air Quality Control Engineer II, Air Quality at the same address.

#### Permit No. OP-03-202

Per 25 Pa. Code § 127.424, the Department intends to issue a facility-wide State Only Operating Permit to Peoples Natural Gas Co., 625 Liberty Avenue, Pittsburgh, PA 15222 for the Roaring Run Compressor Station facility operating in Kiskiminetas Township, Armstrong County.

Permit conditions cover all equipment located at the facility, which consists of one Cooper-Bessemer GMX-8, 440 hp, integral compressor engine. Maximum allowable annual emissions (after control) are established at less than 60 tons NOx.

Copies of the application, DEP's analysis, and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit no. OP-03-202).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, phone (412) 442-4000. For additional information contact Donald F. Rinald, Air Quality Control Engineer II, Air Quality at the same address.

#### Permit No. OP-26-020

Per 25 Pa. Code § 127.424, the Department intends to issue a facility-wide State Only Operating Permit to Commercial Stone Co. Inc., (2200 Springfield Pike, Connellsville, PA 15425) for the Rich Hill Pike facility operating in Connellsville Township, Fayette County.

Permit conditions cover all equipment located at the facility, including equipment covered in the Continuous Process Limestone Crushing Plant and the Wet suppression/Dry Collection System. Permit conditions limit fugitive and visible emissions in accordance with 25 Pa. Code §§ 123.1 and 123.2. Maximum annual emissions (after control) are estimated at 12 tons/year PM-10.

Copies of the application, DEP's analysis, and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit no. OP-26-020).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, phone (412) 442-4000. For additional information contact Sheri L. Guerrieri, APCEII, Air Quality at the same address.

#### Permit No. OP-26-288

Per 25 Pa. Code § 127.424, the Department intends to issue a facility-wide State Only Operating Permit to Commercial Stone Co., Inc., (2200 Springfield Pike, Connellsville, PA 15425) for the Springfield Pike facility operating in Connellsville Township, Fayette County.

Permit conditions cover all equipment located at the facility, including equipment covered in the Continuous Process Limestone Crushing Plant and the Wet suppression/Dry Collection System. Permit conditions limit fugitive and visible emissions in accordance with 25 Pa. Code §§ 123.1 and 123.2. Maximum annual emissions (after control) are estimated at 40 tons/year of PM-10.

Copies of the application, DEP's analysis, and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit no. OP-26-288).

- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, phone (412) 442-4000. For additional information contact Sheri L. Guerrieri, APCEII, Air Quality at the same address.

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

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

**44-2011.** The Department intends to issue a RACT (Reasonably Available Control Technology) Operating Permit to **Overhead Door Corporation, PA Division** (P. O. Box 110, Lewistown, PA 17044) in Granville Township, **Mifflin County**.

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

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

**44-2011.** The Department intends to issue a RACT (Reasonably Available Control Technology) Operating Permit to **Overhead Door Corporation, PA Division** (P. O. Box 110, Lewistown, PA 17044) in Grandville Township, **Mifflin County**.

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

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

**OP-03-104.** The Department received an Air Quality Operating Permit application from **M & M Lime Co., Inc.**, (R. R. 1, Box 257M, Worthington, PA 16262) for a limestone processing operation at its facility located in West Franklin Township, **Armstrong County**.

**OP-32-199.** The Department received an Air Quality Operating Permit application from **Indiana County**, (1665 Saltsburg Avenue, Indiana, PA 15701) for an incinerator at its Indiana County Animal Shelter located in White Township, **Indiana County**.

**OP-03-036.** The Department received an Air Quality Operating Permit application from **Manor Minerals, Inc.**, (265 South Jefferson Street, Kittanning, PA 16201) for a baghouse on the limestone plant at its Garretts Run Plant located in Manor Township, **Armstrong County**.

**OP-03-159.** The Department received an Air Quality Operating Permit application from **Butler Petroleum Corporation**, (105 Homewood Drive, Butler, PA 16001) for a petroleum products wholesaler operation at its Kittanning Bulk Plant located in East Franklin Township, **Armstrong County**.

**OP-26-041.** The Department received an Air Quality Operating Permit application from **Lafayette Manor, Inc.**, (120 New Salem Road, Uniontown, PA 15401) for a nursing facility at its facility located in Uniontown, **Fayette County**.

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

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

There is a 30-day comment period from this date of publication.

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described below for the specified companies.

Permit: **23-302-130**  
Source: One Boiler  
Company: **Fitzgerald Mercy Hospital**  
Location: Darby  
County: **Delaware**

Permit: **09-310-042B**  
Source: Portable Stone Crushing Plant  
Company: **Naceville Materials**  
Location: Plumstead  
County: **Bucks**

Permit: **09-318-070**  
Source: 2 Spray Paint Booths & 1 Vapor Degreaser  
Company: **Boekel Industries, Inc.**  
Location: Lower Southampton  
County: **Bucks**

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

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

**49-313-032F.** The Department intends to issue an operating permit to **Merck & Company, Inc.** (P. O. Box 600, Danville, PA 17821) for the operation of a pharmaceutical process facility (Avermectin) and associated air cleaning devices in Riverside Borough, **Northumberland County**.

**14-309-003C.** The Department intends to issue an operating permit to **Bellefonte Lime Company, Inc.** (P. O. Box 448, Bellefonte, PA 16823) for the operation of a lime hydrator in Spring Township, **Centre County**.

*Northeast Regional Office: Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

The Department intends to issue an Air Quality Operating Permit for the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **35-318-070A**  
Source: Paint Lines # 1, 2, 3 w/Filters  
Company: **Suckle Corporation**  
Location: City of Scranton  
County: **Lackawanna**

Permit: **35-318-071**  
Source: Paint Line # 4/Panel Filter  
Company: **Suckle Corporation**  
Location: City of Scranton  
County: **Lackawanna**

Permit: **48-310-017C**  
Source: Portable Plant # 3 w/Watersprays  
Company: **Haines & Kibblehouse Incorporated**  
Location: Lower Mt. Bethel Township  
County: **Northampton**

**PLAN APPROVALS**

**Plan Approval Application and Operating Permit for a Portable Source No. AQ-SE-0001**

Under 25 Pa. Code § 127.632 the DEP intends to issue a Plan Approval and Operating Permit for a portable source to Glasgow, Inc., P. O. Box 1089, Glenside, PA 19038-1089 to construct a portable stone crushing plant and associated wet suppression system as described in the applicant's application of October 10, 1995. The plan approval and operating permit will allow the source to be relocated any where within the Commonwealth of Pennsylvania with 30 days prior notice to the Department. The duration of the operating permit is limited to 5 years but may be reissued.

Based on the information provided by the applicant's and DEP's own analysis, this plant will not emit in excess of 6.2 tons/yr of particulate at any site where it is located.

The plant is regulated under 25 Pa. Code § 127.631. It requires that the source be regulated using standardized specifications and conditions.

In order to assure compliance with the applicable standards, the DEP will place the following conditions on the Plan Approval and operating permit.

1. *Source Components*

Primary Feeder  
Primary Impact Crusher  
42" × 41' Conveyor  
5' × 12' Screen  
18" × 31' Conveyor  
42" × 18' Conveyor  
Stacker

2. Dust from paved roads including 250 feet of public highway on either side of the access road shall be controlled through daily cleaning by a pressurized water truck or a vacuum road sweeper. Dust from unpaved roads shall be controlled through the use of water sprays or dust suppressants applied on a preventative basis.

3. The portable stone crushing plant shall only be operated at quarry or along the right-of-way of a road construction project. The portable stone crushing plant shall not be operated within 300 feet of an occupied building. The Department retains the right to limit the operation's operating hours at any site in a residential area.

Nothing in this plan approval and operating permit shall relieve the owner or operator from complying with any county or local ordinances or requirements.

4. The portable stone crushing plant shall be limited to the processing of:

virgin aggregate  
asbestos free recycled aggregate

asbestos free recycled asphalt products (RAP)  
concrete  
glass  
other highway aggregate paving materials

The portable stone crushing plant shall not be used to process any materials contaminated with waste oils, hazardous waste or asbestos.

5. The water spray dust suppression system associated with the aforementioned sources shall be operated on any and all occasions that the respective sources are operated, except in those unusual instances where conditions are such that operation of the sources without the simultaneous operation of the water spray dust suppression system can take place without creating air contaminant emissions in excess of the limitations specified in any applicable Department rule or regulation and any applicable New Source Performance Standards (NSPS) requirement. If, however, the water spray dust suppression system associated with the aforementioned sources is incapable of operation due to weather conditions or any other reason the aforementioned sources may not be operated at all.

6. The source shall install a water spray dust suppression system at all material stockpiles, aggregate transfer points, crushing and screening systems, and other surfaces which may give rise to airborne dusts. Spray nozzles shall be located at all transfer points of the portable plant.

7. All trucks transporting crushed aggregate or materials listed in Condition 4 above shall be covered when using roads in public use.

8. If at any time it is determined that the use of any roadways and/or any material stockpiling operations associated with the sources is causing the emission of fugitive particulate matter in excess of the limitations specified in section 123.2 of Chapter 123 of Article III of the Rules and Regulations of the Department of Environmental Protection or if it is determined that all reasonable actions to prevent fugitive particulate matter resulting from the use of such roadways and/or material stockpiling operations from becoming airborne are not being taken the company shall take immediate steps, including the use of additional fugitive particulate matter control techniques, to correct the situation.

9. Prior to initial startup the portable stone crushing plant shall meet the requirements of the New Source Performance Standards, 40 CFR 60, Subpart 000 for nonmetallic mineral processing plants. The owner or operator shall demonstrate compliance with the opacity standard within 60 days of the plants initial startup.

10. This source is subject to Subpart 000 of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals, and other communications to both EPA and the Department. The EPA copies shall be forwarded to Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 841 Chestnut Street, Philadelphia, PA 19107.

11. At least 30 days prior to the initial opacity test required under Condition 10 above, the Regional Air Quality Manager shall be informed of the date and time of the test.

12. Within 30 days after the opacity tests, two copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Manager for approval.

13. Prior to relocation of the portable stone crushing plant, the owner or operator shall apply to the Department using the appended form in conformance with 25 Pa. Code § 127.641. The owner or operator shall not relocate the portable stone crushing plant until it has received prior written approval from the Department. This requirement does not relieve the owner or operator from securing any necessary local approvals.

14. This operating permit for the portable stone crushing plant is contingent upon the wet suppression system being installed, and the sources and all associated air cleaning devices being maintained and operated, as described in the application and supplemental materials submitted for plan approval and that any air contaminants emitted from the sources are in compliance with the requirements specified in Article III of the Rules and Regulations of the Department of Environmental Protection including Federal New Source Performance Standards, 40 CFR Part 60.

Any person wishing to provide DEP with additional information they believe should be considered prior to the issuance of the Plan Approval and Operating Permit may submit the information to the address shown below. Each written comment shall include the following:

1. Name, address and telephone number of the person submitting the comments.
2. Identification of the proposed Plan Approval and Operating Permit (specify Plan Approval No. AQ-SE-0001).
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval and Operating Permit.

A complete copy of the portable stone crushing plant application may be obtained by contacting Sonia Smith at the Southeast Regional Office, telephone (610) 832-6003.

The Department requests written comments on the proposed plan approval and operating permit. Notice and opportunity for comment will also be provided to the U. S. Environmental Protection Agency and the States of Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. Interested persons may submit written comments, suggestions or objections to John Petrella, Air Quality, Department of Environmental Protection, Southeast Regional Office, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428. Public comments must be submitted to the Department within 45 days of the date of this notice. Comments received by facsimile will not be accepted.

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

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

**29-3001.** Installation of a rotoblast unit controlled by a fabric filter and a paint booth controlled by dry filter pads by **JLG Industries, Inc.—Equipment Services Division** (1 JLG Drive, McConnellsburg, PA 17233) in Ayr Township, **Fulton County**.

**36-304-055E.** Installation of two fabric collectors by **Grinnell Corporation** (1411 Lancaster Avenue, Columbia, PA 17512) in Columbia Borough, **Lancaster County**.

**36-309-055B.** Modification to an existing limestone pulverizing plant by **Martin Limestone, Inc., Weaverland**

**Quarry** (P. O. Box 550, Blue Ball, PA 17506) in East Earl Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

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

**49-320-001.** Construction of a fiberboard printing operation by the **Celotex Corporation** (P. O. Box 267, Sunbury, PA 17801) in the City of Sunbury, **Northumberland County**.

*Northeast Regional Office: Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

An application for Plan Approval has been received by this office for construction, modification or reactivation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **40-313-030B**

Source: Polymer Plants 1 and 2 w/2 Oxidizers

Received: March 3, 1997

Company: **KAMA Corporation**

Location: City of Hazleton

County: **Luzerne**

Permit: **45-323-002**

Source: Pyrolysis Oven w/Afterburner

Received: March 4, 1997

Company: **United Steel Products Company**

Location: East Stroudsburg Borough

County: **Monroe**

Permit: **48-313-079**

Source: Pigment Manufacturing w/Baghouse

Received: March 7, 1997

Company: **M A Hanna Color Company**

Location: City of Bethlehem

County: **Northampton**

Permit: **48-317-017**

Source: Baking Oven w/Catalytic Oxidizer

Received: March 11, 1997

Company: **Maiers Bakery Company**

Location: Palmer Township

County: **Northampton**

**REASONABLY AVAILABLE CONTROL  
TECHNOLOGY  
(RACT)**

**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.**

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

There is a 30 day comment period from this date of publication.

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

Permit: **OP-46-0056**

Source: Synthetic Minor NOx/VOC Facility

Company: **Hale Products, Inc.**

Location: Conshohocken

County: **Montgomery**

## MINING

### CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. 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*

**32970103. General Mining, Inc.** (R. D. 2, Box 194, Avonmore, PA 15618), commencement, operation and restoration of bituminous strip-auger mine in Young Township, **Indiana County**, affecting 113.0 acres, receiving stream Marshall Run and unnamed tributaries to Marshall Run, application received March 13, 1997.

**32860103.** Permit renewal, **Kraynak Coal Company** (R. D. 1, Mahaffey, PA 15757), commencement, operation and restoration of bituminous strip mine in Green and Rayne Townships, **Indiana County**, affecting 122.2 acres, receiving stream discharge to unnamed tributaries of Dixon Run, application received March 21, 1997.

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

**04970101. Kerry Coal Company** (P. O. Box 19, Portersville, PA 16051). Application received for commencement, operation and reclamation of a bituminous surface mine located in Darlington Township, **Beaver County**, proposed to affect 316.6 acres. Receiving streams unnamed tributaries to Dilworth Run, Coalbank Run, and North Fork Little Beaver Creek; Coalbank Run, North Fork Little Beaver Creek to Little Beaver Creek to the Ohio River. A social and economic justification is included. Application received March 12, 1997.

**63910103R. Pangeris Coal Company** (165 Old McKee Road, Oakdale, PA 15071). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Robinson Township, **Washington County**. Receiving streams unnamed tributary to Robinson Run and Little Raccoon Run. Renewal application received March 19, 1997.

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

**17910124. Al Hamilton Contracting Co.** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Brady and Penn Townships, **Clearfield County** affecting 393 acres, receiving streams an unnamed tributary of Laurel Branch Run to Laurel Branch Run; unnamed tributaries to Beech Run, and Beech Run; Beech Run and Laurel Branch Run to east branch Mahoning Creek, east branch Mahoning Creek to Mahoning Creek, Mahoning Creek to the Allegheny River, application received March 3, 1997.

**17840117. K & J Coal Co., Inc.** (P. O. Box 189, Westover, PA 16692), permit revision for a Change In Land Use from forestland to pastureland or land occasionally cut for hay, Jordan Township, **Clearfield County**, application received March 6, 1997.

**17970102. EnerCorp, Inc.** (R. D. 2, Box 236, Morrisdale, PA 16858), commencement, operation and restoration of a bituminous surface mine permit in Graham Township, **Clearfield County** affecting 58.9 acres, receiving streams Alder Run, Flat Run, application received March 10, 1997.

**17733009. R. S. Carlin, Inc.** (P. O. Box 395, Snow Shoe, PA 16874), revision to an existing bituminous surface mine permit to allow the use of biosolids from the City of York, Lehigh County Pretreatment Facility, or the Valley Forge Sewer Authority in place of commercially available nutrient products, to fertilize and revegetate strip mined land at the Carlin Mine Site 22, Snow Shoe

Township, **Centre County** affecting approximately 122.5 acres, application received March 14, 1997.

**17970103. Ecklund Coal Co., Inc.** (R. D. 1, Box 109, Irvona, PA 16656), commencement, operation and restoration of a bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 33.2 acres, receiving streams Alexander Run to Clearfield Creek, application received March 18, 1997.

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

**33860108. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Renewal of an existing bituminous surface strip operation in Winslow Township, **Jefferson County** affecting 46.0 acres. Receiving streams an unnamed tributary to Trout Run. Application for reclamation only. Application received March 10, 1997.

**16830107. Dunamis Resources, Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650). Transfer of an existing bituminous surface mine operation in Perry and Toby Townships, **Clarion County** affecting 124.0 acres. Receiving streams an unnamed tributary to Fiddlers Run. Transfer from Crispin Contracting, Inc. Application received March 12, 1997.

**16920104. Ancient Sun, Inc.** (P. O. Box 129, Shippenville, PA 16254). Renewal of an existing bituminous surface strip operation in Perry and Toby Townships, **Clarion County** affecting 89.9 acres. Receiving streams an unnamed tributary to Black Fox Run and Black Fox Run. Application received March 14, 1997.

**102896-16960109-E-2. Milestone Crushed, Inc.** (521 South Street, Clarion, PA 16214). Application for a stream encroachment to construct a haulroad across Dunlap Creek for the purpose of connecting the mine site with a preparation plant in Perry Township, **Clarion County**. Application received March 18, 1997.

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

**32921302. Helvetia Coal Company**, (P. O. Box 729, Indiana, PA 15701), to revise the permit for the Marshall Run bituminous deep mine in Young Township, **Indiana County** to add 4 inch vent borehole, no additional discharge. Application received March 17, 1997.

**30753712. Cyprus Emerald Resources Corporation**, (145 Elm Drive, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald No. 1 Coal Refuse Disposal Area in Franklin Township, **Greene County** for sludge utilization, no additional discharge. Application received March 10, 1997.

**30743702. Consolidation Coal Company**, (200 Hidden Valley Road, McMurray, PA 15317), to renew the permit for the Blacksville No. 1 Refuse Area in Wayne Township, **Greene County**, no additional discharge. Application received February 13, 1997.

**10841302. BethEnergy Mines, Inc.**, (P. O. Box 143, Eighty Four, PA 15330-0143), to renew the permit for the Fawn No. 91 bituminous deep mine in Clinton Township, **Butler County** for renewal-reclamation only, no additional discharge. Application received March 7, 1997.

**17921604. Waroquier Coal Company**, (P. O. Box 128, Clearfield, PA 16830), to revise the permit for the Truck Tipple in Lawrence Township, **Clearfield County** to add .4 permit acres and enclose 380 feet of stream, no additional discharge. Application received February 18, 1997.

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

**54860205R2. Cass Contracting Company**, (Box 1040, 101 North Centre Street, Pottsville, PA 17901), renewal to existing coal refuse disposal, bank and reclamation operation in Norwegian Township, **Schuylkill County**, affecting 33.0 acres, receiving stream Schuylkill River. Application received March 12, 1997.

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

*Noncoal Permits Received*

**58930301C. Red Oak Sand and Gravel, LLC**, (P. O. Box 25, Kingsley, PA 18826), name change from Richard S. Masters in Oakland Township, **Susquehanna County** affecting 26.0 acres, receiving stream none. Application received March 14, 1997.

**40870301C3. Small Mountain Quarry, Inc.**, (125 Warren Street, West Hazleton, PA 18201), renewal of NPDES Permit #PA0593818 in Dorrance Township, **Luzerne County**, receiving stream Balliet Run and Warrior Creek. Application received March 20, 1997.

## APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

### ENCROACHMENTS

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

In addition to permit applications, the Bureau of Dams, Waterways and Wetlands (BDWW) and the Regional Office Soils and Waterways Sections have assumed primary responsibility for processing requests for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), for projects requiring both a Dam Safety and Encroachments Permit, and a United States Army Corps of Engineers (ACOE) permit. Section 401(a) of the Federal Water Pollution Control Act requires the State to certify that 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.*

**E06-488. Encroachment. Blase L. Gavlick**, Foundation for the Reading Public Museum, 500 Museum Road, Reading, PA 19611-1412. To construct a parking area within the floodway of Wyomissing Creek at a point at Museum Road and Parkside Drive South (Reading, PA Quadrangle N: 14.1 inches; W: 10.7 inches) in Reading City, **Berks County**.

**E07-277. Encroachment. R & M Family Limited Partnership**, Robert Pennington, 300 Union Avenue, Altoona, PA 16602. To remove an existing 36 inch diameter rap, 200 foot long stream enclosure and to construct and maintain a precast concrete box culvert stream enclosure having a span of 6.0 feet and a rise of 3.0 feet and a length of 365 feet which will require the relocation of about 500 feet of a partially enclosed stream channel of an unnamed tributary to the Beaverdam Branch of the Juniata River located along the north side of Newry Lane (SR 2012), 1.6 miles east of Hollidaysburg (Hollidaysburg, PA Quadrangle N: 8.5 inches; W: 4.6 inches) in Blair Township, **Blair County**.

**E21-262. Encroachment. Mark McNaughton**, The McNaughton Company, 4400 Deer Path Road, Harrisburg, PA 17110. To place fill material in a 0.05 acre deminimus wetland in order to construct a berm of a proposed detention pond of Westbury—Phase IV and VI subdivision located on the north side of PA 944 (Wertzville Road) and about 0.8 mile west of the I-81 and PA 944 intersection (Harrisburg West, PA Quadrangle N: 7.0 inches; W: 17.25 inches) in Hampden Township, **Cumberland County**.

**E44-085. Encroachment. Granville and Oliver Townships**, Edward Fike, 1 Helen Street, Lewistown, PA 17044. To remove an existing structure and to construct and maintain a single span composite prestressed concrete spread box beam bridge in Strodes Run having a clear normal span of 30.0 feet and a minimum underclearance of about 7.0 feet located on Strodes Run Road (T-710) about 1,400 feet north of its intersection with US Route 22/522 (Belleville, PA Quadrangle N: 9.5 inches; W: 7.0 inches) in Granville and Oliver Townships, **Mifflin County**.

**E50-182. Encroachment. Robert Mumper**, Toboyne Township, R. D. 1 Box 168, Blain, PA 17006. To remove a damaged existing bridge and to construct and maintain a bridge having a clear span of 37 feet and an underclearance of 6 feet across the channel of Shaeffer Run at a point at Black Hollow Road (Blain, PA Quadrangle N: 5.0 inches; W: 5.5 inches) in Toboyne Township, **Perry County**.

**E50-183. Encroachment. John Rautzahn**, Dept. of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove an existing structure and to construct and maintain a bridge having a clear span of 27.4 feet and an underclearance of 3.93 feet across the channel of Muddy Run at a point at SR 0274-007 (Landisburg, PA Quadrangle N: 21.0 inches; W: 13.5 inches) in Tyrone Township, **Perry County**.

**E67-584. Encroachment. Hoss's Steak & Sea House**, John Young, One 764 Plaza, P. O. Box 1018, Duncansville, PA 16635. To enclose 250 linear feet of an unnamed tributary to Kreutz Creek to expand an existing parking lot at Hoss's Restaurant located south of SR 0462 approximately 4.8 miles east of I-83 (York, PA Quadrangle N: 19.4 inches; W: 3.9 inches) in Springettsbury Township, **York County**.

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

**E27-054.** Encroachment. **Department of Transportation**, Engineering District 1-0, 1140 Liberty Street, Franklin, PA 16323-1289. To remove existing steel I-Beam bridge and to construct and maintain a 14-foot-wide by 8-foot-high reinforced concrete box culvert on a 60° skew across Blue Jay Creek (HQ-CWF, Trout Stocked, Wild Trout). The project is on SR 1003 across Blue Jay Creek approximately 4,000 feet northwest of the intersection of SR 1003 and SR 0066 located in the Village of Pigeon. This project will also include placement of the bottom of the box culvert 1 foot below existing stream bed elevation to allow for passage of aquatic organisms (Lynch, PA Quadrangle N: 7.3 inches; W: 7.7 inches), located in Howe Township, **Forest County**.

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

**E41-399.** Encroachment. **Department of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To pave and maintain the streambed beneath the bridge that carries SR 1006-0210/1605 across an unnamed tributary to Wallis Run for bridge abutment and wingwall scour protection. The proposed activities shall consist of placing cement in scoured footing areas and paving the streambed with 6 inches of concrete. The project is located along the northern right-of-way of SR 1006 approximately 125.0 feet east of the intersection of Frymire Road and SR 1006 (Barbours, PA Quadrangle N: 7.3 inches; W: 16.0 inches) in Cascade Township, **Lycoming County**. Estimated stream disturbance is 26.0 linear feet with no wetland impact; stream classification is High Quality-Cold Water Fishery.

*Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.*

**E02-243-A1.** Encroachment. **Patricia Ancarana**, 401 River Road, Port Vue, PA 15132. To amend Permit No. E02-243 to construct and maintain an additional docking facility in the Youghiogheny River (WWF) located 0.3 mile from the Monongahela River (McKeesport, PA Quadrangle N: 17.9 inches; W: 16.8 inches) in Port Vue, **Allegheny County**.

**E02-1182.** Encroachment. **DGS/Engineering & Architecture**, 18th and Herr Sts., Harrisburg, PA 17125. To construct and maintain a flood protection project along McLaughlin Run for the purpose of preventing flooding to McLaughlin Run Extension starting above Church Road and ending below Couch Road (Bridgeville, PA Quadrangle N: 14.5 inches; W: 6.7 inches). The project is to consist of a debris basin, 2,460 feet of a box culvert, and a 567-foot, 12' wide x 6 to 7' deep concrete channel with 247 feet of trapezoidal grouted riprap channel which will be 20 feet wide at the bottom with 1 to 1 slope and 4.5-foot depth. The project is in Bethel Park Borough, **Allegheny County**.

**E02-1183.** Encroachment. **Town of McCandless**, 9955 Grubbs Road, Wexford, PA 15090. To remove existing structure and to construct and maintain a 4.5' x 8' box culvert, 40' long in Little Pine Creek (TSF) located on Remington Drive approximately 1,000' north of Remington and Peebles Road (Emsworth, PA Quadrangle N: 11.5 inches; W: 2.0 inches) in Town of McCandless, **Allegheny County**.

**E02-1184.** Encroachment. **Richland Township**, 4011 Dickey Road, Gibsonia, PA 15044. To remove existing structure and to construct and maintain two culvert extensions, one 8' x 6' and one 7' x 5', each 32' long in

Willow Run (TSF) and an unnamed tributary to Willow Run for the purpose of improving the intersection of Grubbs Road and SR 910 (Valencia, PA Quadrangle N: 0.9 inch; W: 13.1 inches) in Richland Township, **Allegheny County**.

**E56-276.** Encroachment. **John J. Cable**, 126 Soap Hollow Rd., R. R. 2, Holsopple, PA 15935. To remove approximately 200 feet of existing CMP stream enclosure and to restore and stabilize the channel of an unnamed tributary to the South Fork of Bens Creek (HQ-CWF) for purpose of eliminating erosion and sedimentation. The project is located near intersection of Soap Hollow Road and Moonlite Park Road (Hooversville, PA Quadrangle N: 18.6 inches; W: 14.3 inches) in Conemaugh Township, **Somerset County**.

**E63-066-A1.** Encroachment. **Dredge Docks, Inc.**, 1231 River Avenue, Pittsburgh, PA 15212. To amend Permit No. E63-066 to extend existing barge loading facility 175 feet with a mooring area 140 feet wide along the left bank of the Monongahela River (WWF) near Mile Marker 38.9 (Monongahela, PA Quadrangle N: 7.1 inches; W: 0.4 inch) in Carroll Township, **Washington County**.

**E63-425.** Encroachment. **Joseph J. and Patricia K. Salandra**, 49 Locust Street, Muse, PA 15350. To operate and maintain the relocated channel of an unnamed tributary to Brush Run and the existing 4-foot diameter culvert in an unnamed tributary to Brush Run located just southwest from the intersection of School Street and Locust Avenue on the East side of Main Street (Canonsburg, PA Quadrangle N: 7.8 inches; W: 10.5 inches) in Cecil Township, **Washington County**.

**E63-426.** Encroachment. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To construct and maintain the following as part of the construction of 2.9 miles of divided, limited access highway known as the Mon/Fayette Expressway, Construction Section 52H: 820' of culvert in Hustin Run (WWF); 965' of culvert in an unnamed tributary to Peters Creek; 40' of culvert in Peters Creek (TSF); 370' of channel relocation in an unnamed tributary to Mingo Creek (TSF); 444' of channel relocation in an unnamed tributary to Hustin Run; 65' of channel relocation in Hustin Run; 227' of channel relocation in Peters Creek; 2582' of channel relocation in an unnamed tributary to Peters Creek; and fill placement in 0.32 acre of wetlands (PEM). The wetland will be replaced under the 4.5 acre of replacement wetlands approved under DEP File No. E02-1132. The project begins off of Finleyville Elrama Road (Monongahela and Glassport PA Quadrangles) in Union Township, **Washington County**.

**E63-427.** Encroachment. **Eighty Four Development Corp.**, P. O. Box 177, Eighty Four, PA 15330. To relocate, enclose and maintain two unnamed tributaries to Chartiers Creek (HQ-WWF) and to place and maintain fill in 0.19 acre of wetlands for the purpose of expanding the Franklin Mall located east of the intersection of Ridgewood Drive and Interstate Route 70 (Washington West, PA Quadrangle N: 5.3 inches; W: 4.5 inches) in North Franklin Township, **Washington County**.

**E63-428.** Encroachment. **Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove the existing dual bridges and to construct and maintain dual, three-span bridges having clear spans of 80.5 feet, 83.0 feet, and 52.5 feet, and an underclearance of 36.5 feet over Tenmile Creek (TSF). During pier removal and construction, temporary causeways and cofferdams will be constructed and maintained. The project is located at the

Marianna Exit off of I-79, approximately 1.3 miles north of the Greene-Washington County line (Amity, PA Quadrangle N: 3.2 inches; W: 7.1 inches) in Amwell Township, **Washington County**.

**E65-664.** Encroachment. **Continuing Care Concepts Inc.**, c/o Dataplan Inc., 347 Franklin St., Slippery Rock, PA 16057. To place and maintain fill in 0.2 acre of wetlands (PEM) for the purpose of constructing a 38-bed patient care facility along old William Penn Highway (Murrysville, PA Quadrangle N: 8.4 inches; W: 2.9 inches) in the Municipality of Murrysville, **Westmoreland County**.

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

**E40-461.** Encroachment. **Rose Marie Kovalski and Mary Smulowitz**, 17 Beaumont Street, Wilkes-Barre, PA 18702. To maintain an existing dock, having a width of approximately 10 feet, extending approximately 20 feet from the shoreline; to construct and maintain a stone masonry retaining wall and to place fill behind the retaining wall, extending approximately 5 feet lakeward from the shoreline for a length of approximately 50 feet along the shoreline, for the purpose of constructing a parking area; and to construct and maintain a dock and boathouse, having overall dimensions of 30 feet by 30 feet, extending lakeward from the retaining wall in Harveys Lake (HQ-CWF). Work on the retaining wall/fill is partially complete. The project is located at Pole #229, Lakeside Drive (Harveys Lake, PA Quadrangle N: 21.0 inches; W: 6.0 inches), in Harvey's Lake Borough, **Luzerne County** (Baltimore District, Army Corps of Engineers).

**E52-149.** Encroachment. **Harry and Barbara Buchanan**, R. R. 4, Box 4200, Milford, PA 18337. To construct and maintain approximately 720 L. F. of channel relocation and two 8-foot by 5-foot precast concrete box culverts, 80 feet apart, in the relocated channel of Crawford Branch Creek (HQ-CWF). This project will provide buildable area for the proposed Terryview Properties Shopping Center, located on the north side of Route 6/209, 2 miles east of Milford Borough (Milford, PA Quadrangle N: 15.8 inches; W: 4.2 inches) in Milford Township, **Pike County** (Philadelphia District, Army Corps of Engineers).

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

**E15-329.** Encroachment. **Department of Transportation**, 200 Radnor Chester Road, St. Davids, PA 19087. To remove the existing structure and to construct and maintain a bridge having a clear span of 48.5 feet on a 60° skew with an underclearance of 8.9 feet across Hodgson Run at 119+83 on S. R. 3005 (L. R. 15015), Segment 0020, Offset 1560, located on Lewisville-New London Road approximately 0.4 mile northeast of the intersection of Lewisville-New London Road, Rudolphs Camp Bonsall Road and Thunderhill Road, (West Grove, PA-DEL Quadrangle N: 0.45 inches; W: 16.9 inches) in New London Township, **Chester County**.

#### ENVIRONMENTAL ASSESSMENT

**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.**

*DEP Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 787-8568.*

**EA16-001C0.** Environmental assessment. **GPU Generation, Inc.** (100 Broad Street, Johnstown, PA 15907-2498). To construct a temporary cofferdam consisting of synthetic bags filled with concrete (grout) in the Clarion River (CWF) immediately below Piney Dam. The temporary cofferdam will be approximately 300 feet long by 14 feet high and is needed to dewater the downstream toe of the dam to facilitate repairs and restoration work to the dam. (Clarion, PA Quadrangle N: 12.1 inches; W: 8.2 inches) in Piney and Paint Townships, **Clarion County**.

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

*Environmental Assessment and Request for 401 Certification*

**EA04-001SW.** **Bureau of Abandoned Mine Reclamation**, P. O. Box 8476, Harrisburg, PA 17105-8476. To place and maintain fill in 0.94 acre of wetlands (PEM) and 1.64 acres of open water as part of a restoration of an abandoned strip mine which will eliminate dangerous highwalls. The project is located 1,800 feet east of Stateline Road (East Liverpool North, OH-PA-WV Quadrangle: N: 22.2 inches; W: 1.2 inches) in South Beaver Township, **Beaver County**.

## ACTIONS

### FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

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

(Part I Permits)

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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.

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

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

**WQM Permit No. 1694201.** Industrial waste. **County Environmental of Clarion**, P. O. Box 237, Leeper, PA 16233. This is for an amendment to construct and operate a municipal leachate treatment system in Farmington Township, **Clarion County**.

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

**NPDES Permit No. PA0057061.** Sewerage. **Upper Frederick Township**, P. O. Box 597, Frederick, PA 19435 and **JRP Development LTD**, 210 Bassett Court, Limerick, PA 19468 is authorized to discharge from a facility located in Upper Frederick Township, **Montgomery County** into Scioto Creek.

**NPDES Permit No. PA0057070.** Sewerage. **Helen Pepe**, No. 5, Dudie Drive, Newtown Square, PA 19073 is authorized to discharge from a facility located in Newtown Township, **Delaware County** into an unnamed tributary to Hunter Run.

**NPDES Permit No. PA0036447.** Industrial waste. **Naval Ship System's Engineering Station**, Naval Surface Warfare Center—Carderock Division, Philadelphia Naval Base, Philadelphia, PA 19112-5083 is authorized to discharge from a facility located in the City of Philadelphia, **Philadelphia County** into the Delaware Estuary—Zone 4.

**NPDES Permit No. PA0036455.** Industrial waste. **Naval Facilities Engineering Command—Northern Division**, Philadelphia—Naval Complex, South Broad Street, Philadelphia, PA 19112 is authorized to discharge from a facility located in the City of Philadelphia, **Philadelphia County** into the Delaware and Schuylkill Rivers.

**NPDES Permit No. PA0054194.** Sewerage. **The West Company**, 101 Gordon Drive, Lionville, PA 19341-0645 is authorized to discharge from a facility located in the Borough of Phoenixville, **Chester County** into the French Creek.

**Permit No. 1597401.** Sewerage. **Oxford Area Sewer Authority** (P. O. Box 380, 401 Market Street, Oxford, PA 19636-0380). For the upgrade and modifications to a pump station located in Oxford Township, **Chester County** to serve Sixth Street Pump Station.

**Permit No. 1593412.** Amendment No. 1. Sewerage. **Uwchlan Township** (P. O. Box 255, Lionville, PA 19353). Replacement of chlorine disinfection system with UV disinfection located in Uwchlan Township, **Chester County** to serve Eagleview Corporate Center.

**Permit No. 4697402.** Sewerage. **Worcester Township** (1721 Valley Forge Road, P. O. Box 767, Worcester, PA 19490). Construction of a gravity sewer system, pump station and force main located in Worcester Township, **Montgomery County** to serve Chadwick Place Residential Development.

**Permit No. 2396405.** Amendment No. 1. Sewerage. **Claude de Botton** (1604 Walnut Street, Philadelphia, PA 19103). Approval to change the location of Monitoring Well MW3 located in Edgmont Township, **Delaware County** to serve Regal Theater Wastewater Treatment Plant.

**Permit No. 4696416.** Amendment No. 1. Sewerage. **West Norriton Township Municipal Authority** (1634 West Marshall Street, Jeffersonville, PA 19403). Construction of sewers and appurtenances located in West Norriton Township, **Montgomery County** to serve Port Indian Road Pump Station.

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

**NPDES Permit No. PA0090522.** Industrial waste, **Gabriel Sacco**, Box 368, Ridge Road, Ambridge, PA 15003 is authorized to discharge from a facility located at Sacco Disposal Site (Ambridge Landfill), Ambridge Borough, **Beaver County** to Ohio River.

**NPDES Permit No. PA0026581.** Sewage, **Westmoreland-Fayette Municipal Sewage Authority**, P. O. Box 126, Scottdale, PA 15683 is authorized to discharge from a facility located at Scottdale Sewage Treatment Plant, Scottdale Borough, **Westmoreland County**.

**NPDES Permit No. PA0027669.** Amendment No. 1. Sewage, **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237 is authorized to discharge from a facility located at Pine Creek STP, Hampton Township, **Allegheny County**.

**NPDES Permit No. PA0028177.** Amendment No. 1. Sewage, **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237 is authorized to discharge from a facility located at A & B STP, McCandless Township, **Allegheny County**.

**NPDES Permit No. PA0031470.** Sewage, **Penns Manor Area School District**, R. D. 2, Box 446, Clymer, PA 15728-9434 is authorized to discharge from a facility located at Penns Manor Area High School Sewage Treatment Plant, Cherryhill Township, **Indiana County** to Rose Run.

**NPDES Permit No. PA0096997.** Sewage, **New Plan Realty Trust**, 1120 Avenue of the Americas, New York, NY 10036 is authorized to discharge from a facility located at Cross Roads Plaza Sewage Treatment Plant, East Huntingdon Township, **Westmoreland County** to unnamed tributary of Jacobs Creek.

**NPDES Permit No. PA0217000.** Amendment No. 1. Sewage, **U. S. Army Corps of Engineers**, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186 is authorized to discharge from a facility located at Maxwell Locks and Dam Small Flow Sewage Treatment Plant, Luzerne Township, **Fayette County**.

**Permit No. 6377204.** Amendment No. 1. Industrial waste, **Langeloth Metallurgical Company**, P. O. Box 608, Langeloth, PA 15054. Construction of industrial inorganic chemicals, located in the Township of Smith, **Washington County** to serve the Langeloth Conversion Plant.

**Permit No. 0396402.** Sewerage, **Edward L. Soloski**, 301 South Jefferson Street, Kittanning, PA 16201. Construction of sanitary sewers and sewage treatment plant located in the Township of East Franklin, **Armstrong County** to serve the Audubon Estates Phase I.

**Permit No. 3279406.** Amendment No. 2. Sewerage, **Borough of Indiana**, 80 North Eighth Street, Indiana, PA 15701. Construction of water pollution control plant, located in the Borough of Indiana, **Indiana County** to Indiana Borough.

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

**Permit No. 3997401.** Sewerage. **Lower Macungie Township Board of Supervisors**, 3400 Brookside Road, Macungie, PA 18062. Permit to construct and operate a sewage collection system to serve the Lehigh Valley South Industrial Park, located in Lower Macungie Township, **Lehigh County**.

**Permit No. 5296201.** Industrial waste. **Milford Laundry and Dry Cleaning, Inc.**, 307 West Harford Street, Milford, PA 18337. Permit to construct and operate industrial wastes treatment facilities to serve Milford Laundry and Dry Cleaning, Inc., located in Milford Borough, **Pike County**.

**Permit No. 6496201.** Industrial waste. **Fox Ledge, Inc.**, R. R. 1, Box 555, Honesdale, PA 18431. Permit to construct and operate industrial wastes treatment facilities to serve Fox Ledge, Inc., located in Mount Pleasant Township, **Wayne County**.

**NPDES Permit No. PA0062910.** Sewerage. **Borough of Bowmanstown**, P. O. Box 127, Bowmanstown, PA 18030 is authorized to discharge from a facility located in Bowmanstown Borough, **Carbon County** to the Lehigh River.

**NPDES Permit No. PA0023051.** Sewerage. **Borough of Palmerton**, 443 Delaware Avenue, Palmerton, PA 18071 is authorized to discharge from a facility located in

Palmerton Borough, **Carbon County** to Aquashicola Creek.

**NPDES Permit No. PA0062766.** Sewerage. **Henry A. Stout**, 6427 Saddle Road, New Tripoli, PA 18066 is authorized to discharge from a facility located in Heidelberg Township, **Lehigh County** to a drainage swale of Jordan Creek.

**NPDES Permit No. PA0062863.** Sewerage. **Pike County Commissioners**, Pike County Administration Building, 506 Broad Street, Milford, PA 18337 is authorized to discharge from a facility located in Blooming Grove Township, **Pike County** to Billing Creek.

**NPDES Permit No. PA0063592.** Sewerage. **Borough of Gilberton**, Municipal Building, Main Street, Gilberton, PA 17934 is authorized to discharge from a facility located in Gilberton Borough, **Schuylkill County** to Mahanoy Creek.

**NPDES Permit No. PA0060186.** Sewerage. **Elk Meadows Association**, R. R. 1, Box 120-B, Uniondale, PA 18470 is authorized to discharge from a facility located in Herrick Township, **Susquehanna County** to an unnamed tributary of east branch Tunkhannock Creek.

#### INDIVIDUAL PERMITS

(PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS101911	Wal-Mart Stores, Inc. 701 South Walton Blvd. Bentonville, AK 72716-0095	Clinton County Bald Eagle Twp.	Bald Eagle Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-D083	Cedarcrest Farm Limited Partnership 1795 South Easton Road Doylestown, PA 18901	Doylestown Township Bucks County	Neshaminy Creek
PAS10-D090	John Hagan, Jr. 6450 Middleton Lane New Hope, PA 18938	Solebury Township Bucks County	Unnamed tributary of Paunacussing Creek
PAS10-G227	Krapf Homes, Inc. 70 Sean Lane Glenmoore, PA 19343	Wallace Township Chester County	East Branch Brandywine Creek/ Delaware Watershed
PAS10-G230	Wooldridge Construction of PA, Inc. 1500 Green Hill Road West Chester, PA 19380	East Goshen Township Chester County	West Branch Ridley Creek
PAS10-G235	William Hammell R. D. 1, Box 301 Honeybrook, PA 19343	West Brandywine Township Chester County	Unnamed Tributary of Beaver Creek

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

**PAS-10-Y058.** Individual NPDES. **Lutheran Social Services**, 1050 Pennsylvania Avenue, York, PA 17404. To implement an Erosion and Sedimentation Control Plan for a residential retirement community to be known as The Village at Sprengle Drive on 32.1 acres in Manchester Township, **York County**. The project is located north of Pennsylvania Avenue 0.5 mile from S. R. 0030 (York, PA Quadrangle N: 20.6 inches; W: 17.4 inches). Drainage will be to Codorus Creek.

**INDIVIDUAL PERMITS  
(PAR)**

**Approvals to use NPDES General Permits**

The following parties have submitted Notices of Intent (NOI) for Coverage under General NPDES Permits to discharge wastewater into the surface waters of the Commonwealth of Pennsylvania. The Department of Environmental Protection approves the following coverages under the specified General Permit. This approval is subject to applicable effluent limitations, monitoring and reporting requirements and other conditions set forth in the General Permit.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.24.

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

List of NPDES General Permits issued by Department of Environmental Protection:

*NPDES General Permit Type*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems

*Facility Location  
County and  
Municipality*

*Permit No.*

*Applicant Name  
and Address*

*Receiving Stream or  
Body of Water*

*Contact Office and  
Telephone No.*

Castle Shannon Allegheny County	PAG056102	Cumberland Farms, Inc. 777 Dedham Street Canton, MA 02021	Sawmill Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Butler Township Butler County	PAG058305	Pennzoil Products Company Purvis Brothers Bulk Plant P. O. Box 2967 Houston, TX 77252	Connoquenessing Crk.	Department of Environmental Protection Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Irwin Township Venango County	PAG058301	BP Oil and Exploration Company 200 Public Square Cleveland, OH 44114	Unnamed Tributary to Slippery Rock Crk.	Department of Environmental Protection Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Snyder Township Jefferson County	PAG058304	Luke's Auto Service Center R. D. 3, Box 66 Route 219 Brockway, PA 15824	Unnamed Tributary to Little Toby Creek	Department of Environmental Protection Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

*Location: Wilmington Township, Lawrence County.*

**Wilmington Township Supervisors**, R. D. 5, Box 469, New Castle, PA 16105.

*Project Description:* The approved plan provides for construction of sewers to replace inadequate onlot systems presently serving six buildings on Pennsylvania Route 158.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

### SAFE DRINKING WATER

#### Permit issued under the Pennsylvania Safe Drinking Water Act (35 P. S. § 721.1—721.17)

*Northcentral Field Operations: Water Supply Management, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**4410166-MA2.** The Department has issued a construction permit to **Foxcroft Manor Mobile Home Park** (P. O. Box 438, Montoursville, PA 17754, Muncy Creek Township, **Lycoming County**) for construction of a 3,000 gallon storage tank and associated booster pumps.

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

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

**Permit No. 5289520.** Public water supply. **Paupack Water Company-Tanglewood Lakes 507 Area**, c/o Harold Gumble, Manager, P. O. Box 257, Hawley, PA 18428. This proposal involves the permitting of an existing public water supply system consisting of two wells, disinfection facilities, one pump station, distribution storage and distribution system. It is located in Palmyra Township, **Pike County**.

*Permit to Operate:* February 21, 1997.

**Permit No. 4894503.** Public water supply. **Heritage Village Water Company**, c/o Larry Turoscy, 435 Main Street, P. O. Box 68, Walnutport, PA 18088. This proposal involves the permitting of a new public water supply to serve a 155 home residential development. The system will consist of two wells, disinfection, storage, booster pumps and a distribution system. The development will discharge to a public sewer system. It is located in Lehigh Township, **Northampton County**.

*Permit to Operate:* March 10, 1997.

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

**Permit No. 0196505.** Public water supply. **Castle Hill Mobile Home Park**, Straban Township, **Adams County**, (David J. Remmel, General Partner, Pike Management, 20 Erford Road, Suite 215, LeMoyne, PA 17043), new well no. 2 to serve the Castle Hill Mobile Home Park. A permitted capacity of 35 gpm is sought for well

no. 2. Proposal also includes modification of treatment facilities to include hypochlorite disinfection and manganese sequestration. The distribution system will also be expanded to serve a total of 44 lots.

**Permit No. 6796504.** Public water supply. **Red Lion Municipal Authority**, Windsor Township, **York County**, (Henry P. Herrman, Red Lion Municipal Authority Chairman, P. O. Box 190, Red Lion, PA 17356), implementation of lead and copper corrosion control program by reducing finished water pH and adding zinc orthophosphate.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### Under Act 2, 1995

##### Preamble 3

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

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

For further information concerning the final report, please contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department has received the following final reports.

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

**Lippert Family Tract**, Carlisle Borough, **Cumberland County**. John Lippert, et al., 1201 Newville Road, Carlisle, PA 17103 has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the background standard.

### SOLID AND HAZARDOUS WASTE

#### LICENSE TO TRANSPORT HAZARDOUS WASTE

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Adcom Express, Inc.**, 17650 Duvan Drive, Tinley Park, IL 60477; License No. **PA-AH A158**; renewal license issued March 18, 1997.

**M. C. Tank Transport, Inc.**, 10134 Mosteller Lane, West Chester, OH 45069; License No. **PA-AH 0489**; renewal license issued March 18, 1997.

**Pennzoil Products Company**, 2 Main Street, Rouseville, PA 16344; License No. **PA-AH 0484**; renewal license issued March 18, 1997.

**Republic Environmental Systems** (Transportation Group), Inc., 21 Church Road, Hatfield, PA 19440; License No. **PA-AH 0317**; renewal license issued March 24, 1997.

**Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Dickson Bulk Services, Inc.**, 453 Lloyd Avenue, Latrobe, PA 15650; License No. **PA-AH 0434**; license terminated March 18, 1997.

## AIR POLLUTION

### OPERATING PERMITS

**Construct, modify or activate contaminant sources**  
**25 Pa. Code § 129.1**

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

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

**65-307-065A.** The Department issued an Air Quality Operating Permit on March 12, 1997, to **Latrobe Steel Company** (2626 Ligonier Street, P. O. Box 31, Latrobe, PA 15650) for a batch heating furnace at its Latrobe Plant located in Latrobe Borough, **Westmoreland County**.

*Northeast Regional Office: Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

The Department has issued the following Air Quality Operating Permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **48-310-017C**  
Source: Portable Plant #3 w/watersprays  
Company: **Haines & Kibblehouse Incorporated**  
Location: Lower Mt. Bethel Township  
County: **Northampton**

### PLAN APPROVALS

**Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4005) and regulations to construct, modify or reactivate air contamination sources or air cleaning devices.**

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

**01-317-007A.** On March 20, 1997, the Department issued a Plan Approval to **Cooperative Milling, Inc.** (1892 York Road, Gettysburg, PA 17325) for the construc-

tion of a feed manufacturing facility at their Gettysburg Feed Plant in Straban Township, **Adams County**.

**05-2002A.** On March 20, 1997, the Department issued a Plan Approval to **Hedstrom Corporation** (P. O. Box 432, Bedford, PA 15522) for the construction of a decorative coating line for rotocasting and associated operations controlled by dry filter pads in Bedford Township, **Bedford County**.

**06-3551.** On March 22, 1997, the Department issued a Plan Approval to **M.P.G., Inc.** (P. O. Box 128, Tipton, PA 19562) for the construction of a graphite manufacturing operation with four fabric collectors at their Robesononia Plant in Robesononia, **Berks County**.

**07-310-020E.** On March 20, 1997, the Department issued a Plan Approval to **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) for the construction of a limestone crushing plant controlled by water sprays and three fabric filters at their Roaring Spring Plant in Taylor Township, **Blair County**. The source is subject to 40 CFR 60, Subpart 000, Standard of Performance for New Stationary Sources.

**21-02003A.** On March 14, 1997, the Department issued a Plan Approval to **Carlisle Tire & Wheel Company** (621 North College Street, Carlisle, PA 17013) for the modification of a No. 2 tire tread extrusion line in Carlisle Borough, **Cumberland County**.

**28-320-005.** On March 17, 1997, the Department issued a Plan Approval to **James River Company, Inc.** (1002 Wayne Avenue, Chambersburg, PA 17201-2924) for the installation of two printing presses in Chambersburg Borough, **Franklin County**.

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

**PA-63-110A.** On March 5, 1997 a Plan Approval was issued to **Corning Consumer Products Company**, (100 Eighth Street, Charleroi, PA 15022) for a dust collector on the mixhouse at its Charleroi Plant facility located in Charleroi Borough, **Washington County**.

**PA-65-590A.** On March 5, 1997 a Plan Approval was issued to **Dormont Manufacturing Company**, (6015 Enterprise Drive, Export, PA 15632) for a cutting saw at its facility located in Penn Township, **Westmoreland County**.

**PA-32-040A.** On March 12, 1997 a Plan Approval was issued to **GPU Generation, Inc.**, (1001 Broad Street, Johnstown, PA 15907) for a NALCO NOxOut Cascade System on Boiler 15 at its Seward Station facility located in East Wheatfield Township, **Indiana County**.

**PA-65-093A.** On March 12, 1997 a Plan Approval was issued to **Hyde Park Foundry & Machine** (Railroad Street, P. O. Box 187, Hyde Park, PA 15641) for a Magnesium Inoculation system at its Hyde Park Facility located in Hyde Park Borough, **Westmoreland County**.

**56-307-001F.** On March 5, 1997, a Plan Approval expiration date was extended to January 1, 1998 for **FirstMiss Steel, Inc.**, (P. O. Box 509, Holsopple, PA 15935) for a baghouse on the oxygen converter at its Stony Creek Plant facility located in Quemahoning Borough, **Somerset County**.

**04-000-033.** On March 5, 1997, a Plan Approval expiration date was extended to June 1, 1997 for **Nova Chemicals, Inc.** (400 Frankfort Road, Monaca, PA 15061) for a thermoplastic resin manufacturing process at its Beaver Valley Plant located in Potter Township, **Beaver County**.

**65-309-033A.** On March 5, 1997, a Plan Approval expiration date was extended to May 1, 1997 for **St. George Crystal**, (P. O. Box 709, Jeannette, PA 15644) for baghouses on the glass melting furnace at its Jeannette Plant located in Jeannette, **Westmoreland County**.

**65-305-048.** On March 12, 1997, a Plan Approval expiration date was extended to April 14, 1997 for **Koppers Industries, Inc.**, (436 Seventh Avenue, Pittsburgh, PA 15229) for a pushing baghouse, a desulfurization unit, and an excess coke oven gas flare on the coke oven battery operations at its Monessen Coke Plant facility located in Monessen, **Westmoreland County**.

**65-305-049.** On March 12, 1997, a Plan Approval expiration date was extended to April 14, 1997 for **Koppers Industries, Inc.** (436 Seventh Avenue, Pittsburgh, PA 15229) for a benzene emissions control system and an ammonia still on the coke by-products recovery plant at its Monessen Coke Plant facility located in Monessen, **Westmoreland County**.

**30-000-099.** On March 12, 1997, a Plan Approval expiration date was extended to July 1, 1997 for **West Penn Power Company**, (800 Cabin Hill Drive, Greensburg, PA 15601) for Low NOx burners with separated ovenfire air on the NOx and VOC sources at its Hatfield Power Station facility located in Monongahela Township, **Greene County**.

**Plan Approval Extensions 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.**

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

**63-305-018.** On March 12, 1997, a Plan Approval expiration date was extended to July 3, 1997 for **Eighty Four Mining Company**, (P. O. Box 284, Eighty Four, PA 15330) for a coal preparation plant at its Mine 60 facility located in Somerset Township, **Washington County**.

**26-305-034.** On March 12, 1997, a Plan Approval expiration date was extended to June 30, 1997 for **Matt Canestrone Contracting, Inc.** (P. O. Box 234, Belle Vernon, PA 15012) for a loading/unloading/stockpiling facility at its Labelle Site facility located in Luzerne Township, **Fayette County**.

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

*Northeast Regional Office: Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

A Plan Approval has been issued by this office for the construction, modification, reactivation or operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **39-309-054**  
Source: Cement Silos/Group (s) w/baghouse  
Issued: March 4, 1997  
Company: **Lafarge Corporation**  
Location: Whitehall Township  
County: **Lehigh**

Permit: **40-315-002**  
Source: Book/paper shred w/2 baghouses  
Issued: March 1, 1997  
Company: **Offset Paperback**  
Location: Dallas Borough  
County: **Luzerne**

Permit: **48-310-017C**  
Source: Portable Plant #3 w/watersprays  
Issued: March 12, 1997  
Company: **Haines & Kibblehouse Incorporated**  
Location: Lower Mt. Bethel Township  
County: **Northampton**

Permit: **48-322-001A**  
Source: (2) Landfill gas flairs  
Issued: March 5, 1997  
Company: **Grand Central Sanitary Landfill**  
Location: Plainfield Township  
County: **Northampton**

## MINING

### CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY ACTIONS

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

**56930109.** Transfer from **Mountaineer Mining** to **Mountaineer Mining Corporation** (R. D. 4, Box 110A, Berlin, PA 15530), commencement, operation and restoration of a bituminous strip-coal preparation/processing-limestone removal mine in Jenner Township, **Somerset County**, affecting 57.0 acres, receiving stream Flat Run and Roaring Run to Quemahoning Creek to Stonycreek, application received October 10, 1996, permit issued March 13, 1997.

**32910104.** Permit Renewal, **John R. Yenzi, Jr.** (P. O. Box 287, Anita, PA 15711), commencement, operation and restoration of a bituminous strip mine, valid for reclamation, only in Canoe Township, **Indiana County**, affecting 18.1 acres, receiving stream unnamed tributary to Canoe Creek, application received March 13, 1997, permit issued March 13, 1997.

**56850109.** Permit Renewal, **Croner, Inc.** (629 Main Street, No. 6, Berlin, PA 15530), commencement, operation and restoration of a bituminous strip-auger mine in Brothersvalley Township, **Somerset County**, affecting 81.2 acres, receiving stream an unnamed tributary to Buffalo Creek, application received January 14, 1997, permit issued March 17, 1997.

**56860101.** Permit Renewal, **Croner, Inc.** (629 Main Street No. 6, Berlin, PA 15530), commencement, operation

and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 156.8 acres, receiving stream unnamed tributary to Buffalo Creek, application received January 14, 1997, permit issued March 17, 1997.

**32870101.** Permit Renewal, **Andray Mining Company** (P. O. Box 339, 242 West Mahoning Street, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous strip-auger mine in Banks and Montgomery Townships, Glen Campbell Boro, **Indiana County**, affecting 145.4 acres, receiving stream unnamed tributaries to Cush Creek and Cush Creek, application received January 22, 1997, permit issued March 17, 1997.

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

**17910131. Ecklund Coal Company, Inc.** (R. D. Box 109, Irvona, PA 16656), renewal of an existing bituminous surface coal mine permit in Bigler Township, **Clearfield County** affecting 137.6 acres, receiving streams: Porter Run and an unnamed tributary to Clearfield Creek, application received November 18, 1996, permit issued January 14, 1997.

**17860122. Al Hamilton Contracting Company** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine-auger permit in Lawrence Township, **Clearfield County** affecting 490.5 acres, receiving streams: unnamed tributary of Wallace Run to Wallace Run, Wallace Run and Mitchell Run to Little Clearfield Creek, Little Clearfield Creek to Clearfield Creek, Clearfield Creek to west branch Susquehanna River, application received November 10, 1997, permit issued March 14, 1997.

**17860146. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), renewal of an existing bituminous surface mine permit in Chest Township, **Clearfield County** affecting 214.8 acres, receiving streams: unnamed tributary to Wilson Run, to Wilson Run, both to Chest Creek, to west branch Susquehanna River to Susquehanna River, application received February 3, 1997, permit issued March 14, 1997.

**17910125. Al Hamilton Contracting Company.** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine-auger permit in Lawrence Township, **Clearfield County** affecting 78 acres, receiving streams: unnamed tributary to Wallace Run and McLaughlin Run to Little Clearfield Creek to Clearfield Creek to the west branch of the Susquehanna River, application received December 13, 1996, permit issued March 14, 1997.

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

**33930102. John R. Zenzi, Jr.** (P. O. Box 287, Anita, PA 15711), renewal of an existing bituminous strip and auger operation in Oliver Township, **Jefferson County** affecting 120.3 acres. Receiving streams: two unnamed tributaries to Little Sandy Creek. Application received: January 9, 1997. Permit issued: March 10, 1997.

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

**40910202R. George W. Bone, Jr.** (98 New Street, Pittston, PA 18640), renewal of an existing coal refuse reprocessing, disposal and processing operation in Hughestown Borough, **Luzerne County**, affecting 10.9 acres, receiving stream—none. Renewal issued March 17, 1997.

**54840106T. City of Philadelphia Trustee**, Acting By the Board of Directors of City Trusts for Girard Estates (21 South 12th Street, Philadelphia, PA 19107-3684), transfer of an existing anthracite surface in operation in West Mahanoy and Butler Townships, **Schuylkill County** affecting 447.6 acres, receiving stream—none. Transfer issued March 19, 1997.

**54960201. Northeastern Power Company** (P. O. Box 7, McAdoo, PA 18237), commencement, operation and restoration of a coal refuse reprocessing operation in Kline, Banks and Hazle Townships, **Schuylkill, Carbon and Luzerne Counties** affecting 429.7 acres, receiving stream—none. Permit issued March 21, 1997.

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

#### *General Small Noncoal Authorizations Granted*

**16970802. Rankin & Sons Excavating** (R. D. 1, Box 53, Fairmount City, PA 16224), commencement, operation and restoration of a small noncoal sandstone operation in Paint Township, **Clarion County** affecting 5.0 acres. Receiving streams: none. Application received: January 13, 1997. Permit issued: March 10, 1997.

## **ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT**

### **ENCROACHMENTS**

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

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

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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. 1937, 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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*Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.*

**E36-625.** Encroachment. **David G. Heisey**, Timber Villa, Inc., 1898 N. Market Street, P. O. Box 408, Elizabethtown, PA 17022. To construct and maintain a low-profile steel box culvert having a 12.5 foot span × 4.42 foot rise in a tributary to Snitz Creek, and to fill 0.18 acre of wetlands for construction of Waterfront Drive and Quail Drive, to connect onto Long Drive, for access to residential units within Timber Villa, Phase IIA. Utility lines for service to the residences require the construction of a 4 inch water line across about 250 feet of wetlands and a tributary to Snitz Creek, and two 8 inch PVC sanitary sewer lines across the Snitz Creek tributary and adjacent wetlands (Middletown, PA Quadrangle N: 2.8 inches; W: 3.4 inches) in West Donegal Township, **Lancaster County**. The permittee has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Fund. This permit also includes 401 Water Quality Certification.

**E44-082.** Encroachment. **Dept. of Transportation**, Engineering District 2-0, George Prestash, 1924-30 Daisy Street, Clearfield, PA 16830. To maintain a precast reinforced concrete box culvert having a 25-foot span on a 60 degree skew with a 5.35 foot underclearance in Beaverdam Run on Township Road T-328, about 3 miles south of its intersection with SR 0022 (Newton-Hamilton PA Quadrangle N: 9.0 inches; W: 9.0 inches) in Wayne Township, **Mifflin County**. Emergency Permit No. EP44-96-03 issued on October 1, 1996 authorized removal of the flood damaged SR 3017 bridge and construction of new box culvert. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E08-309.** Encroachment. **Windham Township**, R. R. 2, Box 97, Rome, PA 18837. To remove the existing structure and to construct and maintain a 75 inch by 112 inch CMPA culvert in Little Falls Creek. This project is located on T-887 about 0.4 west of SR 187 (Windham, PA Quadrangle N: 20.5 inches; W: 13.8 inches) in Windham Township, **Bradford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-213.** Water Obstruction and encroachment. **Walmart Stores, Inc.**, 701 S. Walton Blvd., Bentonville, AR 72716. To emplace and maintain fill in the floodway of Bald Eagle Creek and Fishing Creek; and excavate and maintain fill from the floodway of Bald Eagle Creek and Fishing Creek for the construction of a commercial facility and its associated appurtenances. The proposed work, shall consist of 1) placing, grading, compacting and stabilizing 174,790 cubic yards of fill over 12.98 acres in the floodway of Bald Eagle Creek and Fishing Creek for the facility construction; and 2) excavating, grading and stabilizing 42,360 cubic yards of fill from 15.06 acres in the floodway of Bald Eagle Creek and Fishing Creek for the construction of facility appurtenance and a flood conveyance area. The project is located along the western right-of-way of SR 0150 approximately 400 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**.

**E53-295.** Encroachment. **James Neagle**, 1884 Felker Rd., Middletown, PA 17057. To excavate 0.08 acre palustrine emergent wetland and to construct and maintain a water intake on Crowley Run for the purpose of constructing a 1/2 acre recreational pond. The site is located along the floodplain of Nine Mile Run on the north side of SR 006 and west of the Pine Log Motel and Thompson Hollow Road (Brookland, PA Quadrangle N: 5.7 inches; W: 8.2 inches) Ulysses Township, **Potter County**.

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

**E09-725.** Encroachment. **Northampton-Bucks County Municipal Authority**, 111 Township Road, Richboro, PA 18954. To rehabilitate, stabilize, and maintain an eroded streambed, and streambank of Pine Run Creek (TSF, MF). The project consists of the installation of a 192-foot long, 5 to 8-foot high gabion wall along the eastern streambank, and placement of a 100-foot long, 6-inch thick Reno mattress blanket to protect an existing sanitary sewer line located beneath the streambed. The project also includes removal of a 20-foot × 80-foot gravel bar along the northern streambank. The site is situated approximately 1 mile south from the intersection of Buck Road (S. R. 532) and Holland Road (Langhorne, PA Quadrangle N: 10.6 inches; W: 11.6 inches) in Northampton Township, **Bucks County**.

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

**E35-269.** Encroachment. **Lackawanna County Railroad Authority**, 701 Wyoming Avenue, Scranton, PA 18509. To maintain the existing 11 foot, 10 inch × 7 foot, 7 inch corrugated metal arch culvert and to construct and maintain a stream enclosure consisting of approximately 140 linear feet of 8 foot diameter reinforced concrete pipe to provide additional discharge capacity for Sterry Creek. The project, is associated with the Sterry Creek Stream Channel Restoration Project OSM 35 (2080) 102.1 and is located approximately 0.32 mile east of the intersection of S. R. 1016 (Constitution Avenue) and Sterry Creek (Olyphant, PA Quadrangle N: 18.3 inches; W: 11.2 inches) in Jessup Borough, **Lackawanna County**.

**E39-326.** **Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain an existing headwall along the left bank of Saucon Creek. The project is located at a point approximately 1.2 miles downstream from PA Route 191 in Upper Saucon Township, **Lehigh County** (previously authorized by Permit No. 17502).

**E39-327.** **Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing water intake along Saucon Creek. The project is located at a point approximately 2,000 feet upstream from the Lehigh-Northampton County Line in Upper Saucon Township, **Lehigh County** (previously authorized by Permit No. 16898).

**E39-328.** **Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing foot bridge having a span of 80 feet on a 90 degree skew with an underclearance of 14 feet across Saucon Creek. The project is located at a point approximately 5,500 feet upstream from the Northampton-Lehigh County line in Upper Saucon Township, **Lehigh County** (previously authorized by Permit No. 16897-9).

**E39-329. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing vehicular bridge, having a span of 60 feet on a 90 degree skew, with an underclearance of 10 feet across Saucon Creek. The project is located at a point approximately 4,800 feet upstream from the Lehigh-Northampton County Line in Upper Saucon Township, **Lehigh County** (previously authorized by Permit No. 16897-8).

**E39-330. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing foot bridge, having a span of 80 feet on a 90 degree skew, with an underclearance of 14 feet across Saucon Creek. The project is located at a point approximately 1,640 feet upstream from the Lehigh-Northampton County line in Upper Saucon Township, **Lehigh County** (previously authorized by Permit No. 16897-7).

**E39-331. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing foot bridge, having a span of 80 feet on a 90 degree skew, with an underclearance of 14 feet across Saucon Creek. The project is located at a point approximately 1,090 feet upstream from the Lehigh-Northampton County in Upper Saucon Township, **Lehigh County** (previously authorized by Permit No. 16897-6).

**E48-245. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing foot bridge, having a span of 80 feet on a 90 degree skew, with an underclearance of 14 feet from the right bank of Saucon Creek to an island in the channel of Saucon Creek. The project is located at a point approximately 120 feet upstream from Township Route T-368 in Lower Saucon Township, **Northampton County** (previously authorized by Permit No. 16897-5).

**E48-246. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing foot bridge, having a span of 80 feet on a 90 degree skew, with an underclearance of 14 feet from the left bank of Saucon Creek to an island in the channel of Saucon Creek. The project is located at a point approximately 120 feet upstream from Township Route T-368 in Lower Saucon Township, **Northampton County** (previously authorized by Permit No. 16897-4).

**E48-247. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing bridge, having a span of 60 feet on a 90 degree skew, with an underclearance of 10 feet across Saucon Creek. The project is located on Township Route T-368 in Lower Saucon Township, **Northampton County** (previously authorized by Permit No. 16897-3).

**E48-248. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain an irrigation pipe under, and an off-stream pond along, Saucon Creek. The project is located at a point approximately 6 miles from its mouth in Upper Saucon Township, **Lehigh County**, and Lower Saucon Township, **Northampton County** (previously authorized by Permit No. 16897-10).

**E48-249. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing foot bridge having a span of 80 feet on a 90 degree skew with an underclearance of 14 feet across Saucon Creek. The project is located at a point approximately 780 feet upstream from Legislative Route No. 48001 in Lower Saucon Township, **Northampton County** (previously authorized by Permit No. 16897-2).

**E48-250. Saucon Valley Country Club**, 2050 Saucon Valley Road, Bethlehem, PA 18015-9000. To maintain the existing vehicular bridge having a span of 60 feet on a 90 degree skew with an underclearance of 10 feet across Saucon Creek. The project is located at a point approximately 560 feet upstream from Legislative Route No. 48001 in Lower Saucon Township, **Northampton County** (previously authorized by Permit No. 16897-1).

**E66-110. Encroachment. Pennsylvania Electric Company**, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640-0001. To construct and maintain a 34.5 KV electric distribution line aerial crossing of the Susquehanna River to provide electrical service to Wyoming Sand and Stone Company. The project is located approximately 0.15 mile upstream from the mouth of Meshoppen Creek (Meshoppen, PA Quadrangle N: 20.9 inches; W: 7.5 inches) in Mehoopany Township and Meshoppen Borough, **Wyoming County**.

#### ENVIRONMENTAL ASSESSMENT

*Environmental Assessment Approvals and Actions on 401 Certification*

*DEP Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 787-8568.*

**EA23-008CO. Environmental assessment. Concord Crossing Partners** (P. O. Box 100, Chadds Ford, PA 19317). To construct and maintain two non-jurisdictional dams in the watershed of a tributary to west branch Chester Creek (TSF) impacting approximately 0.1 acre of wetland (PEM) for the purpose of stormwater management at the proposed Concord Crossing subdivision located approximately 350 feet southwest of the intersection of Naamans Creek Road and Shavertown Road (Wilmington North, Del-PA Quadrangle N: 17.50 inches; W: 4.55 inches) in Concord Township, **Delaware County**.

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#### SPECIAL NOTICES

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##### Public Hearing Notice NPDES Stormwater Applications—Construction Activities

The Department of Environmental Protection (DEP) Water Management Program will be holding a fact finding hearing on the following Stormwater NPDES permit applications:

Emma Builders, Inc., c/o Alfred Emma, Huntview at Horseshoe Trail, PAS10-G242

Trammell Crow Company, Trammell Crow NE, Inc., PAS10-G253

The hearing is scheduled for April 29, 1997, at 7 p.m. at the Chester County Conservation District Office, Government Services Center, Conference Room 380, 601 Westtown Road, West Chester, PA 19382-4519, Chester County. The hearing is being held to solicit pertinent comments on these applications. Application No. PAS10-G242 is for stormwater construction activities, with a discharge to the French Creek Watershed, and Application No. PAS10-G253 is for stormwater construction activities with a discharge to the Valley Creek Watershed. A copy of these applications is available for review in the Southeast Regional Office's Record Management Section, (610) 832-6268. Those interested in reviewing these applications should call to schedule a date to review the files. The project sponsors are: Alfred Emma, Emma Builders, Inc., 153 Timothy Circle, Radnor, PA 19087; Jeffrey E.

Holcomb, Trammell Crow NE, Inc., 575 East Swedesford Road, Suite 150, Wayne, PA 19087-1613

Comments received will be considered by DEP in completing its review and prior to taking final action concerning these applications. The hearing will not be a question and answer session.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program at the above address. The notice should include the presenter's name, address and phone number, whether the presenter is opposed or in favor of the project and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to DEP may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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**Availability of Grants for the Remediation of Waste Tire Piles in Pennsylvania Under the Waste Tire Recycling Act (Act 190) of 1996**

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The Department of Environmental Protection (DEP or Department) hereby announces the availability of grants under the Waste Tire Recycling Act (Act 190) for the remediation of waste tire piles in Pennsylvania. Act 190 provides a grant program, tax credits and enforcement provisions to reduce the waste tires that are stockpiled and generated annually in the Commonwealth. The Waste Tire Pile Remediation Grant Program is funded through the creation of the Used Tire Pile Remediation Restricted Account, which may receive up to \$1 million annually from the Recycling Fund established by Act 101, the Municipal Waste Planning, Recycling and Waste Reduction Act. Grants totaling \$1,000,000 may be awarded annually from this account for up to 5 years.

In order to be considered for a grant, an applicant: 1) must propose to remediate a waste tire pile that is on DEP's list of priority waste tire piles (copies of this list are available from the Division of Municipal and Residual Waste, (717) 787-7381, or may be obtained electronically via the DEP Internet site on the world wide web at: <http://www.dep.state.pa.us> under the Municipal and Residual Waste page); 2) must not have contributed, in any manner, to the creation of a noncompliant waste tire pile; and 3) must have an identifiable end-use for the remediated waste tires.

Grant funds are intended to be used for activities directly related to the remediation of priority waste tire sites (such as employe wages, operation of equipment, transportation, processing costs, and the like). Grants may not be used for the purchase of equipment and grant recipients shall use funds only for those activities approved by DEP.

All grant applicants must complete and submit an official two-part application for each proposed tire pile remediation. The Waste Tire Remediation Grant Part A and B Applications include all the materials and instructions necessary for applying for a grant. Copies of these documents are available by contacting the Division of Municipal and Residual Waste at (717) 787-7381 or may

be obtained electronically from the DEP Internet site on the world wide web at: <http://www.dep.state.pa.us> Part A and Part B applications must be completed and submitted by 4:30 p.m. on May 16, 1997 to: Department of Environmental Protection, Division of Municipal and Residual Waste, 14th Floor-Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301. Applications which are incomplete or arrive after the deadline will not be considered.

At a minimum, all applications must contain: (1) a description of the applicant's experience in waste tire remediation, (2) anticipated markets or end-uses for the remediated tires, (3) a schedule for the remediation of tires at the site, (4) proposed cost of the waste tire pile remediation, and (5) any additional information the Department deems necessary. Please follow the instructions in the Part A and B Grant Applications to assure you are submitting all of the necessary information in the correct format.

Persons who have any questions about this grant program should contact the Division of Municipal and Residual Waste at (717) 787-7381.

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**Submission Date for Recycling Program Development and Implementation Grants Under Act 101 Section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988**

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The Department of Environmental Protection announces a request for applications from municipalities for recycling program grant assistance under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904).

Municipalities eligible for the grants include counties, cities, boroughs, incorporated towns, townships and home rule municipalities. Authorities are not eligible to apply for the grants, but may be sponsored by a county or municipality.

This solicitation is not for projects to be considered under the public/private partnership grant program.

The following categories of recycling projects will be given funding priority in the order they are listed. Intergovernmental cooperative recycling projects within any category will receive higher priority.

1. Projects implemented by a municipality, mandated by Act 101 to have a curbside recycling program, that establish or maintain compliance with the recycling requirements of the Act including:

a) semi-annual public information and education programs required under Act 101 section 1501(d) concerning recycling program features and requirements for the residential, commercial, institutional and municipal sectors; and,

b) programs for the collection of recyclables and leaf waste from residential, and/or commercial, institutional and municipal establishments.

2. Implementation of a curbside or drop-off recycling program by a nonmandated municipality.

3. Replacement equipment for the collection or processing of recyclables or leaf and yard wastes.

4. Leaf or yard waste collection and composting projects.

5. General recycling education projects.

6. Expansion of existing public sector recycling collection centers or materials processing facilities.

7. New public sector recycling collection centers or materials processing facilities.

Municipalities and counties are eligible for 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Municipalities Financial Recovery Act (53 P. S. §§ 11701.101—11701.501), are eligible to receive funding for an additional 10% of approved costs.

Eligible recycling program development costs include: recycling program design costs; recycling market investigations; development of recycling market commitments; development of recycling program ordinances; development of recycling public education programs; and the costs of developing contracts or procuring equipment and services necessary for the operation of the recycling program.

Eligible recycling program implementation costs include: vehicles used to collect or transport recyclable materials to processing or storage facilities, or in the operation of a materials recovery facility, or in the transport of recyclable materials to market; reusable containers for household recyclable materials storage and collection; the cost of acquisition and/or renovation of buildings for the processing or storage of recyclable materials; equipment used for the processing of recyclable materials; and land improvements for a recycling facility. Yard waste composting programs as defined by the Pennsylvania Municipal Waste Management Regulations, Chapter 75, will be considered as recycling programs.

Before a municipality can submit an application to the Department for the funding of mechanical processing equipment, it must first publish a notice in a newspaper

of general circulation describing in detail the kinds of processing equipment that it proposes to purchase and the intended use of the equipment. The municipality must allow 30 days for responses from interested individuals. When the municipality submits the recycling grant application to the Department, it must include proof of compliance with the notification requirements, a description of any responses received to the notice, and an explanation of why the municipality has concluded the mechanical processing equipment is not available to the program from the private sector.

Applications must be received or postmarked by 3 p.m. May 15, 1997. Applications received by the Department after that date will not be considered during the current round of solicitation. Applications must be on forms provided by the Department, with two copies submitted to the appropriate DEP Regional Office. All grant awards will be predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Those municipalities wishing to file an application are invited to contact the appropriate DEP Regional Planning and Recycling Coordinator listed below to obtain a grant application. Pre-application conferences are recommended. Applicants should also contact the County Recycling Coordinator serving their county for consultation and assistance in completing the application form. Inquiries concerning this notice should be directed to Carl Hursh, Chief, Recycling and Markets, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

**Regional Planning and Recycling Coordinators**

- Southeast Region* ..... Calvin Ligos  
Ann Ryan  
Mary Alice Reisse  
(610) 832-6212  
DEP, Bureau of Land Recycling and Waste Management  
Lee Park, Suite 6010, 555 North Lane  
Conshohocken, PA 19428
- Bucks, Chester, Delaware, Montgomery and Philadelphia Counties*
- Northeast Region* ..... Chris Fritz  
Joan Banyas  
(717) 826-2516  
DEP, Bureau of Land Recycling and Waste Management  
2 Public Square  
Wilkes-Barre, PA 18711-0790
- Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties*
- Southcentral Region* ..... Belinda May  
(717) 657-4588  
DEP, Bureau of Land Recycling and Waste Management  
1 Ararat Boulevard  
Harrisburg, PA 17110
- Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties*
- Northcentral Region* ..... Ron Sommers  
(717) 327-3653  
DEP, Bureau of Land Recycling and Waste Management  
208 W. 3rd Street, Suite 101  
Williamsport, PA 17701
- Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties*
- Southwest Region* ..... Sharon Svitek  
Stephen Sales  
Bob Emmert  
(412) 442-4000  
DEP, Bureau of Land Recycling and Waste Management  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

*Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties*

*Northwest Region* ..... Guy McUmbert  
 DEP, Bureau of Land Recycling and Waste Management  
 230 Chestnut Street  
 Meadville, PA 16335-3481  
 (814) 332-6848

*Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties*

[Pa.B. Doc. No. 97-515. Filed for public inspection April 4, 1997, 9:00 a.m.]

**Availability of Final General Plan Approval and General Operating Permit for Burn Off Ovens (BAQ-GPA/GP-4)**

The Department of Environmental Protection (Department) finalized the General Plan Approval and General Operating Permit No. BAQ-GPA/GP-4 for burn off ovens. Notice regarding the availability of the draft general permit was published at 26 Pa.B. 4051 (October 12, 1996).

Although a 45-day comment period was provided, no comments were received. The general permit is now available for use by qualifying applicants. Copies are now available of the final permit BAQ-GPA/GP-4 and an application form. These documents may be obtained by contacting Kimberly Maneval, Bureau of Air Quality, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

The documents have also been placed on the Department's World Wide Web site on the Internet which can be accessed at <http://www.dep.state.pa.us>, select Bureau of Air Quality, then Division of Permits.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-516. Filed for public inspection April 4, 1997, 9:00 a.m.]

**Availability of Final General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5)**

The Department of Environmental Protection (Department) finalized the General Plan Approval and General Operating Permit No. BAQ-GPA/GP-5 for natural gas production facilities. Notice regarding the availability of the draft general permit was published at 26 Pa.B. 4563 (September 21, 1996).

A 45-day comment period was provided and written comments were received. A comment and response document has been prepared which summarizes the comments made and the changes that were made in the final general permit. The general permit for natural gas production facilities is now available for use by qualifying applicants. Copies of the final general permit BAQ-GPA/GP-5, an application form, and the comment and response document for natural gas production facilities are now available. These documents may be obtained by contacting Kimberly Maneval, Bureau of Air Quality, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

The documents have also been placed on the Department's World Wide Web site on the Internet which can be

accessed at <http://www.dep.state.pa.us>, select Bureau of Air Quality, then Division of Permits.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-517. Filed for public inspection April 4, 1997, 9:00 a.m.]

**Availability of Technical Guidance**

*Governor's Office List*

Once a year on the first Saturday in August, the Governor's Office publishes a list of the nonregulatory guidance documents of all State agencies in the *Pennsylvania Bulletin*. The first publication of this list was in the August 3, 1996, edition of the *Pennsylvania Bulletin*. The next publication of this list will be in the August 2, 1997, *Pennsylvania Bulletin*.

*DEP's Technical Guidance Document Inventory*

DEP publishes a list of its technical guidance documents in its Technical Guidance Document Inventory twice a year. The most recent edition of the Inventory is the December 1996 edition. This edition is now available on DEP's World Wide Web site. DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of the Inventory once on the DEP home page, persons should choose the Public Participation Center/Technical Guidance Document/Basic Inventory.

Bound paper copies of the Inventory are available now for those who do not have access to the Web site. DEP automatically mails a paper copy of the December 1996 Inventory to persons who received a bound paper copy of the June 1996 Inventory. Persons who wish to add their address to the mailing list should call Nina Huizinga at (717) 783-8727.

*DEP's Technical Guidance Documents on the World Wide Web*

DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of DEP's Technical Guidance Documents once on the DEP home page, persons should choose the Public Participation Center. The Center contains several links to DEP's Technical Guidance Documents. Persons should look under the heading "Proposals Open to Comment" for the link to "Draft Technical Guidance." Persons should look under the heading "Proposals Recently Finalized" for the link to "Technical Guidance." Persons should look under the heading "Technical Guidance" for one link to the "Basic Inventory" and a second link to "Final Guidance." The final documents menu will list DEP's bureaus. Persons should click on the name of the bureau to get to the list of the documents from that bureau that are currently on the Web. Then, to get to see a document,

persons should click on the ID number of the document. DEP will be adding its revised documents to the Web throughout 1997.

*Help Protect the Environment: Use the Web and Save Trees*

DEP encourages members of the public who read these announcements in the *Pennsylvania Bulletin* and DEP's UPDATE and who have access to the World Wide Web to avoid the needless duplication of paper copies of DEP's technical guidance documents. Persons can download those DEP documents which are posted on DEP's Web site onto their computers and read them electronically. This method saves both paper and money.

*Ordering Paper Copies of DEP Technical Guidance*

Although DEP promotes the use of electronic copies of its technical guidance rather than paper copies, there are still reasons for DEP to continue to provide members of the public with paper copies: 1) It may be more convenient to use some documents in a paper form, 2) Not everyone has access to the World Wide Web and 3) Not all DEP documents are on DEP's Web site yet. Persons can order an unbound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling Elwyn, Inc. (the printer) at 1 (800) 804-4020 if calling in Pennsylvania or (610) 497-5826 if calling from outside Pennsylvania. Elwyn's fax number is (610) 497-5932.

In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check with the appropriate bureau for more information about the availability of a particular document as a publication.

*Changes to Technical Guidance Documents*

Between publication of its Inventory, DEP announces changes to its technical guidance documents in its weekly newsletter, the *UPDATE* and the *Pennsylvania Bulletin*. Here is the current list of recently finalized documents, draft documents and notices of intended changes to technical guidance.

Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments about the Inventory, the documents on the World Wide Web, the availability of paper copies from the printer or the technical guidance document process in general should call Nina Huizinga at (717) 783-8727.

*Notice of Intent to Develop Technical Guidance—New Guidance*

Draft Title: Surety Reclamation of Bond Forfeiture Sites under Act 43 of 1996. Background: Section 4(h) of the Pennsylvania Surface Mining Conservation and Reclamation Act (PA SMCRA), as amended by Act 43 of 1996, provides a means by which a surety bonding company can reclaim a mine site where the surety's bond money has been forfeited and collected by DEP. This process involves submittal of a reclamation proposal, for review and approval by DEP, along with return of the surety's bond money in exchange for some other form of adequate financial assurance. The process provides increased opportunity for surety companies to achieve reclamation of mine sites. Anticipated Effective Date: August 30, 1997. Anticipated Draft Development Date: March 25, 1997. Proposed Development and Review Process: This policy has been going through an informal development process for several months with input from the Bureau of Mining and Reclamation, Bureau of Abandoned Mine Reclama-

tion, Bureau of District Mining Operations and the Office of Chief Counsel. This notice begins the formal development process which will reformat the document and solicit any additional input from the previously involved staff. Input will also be actively solicited from members of the public. The resultant policy guidance will promote consistent implementation of the Act 43 amendment. Contact: Thomas Callaghan at (717) 783-8845.

*Notice of Intent to Revise Existing Guidance—Correction*

The notice for the following guidance appeared incorrectly in the March 22, 1997 *Pennsylvania Bulletin*. The correct notice is listed here.

DEP ID: 550-0300-001. Title: Operators Manual Background: The Operators Manual is being updated to reflect changes in areas of program responsibility. Anticipated Effective Date: January 1998. Contact: Frank Bialas at (717) 772-2199.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 97-518. Filed for public inspection April 4, 1997, 9:00 a.m.]

### **Consent Decree; Noncoal Mining and Water Quality; DEP v. Hanley Brick Inc., 277 M. D. 1997**

On March 20, 1997 the Department of Environmental Protection (Department) filed a Complaint (In The Nature Of An Amicable Action In Equity) against Hanley Brick Inc. (Hanley Brick) in The Commonwealth Court for failure to treat a discharge of water from a clay mine (4A Mine) located in Clover Township, Jefferson County as required by The Clean Streams Law and NPDES Permit No. 0001741. The Department and Hanley Brick also executed a Consent Decree which resolves the remedy for the violations described in the Complaint. The Consent Decree was filed with the Commonwealth Court on March 20, 1997. The major findings and provisions of the Consent Decree include:

1. Hanley Brick has ceased treating the discharge of water from its 4A Valley Mine into the Redbank Creek watershed.
2. Resuming treatment of the 4A Mine discharge is not likely to have a beneficial effect on water quality or aquatic life in the receiving streams or the Redbank Creek watershed.
3. Hanley Brick is not actively engaged in any business and has only finite resources.
4. Other projects have been identified which have a strong potential for improving the water quality and aquatic life in the Redbank Creek watershed on a long term basis. These projects include improvements and reclamation of the 4A Valley, and various projects on Beaver Run and its tributaries.
5. Hanley Brick has committed all of its remaining assets, save for funds which are required by law to meet financial obligations to former employees and administrative expenses (Remaining Assets), to implementing projects which are likely to improve the water quality and aquatic life in the Redbank Creek watershed. The amount of the Remaining Assets is \$2,400,000.
6. Together with the Department Hanley Brick shall develop and implement a project to address discharges in the 4A Valley and perform reclamation in the 4A Valley

(4A Valley Project) and projects to improve the water quality and aquatic life in Beaver Run, a stream in the Redbank Creek watershed.

7. Hanley Brick's obligation to implement these projects shall continue for approximately 24 months from the Court's entry of the Consent Decree.

8. Hanley Brick shall establish a Trust and fund it with the balance of the Remaining Assets. The Trust shall use the funds to undertake and fund projects in the Redbank Creek watershed which are likely to result in long term improvement to water quality and aquatic life, are likely to improve the recreational, aesthetic and other uses of Redbank Creek and are designed to require minimal maintenance. The Trust shall also complete the 4A Valley and Beaver Run Projects, if Hanley Brick has not completed them, and provide for the maintenance of those projects.

9. Hanley Brick, its officers and related entities, are barred from ever conducting coal or noncoal mining activities in the United States.

10. NPDES Permit No. 0001741 shall be revoked.

11. So long as Hanley Brick complies with its obligations under the Consent Decree the Department shall not compel Hanley Brick to resume treatment of the 4A Discharge, or impose any additional obligation or penalty on Hanley Brick which relates to the 4A Discharge.

Copies of the Consent Decree are in the possession of:

For the Department of Environmental Protection: Michael J. Heilman, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4262; and

For Hanley Brick Inc.: Hershel J. Richman, Esquire, Dechert Price and Rhodes, 4000 Bell Atlantic Tower, 1717 Arch Street, Philadelphia, PA 19103-2793, (215) 994-2571.

The parties have asked The Commonwealth Court to enter the Consent Decree 35 days after publication of this notice in the *Pennsylvania Bulletin*. Any comments concerning the Consent Decree should be filed with the Pennsylvania Commonwealth Court in accordance with the Court's procedures, and copies should be sent to the representatives of the Department of Environmental Protection and Hanley Brick identified above. Copies of the Consent Decree may be obtained from the representatives of the Department of Environmental Protection and Hanley Brick identified above.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-519. Filed for public inspection April 4, 1997, 9:00 a.m.]

### Conservation and Natural Resources Advisory Council; Meeting Notice

A meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources will be held on Monday, April 14, 1997. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Glenda Miller directly at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-520. Filed for public inspection April 4, 1997, 9:00 a.m.]

### Governor's Awards for Environmental Excellence for 1997

The Department of Environmental Protection is announcing the application period for the 1997 Governor's Awards for Environmental Excellence. Awards will be presented for the winning projects at a ceremony to be held in Harrisburg on September 16, 1997.

The Governor's Awards for Environmental Excellence recognize any Pennsylvania business, government agency, municipality, organization or individual engaged in pollution prevention, recycling, or energy efficiency efforts in Pennsylvania. If your environmental management activities include the implementation of pollution prevention strategies, innovative energy or environmental technologies to use existing resources more effectively, recycling and the development of recycled materials or recycling markets, improvements in energy efficiency, or education and outreach activities related to pollution prevention and environmental compliance assistance, you are a likely candidate for this year's awards program.

Projects will be evaluated by a panel of judges representing both public and private sectors, educational institutions and environmental organizations. The judges will select as winners, the projects or programs that best meet the evaluation criteria. Projects/programs will be evaluated on the basis of the following criteria: environmental impact; transferability; economic impact; innovation; energy impact/program results; management commitment; cooperative efforts; social impact and educational efforts.

For more information or assistance in completing the application, contact Barbara Yuricich at (717) 772-8908, E-Mail Yuricich.Barb@a1.dep.state.pa.us or Rosemary Mape at (717) 772-8907, E-Mail Mape.Rose@a1.dep.state.pa.us.

TDD users should call 800-654-5984. The application and related environmental information is available electronically via Internet. Access the DEP website at <http://www.dep.state.pa.us> (choose Pollution Prevention and Compliance Assistance.)

Applications must be received by 4 p.m. on May 23, 1997. Postmarks are not accepted. Mail or deliver to Department of Environmental Protection, P. O. Box 8772, 13th Floor, Rachel Carson State Office Building, 4th and Market Streets, Harrisburg, PA 17105-8772.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-521. Filed for public inspection April 4, 1997, 9:00 a.m.]

**Pennsylvania's Final Certification under Section 401 of the Federal Clean Water Act of 1977 and Coastal Zone Management Consistency Determination of the Army Corps of Engineers Nationwide Permits**

By this notice, the Commonwealth of Pennsylvania, Department of Environmental Protection (DEP), hereby certifies under Section 401 of the CWA (33 U.S.C.A. § 1341) subject to the conditions listed, that the activities authorized by the Army Corps of Engineers (Corps) in its *Federal Register* notice of December 13, 1996 (61 FR 65874) (Final Notice of Issuance, Reissuance, and Modification of Nationwide Permits (NWP)) which may result in a discharge into waters of the United States in the Commonwealth will comply with the applicable provisions of sections 301—303, 306 and 307 of the CWA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and are consistent with Pennsylvania's Coastal Zone Management Program. In addition, the Commonwealth certifies, subject to the conditions listed with this notice, that there is a reasonable assurance that the construction and operation of the NWPs set forth in the December 13, 1996 notice will comply with applicable Federal and State water quality standards.

On August 24, 1996, the DEP published an initial notice of the Corps' request for Section 401 certification of the Corps' proposed NWPs (see 61 FR 30780) (June 17, 1996) at 26 Pa.B. 4132 (August 24, 1996). During the 60-day comment period following publication of the notice, no public comments were received. The final version of the NWPs was published in the *Federal Register* on December 13, 1996. The Corps' request for Section 401 certification of the final NWPs was received by the Department on January 27, 1997. For more information concerning the NWPs, contact the U. S. Army Corps of Engineers, Baltimore District, Attn.: CENAB-OP-R, P. O. Box 1715, Baltimore, MD 21203-1715.

The Nationwide permits published on December 13, 1996 include 37 reissued NWPs, some with modifications, and 2 new NWPs. These NWPs are listed within this notice. For more information concerning the Nationwide permits, contact the U. S. Army Corps of Engineers, Baltimore District, Attn.: CENAB-OP-R, P. O. Box 1715, Baltimore, MD 21203-1715.

*Conditional Approvals*

- NWP 1—Aids to Navigation
- NWP 2—Structures in Artificial Canals
- NWP 3—Maintenance
- NWP 4—Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
- NWP 5—Scientific Measurement Devices
- NWP 6—Survey Activities
- NWP 7—Outfall Structures
- NWP 8—Oil and Gas Activities
- NWP 9—Structures in Fleeting and Anchorage Areas
- NWP 10—Mooring Buoys
- NWP 11—Temporary Recreational Structures
- NWP 12—Utility Line Backfill and Bedding
- NWP 13—Bank Stabilization
- NWP 14—Road Crossings
- NWP 15—U. S. Coast Guard Approved Bridges

- NWP 16—Return Water from Upland Contained Disposal Areas
- NWP 17—Hydropower Projects
- NWP 18—Minor Discharges
- NWP 19—25 Cubic Yard Dredging
- NWP 20—Oil Spill Cleanup
- NWP 21—Surface Mining Activities
- NWP 22—Removal of Vessels
- NWP 23—Approved Categorical Exclusions
- NWP 24—State Administered Section 404 Programs
- NWP 25—Structural Discharge
- NWP 26—Headwaters and Isolated Water Discharges
- NWP 27—Wetland Restoration Activities
- NWP 28—Modifications of Existing Marinas
- NWP 29—Single-Family Housing
- NWP 30—Moist Soil Management for Wildlife
- NWP 31—Maintenance of Existing Flood Control Facilities
- NWP 32—Completed Enforcement Actions
- NWP 33—Temporary Construction and Access
- NWP 34—Cranberry Production Activities
- NWP 35—Maintenance Dredging of Existing Basins
- NWP 36—Boat Ramps
- NWP 37—Emergency Watershed Protection
- NWP 38—Cleanup of Hazardous and Toxic Waste
- NWP 40—Farm Buildings

This certification is subject to the following conditions:

*Conditions*

1. Prior to commencing any activity covered by a Nationwide permit, the applicant must obtain all necessary permits or approvals from the Department of Environmental Protection, including, but not limited to, those required by The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304), and the regulations promulgated thereunder including 25 Pa. Code Chapters 75, 91—93, 95, 101, 102, 105 and 260—299. All environmental assessments required under these regulations, in addition to other regulatory requirements, must be complied with as a condition of Section 401 water quality certification for the NWPs.

2. Fill material cannot contain wastes as defined in the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

3. For activities which impact on wetlands, a delineation shall be conducted in accordance with Pennsylvania's procedures for wetland delineation. The present procedure is published at 25 Pa. Code § 105.451.

4. The Department retains the right, on an individual activity basis, to withdraw or modify 401 water quality

certification for an activity subject to a NWP which it determines may adversely impact water quality.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-522. Filed for public inspection April 4, 1997, 9:00 a.m.]

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Water Pollution Control Revolving Fund; Federal FY 1996 and 1997 Sewage Project Priority List

The Pennsylvania Infrastructure Investment Authority and the Department of Environmental Protection have revised the combined Federal fiscal year 1996/1997 Water Pollution Control Revolving Fund (WPCRF) Project Priority List (list) of municipal sewage construction projects.

The FY 96/97 list was prepared in conformance with the requirements of section 216 of the Water Quality Act (act) and Federal guidance and was approved by the Environmental Protection Agency (EPA) on September 17, 1996. The projects included on the list have a project priority rating established under the Department's EPA approved Chapter 103 project priority rating system. The act stipulates that States must maintain a list of municipal sewage projects from which to develop the annual Intended Use Plan (IUP) list of projects to be funded with Federal funds Pennsylvania receives to capitalize the WPCRF.

The 18 projects proposed for addition to the list will not replace any project currently on the approved FY 96/97 List. These 18 projects are additions and are being placed in the appropriate ranking slot in relation to other rated and ranked projects on the list. The rank order standing of projects on the list does not dictate the order in which projects are chosen for funding in the WPCRF program. A project may be selected from any numerical rank position on the list for funding. A project's readiness to proceed and the reasonable availability of alternative sources of funds have a bearing on project selection for funding in the program.

Sixteen of the 18 projects to be added to the FY 96/97 list are expected to proceed to construction in the near future and the other two are being added as potential projects for future construction loan consideration. The 16 projects expected to be ready for loan funding in the near future have submitted applications for funding and will be placed on an IUP to (1) replace projects that have not proceeded timely toward initiation of project construction and/or (2) to fill funding gaps that have developed as a result of cost savings. Projects removed from an IUP will remain on the list and be considered for WPCRF loan funds in the future.

Federal guidance on revising an approved list indicates the list be subject to public comment and review before being submitted to EPA. Interested persons are invited to express their views on the priority rating or ranking of projects on the revised FY 96/97 list. Persons wishing to offer comments should submit them in writing to the Administrative Services Section, Division of Municipal Financial Assistance, Bureau of Water Supply Management, 11th Floor, Rachel Carson State Office Building, P. O. Box 8466, Harrisburg, PA 17105-8466, telephone (717) 787-6744, or by Internet E-Mail (Maisano.Tony@al.dep.state.pa.us) by 4 p.m., May 5, 1997.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Maisano as noted above or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

A list of the municipal sewage construction projects to be added to the FY 96/97 List follows this notice.

A copy of the revised FY 1996/97 Project Priority List that shows all 306 municipal sewage projects in priority and ranked order is available to any interested person for a nominal cost or may be reviewed in the Administrative Services Section office and in the following offices:

**Southeast Region:**

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

**Northeast Region:**

Water Management Program Manager  
2 Public Square, Wilkes-Barre, PA 18711-0790  
(717) 826-2553

**Southcentral Region:**

Water Management Program Manager  
One Ararat Boulevard, Harrisburg, PA 17110  
(717) 657-4590

**Northcentral Region:**

Water Management Program Manager  
208 West 3rd Street, Williamsport, PA 17701  
(717) 327-3669

**Southwest Region:**

Water Management Program Manager  
400 Waterfront Drive, Pittsburgh, PA 15222-4745  
(412) 442-4000

**Northwest Region:**

Water Management Program Manager  
230 Chestnut Street, Meadville, PA 16335-3481  
(814) 332-6942

**PENNVEST**

22 S. Third Street, 4th Floor, Keystone Building,  
Harrisburg, PA 17101  
(717) 787-8137

JAMES M. SEIF,  
*Secretary*

*Department of Environmental Protection*

PAUL K. MARCHETTI,  
*Executive Director*

*Pennsylvania Infrastructure Investment Authority*

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 WATER POLLUTION CONTROL REVOLVING FUND  
 FY 1996-97 PROJECT PRIORITY LIST ADDITIONAL PROJECTS

IN ALPHABETICAL ORDER

EXPLANATION OF COLUMNAR HEADINGS (EXCEPT THOSE THAT ARE SELF-EXPLANATORY)

NEEDS CATEGORY:

- I — SECONDARY TREATMENT
- II — TREATMENT MORE STRINGENT THAN SECONDARY
- IIIA — INFILTRATION/INFLOW CORRECTION
- IIIB — MAJOR SEWER SYSTEM REHABILITATION
- IVA — NEW COLLECTOR SEWERS AND APPURTENANCES
- IVB — NEW INTERCEPTORS AND APPURTENANCES
- V — CORRECTION OF COMBINED SEWER OVERFLOWS

PROJECT TYPE:

- STP — SEWAGE TREATMENT PLANT
- STPMOD — SEWAGE TREATMENT PLANT MODIFICATION
- INT — INTERCEPTOR
- PS — PUMP STATION
- FM — FORCE MAIN
- SS — SEWER SYSTEM
- SS REH — SEWER SYSTEM REHABILITATION
- FL EQ — FLOW EQUALIZATION BASIN

NPDES PERMIT NUMBER:

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT NUMBER

PROJECT NUMBER:

FEDERAL LOAN PROJECT IDENTIFICATION NUMBER

ELIGIBLE PROJECT COSTS:

ESTIMATED LOAN AMOUNT FOR ELIGIBLE PROJECT

APPLICANT NAME ADDRESS CITY	COUNTY	PROJECT TYPE NPDES PERMIT NUMBER	PROJECT NUMBER PRIORITY RATING	PROJECT RANKING
NEEDS CATEGORIES I: IVA:	STATE ZIPCODE	NEEDS CATEGORIES II: IVB: III A: V:	NEEDS CATEGORY III B: ELIGIBLE PROJECT COST	
ARNOLD CITY 1829 FIFTH AVE ARNOLD	PA 15068	WESTMORELAND SS REHAB	CS421962-01 25	166
I: \$0 IVA: \$0	II: \$0 IVB: \$0	III A: \$0 V: \$0	III B: \$350,000 \$350,000	
BENZINGER TOWNSHIP AUTHORITY PO BOX 44 ST MARYS	PA 15857	ELK INT	CS421954-01 19	234
I: \$0 IVA: \$0	II: \$0 IVB: \$1,220,000	III A: \$0 V: \$0	III B: \$0 \$1,220,000	

APPLICANT NAME ADDRESS CITY	STATE	COUNTY	ZIP CODE	PROJECT TYPE NPDES PERMIT NUMBER	PROJECT NUMBER PRIORITY RATING	PROJECT RANKING	ELIGIBLE PROJECT COST
NEEDS CATEGORIES I: IVA:	NEEDS CATEGORIES II: IVB:	NEEDS CATEGORIES III A: V:	NEEDS CATEGORIES III B: III C:	NEEDS CATEGORIES III B: III C:	NEEDS CATEGORIES III B: III C:	NEEDS CATEGORIES III B: III C:	NEEDS CATEGORIES III B: III C:
BIG BEAVER MUNICIPAL AUTHORITY 114 FORREST DRIVE DARLINGTON	PA	BEAVER	16115	SS		CS421961-01	44 15
I: \$0 IVA: \$238,600	II: \$0 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$238,600
CHESTNUT RIDGE AREA JMA P O BOX 7 ALUM BANK	PA	BEDFORD	15521	STP PS INT SS		CS421955-01	43 17
I: \$4,896,000 IVA: \$8,896,000	II: \$0 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$13,792,000
DERRY TWP MUN AUTH P. O. BOX 250 DERRY	PA	WESTMORELAND	15671	PS, SS		CS421710-01	40 28
I: \$0 IVA: \$1,103,250	II: \$0 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$1,103,250
ELKLAND BOROUGH AUTHORITY 105 PARKHURST ST ELKLAND	PA	TIOGA	16920	STPMOD PA0113398		CS421963-01	25 167
I: \$150,480 IVA: \$0	II: \$58,520 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$209,000
FRANKLIN TWP MUN S A 3001 MEADOWBROOK ROAD MURRYSVILLE	PA	WESTMORELAND	15668	SS PA0025674		CS421956-01	40 29
I: \$0 IVA: \$790,000	II: \$0 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$790,000
NORTH COVENTRY M A 1485 EAST SCHUYLKILL RD POTTSTOWN	PA	CHESTER	19454	STP PS INT SS PA0025437		CS421964-01	22 207
I: \$0 IVA: \$5,293,665	II: \$2,560,000 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$7,853,665
NORTH FAYETTE TOWNSHIP 400 NORTH BRANCH ROAD OAKDALE	PA	ALLEGHENY	15071	SS		CS421958-01	40 27
I: \$0 IVA: \$1,182,800	II: \$0 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$1,182,800
PLEASANT HILLS BOROUGH 410 EAST BRUCETON ROAD PLEASANT HILLS	PA	ALLEGHENY	15236	INT REPLAC		CS421960-01	27 143
I: \$0 IVA: \$968,630	II: \$0 IVB: \$0	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$968,630
SCHUYLKILL COUNTY MUNICIPAL AUTH 221 SOUTH CENTRE STREET POTTSTOWN	PA	SCHUYLKILL	17901	PS INT SS		CS421965-01	7 305
I: \$0 IVA: \$282,800	II: \$0 IVB: \$716,615	III A: \$0 V: \$0	III B: \$0 III C: \$0				\$999,415

APPLICANT NAME ADDRESS CITY	STATE	COUNTY	ZIP CODE	PROJECT TYPE NPDES PERMIT NUMBER	PROJECT NUMBER PRIORITY PROJECT RATING RANKING	NEEDS CATEGORIES I: II: III: IV:	NEEDS CATEGORIES I: II: III: IV:	NEEDS CATEGORIES I: II: III: IV:	NEEDS CATEGORIES I: II: III: IV:	NEEDS CATEGORIES I: II: III: IV:	ELIGIBLE PROJECT COST
SEWARD/ST CLAIR TWP S A RD # 2 BOX 195 SEWARD	PA	WESTMORELAND	15954	STP PS INT SS	CS421966-01	I: \$825,000 II: \$0 III: \$0 IV: \$2,575,000	I: \$0 II: \$300,000 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	35 55 \$3,700,000
SOMERSET BOROUGH M A 340 WEST UNION STREET SOMERSET	PA	SOMERSET	15501	INT PS	CS421862-02	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	18 255 \$1,750,000
SOUTH COATESVILLE BOROUGH 136 MODENA ROAD SOUTH COATESVILLE	PA	CHESTER	19320	STP MOD INT PA0036897	CS421959-01	I: \$107,000 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	25 168 \$107,000
SOUTH STRABANE TOWNSHIP 550 WASHINGTON ROAD WASHINGTON	PA	WASHINGTON	15301	INT PS PA0024783	CS421623-01	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$1,200,000	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	26 151 \$1,200,000
SPRINGFIELD TOWNSHIP RR # 2 BOX 206 SEVEN VALLEYS	PA	YORK	17360	STP PS INT SS	CS421967-01	I: \$4,676,433 II: \$0 III: \$0 IV: \$4,059,524	I: \$0 II: \$0 III: \$0 IV: \$1,958,905	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	14 273 \$10,694,862
ULYSSES M A 522 MAIN ST PO BOX 392 ULYSSES	PA	POTTER	16948	STPMOD PA0045993	CS421968-01	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$410,000 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	32 94 \$410,000
WILMINGTON TWP S A RD # 5 BOX 469 NEW CASTLE	PA	LAWRENCE	16105	SS	CS421969-01	I: \$0 II: \$0 III: \$0 IV: \$68,945	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	I: \$0 II: \$0 III: \$0 IV: \$0	43 19 \$68,945

# DEPARTMENT OF GENERAL SERVICES

## Request for Bids

The Department of General Services State Surplus Property Division is seeking contractors to remove mixed scrap metals from various agencies of the Commonwealth. District contracts can be subdivided and bid in part. The following counties will be involved in these contracts:

### *Mixed Scrap Metals*

Scrap metal contracts will begin on July 1, 1997. District 10: Armstrong, Butler, Clarion, Indiana and Jefferson Counties.

The above contracts will be for 1 year with an optional extension for a 2nd, 3rd and 4th year. For more information or to obtain a bid proposal for any of these contracts, write to the Department of General Services, State Surplus Property Division, 2221 Forster Street, P. O. Box 1365, Harrisburg, PA 17105, or call (717) 787-4085 prior to the bid opening on May 8, 1997.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 97-524. Filed for public inspection April 4, 1997, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, March 20, 1997, and took the following actions:

### *Regulation Approved*

#1611 Department of Education #6-255: Community College Courses (amends 22 Pa. Code Chapter 335)

#1779 Board of Pardons #56-1: General Provisions (deletes the existing 37 Pa. Code Chapter 81 and replaces it with proposed 37 Pa. Code Chapter 81)

#1796 Department of Community and Economic Development #4-61: Private Activity Bonds—Allocation (amends 13 Pa. Code Chapter 57)

(*Editor's Note:* For the text of the regulations pertaining to this order, see 27 Pa.B. 1645 (April 5, 1997).)

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public meeting held  
March 20, 1997

*Department of Education—Community College Courses;*  
*Doc. No. 6-255*

### Order

On October 19, 1994, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Department of Education (Department). This rulemaking would amend 22 Pa. Code Chapter 335 under the authority of section 1913-A of the Public School Code of 1949 (act) (24 P.S. § 19-19133-A(b)(1.2)). The proposed regulation was published in the October 29, 1994 *Pennsylvania Bulletin* with an 86-day public comment period. The final-form regulation was submitted to the Commission on January 27, 1997. At its February 20, 1997 Public Meeting, the Commission voted to disapprove the final-form regulation. On February 26, 1997, the Department notified the Commission of its intent to revise and resubmitted the revised final-form regulation to the Commission.

On June 7, 1993, the act was amended to require the Secretary of Education, in consultation with the community colleges, to promulgate standards for credit and noncredit courses that will be eligible for reimbursement by the Commonwealth. The act further requires that the standards should specifically exclude from eligibility for reimbursement any course or program in avocational or recreational pursuits.

The standards in this regulation will provide assurance that Commonwealth funding of community college operating expenses goes to support instruction which is consistent with the statutory defined mission of these institutions. Community college operating expenses are shared between the Commonwealth, the local sponsor and students (through tuition). The act specifically requires that programs and curricula of community colleges are to further the objectives of industrial development, reduce unemployment and improve the employability skills of area residents. Although community colleges also offer courses related to leisure time pursuits, hobbies and individual enrichment subjects, such courses do not meet program requirements specified under the Act and are therefore specifically excluded from Commonwealth reimbursement.

The regulation proposed by the Department of Education (Department) establishes the criteria credit and noncredit courses must meet in order for the courses to be eligible for reimbursement. Many of the criteria, such as those relating to course approval, course structure and course outlines, were drawn from existing policies or practices at community colleges. Others were developed specifically to make a clear distinction between credit and noncredit courses. The proposed regulation also establishes an implementation schedule and describes the documentation required of the colleges to verify that their courses meet the standards.

Comments were filed on the proposed regulation by the House and Senate Education Committees, Reading Area Community College, Montgomery County Community College, Luzerne County Community College, and Plum Borough Senior Citizens' Center.

The House Education Committee met on February 5, 1997, and voted unanimously to approve the final-form rulemaking. The Senate Education Committee Chairperson, by letter dated February 10, 1997, expressed two concerns with the final-form regulation. First, he recommended that section 335.31 in the final-form regulation be amended to make it clear that the standards would apply to all new courses. Second, he recommended that implementation of these standards be integrated with other requirements of the Department.

The Department made significant amendments to the regulation in response to comments received from the House and Senate Education Committees, this Commis-

sion and others. Despite all of these changes, the Department acknowledged at our February 20, 1997 Public Meeting that the concern of the Senate Education Committee Chairperson regarding section 335.31 should be addressed prior to final adoption. Since the Regulatory Review Act does not permit an agency to amend a final-form regulation after it has been submitted to the Commission, the Department requested that we disapprove the regulation so that the Department could incorporate the Senate Education Committee Chairperson's suggested clarification.

We have reviewed the revised final-form regulation and find it to be in the public interest. To respond to the concern raised, the Department has revised section 335.31 so that it will read:

Beginning July 1, 1997, to be eligible for reimbursement by the Commonwealth, each new credit course for Fiscal Year 1997-98 and for each fiscal year thereafter shall meet the standards in Subchapters A and B . . . (emphasis added).

This revision will make it clear that the standards will apply to all new courses.

*Therefore, It Is Ordered That:*

1. Regulation No. 6-255 from the Department of Education, as resubmitted to the Commission on February 26, 1997, is approved;
2. The Commission's bar to final publication of Regulation No. 6-255 issued under section 6(b) of the Regulatory Review Act (71 P. S. § 745.6(b)) is hereby rescinded; and
3. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioner's Present:* John R. McGinley, Jr. Chairperson; Robert J. Harbison, III, Vice-Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public meeting held  
March 20, 1997

*Board of Pardons—General Provisions; Doc. No. 56-1*

### Order

On October 8, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Board of Pardons (Board). This rulemaking would delete the existing 37 Pa. Code Chapter 81 in its entirety and replace it with the proposed 37 Pa. Code Chapter 81. The Board is seeking to revise their regulations to comply with statutory amendments enacted by Act 15 of 1995 and to update their regulations to better reflect the current practice of the Board because their regulations have not been updated since 1986. The authority for this regulation is Pennsylvania Constitution Article IV, Section 9, 71 P. S. §§ 113, 299, and 299a; and 61 P. S. §§ 331.34(a) and 1052(c). The proposed regulation was published in the October 19, 1996 edition of the *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 6, 1997.

The regulation sets forth general provisions (scope and definitions); the Board's powers; application provisions; listings (procedures to determine if a public hearing will be granted, interviewing the applicant, and publication of

notice of the hearing); continuances; a calendar of cases to be heard by the Board at each hearing; frequency and location of hearings; procedures for reconsideration; representation; conduct of hearings and communications; and disposition of applications.

The House Judiciary Committee voted to approve the final-form regulation on March 18, 1997.

The Board received public comments on the proposed regulation from the Pennsylvania Coalition Against Domestic Violence; Charles E. Mann; and Mary Achilles, Pennsylvania's Victim Advocate. We have not received any formal comments on the final-form regulation.

The Board receives approximately 300 applications for clemency per year. The Board believes the proposed regulations will benefit those seeking executive clemency and the public by having accurate regulations outlining the operation and rules of the Board. The Board does not believe anyone will be adversely affected by the regulations and the Board does not anticipate a change in their expenditures as a result of these regulations. We agree that the regulation is beneficial because it will more accurately reflect the operation of the Board. The Board deleted provisions which were either obsolete, or were outside the Board's responsibility. The Board is also making changes to improve the effectiveness of their application process.

The Board made several amendments to the regulation and provided further explanations of their amendments. The Board clarified several portions of the regulation including procedures for recommendations for clemency, publication of notice, and communications with the Board. The Board provided support for the modifications to section 81.223 Limitations on filing and explained that if circumstances in a person's life have changed dramatically, an applicant can file under section 81.224 Request for early filing, or request reconsideration under section 81.271 Request. The Board modified language in proposed section 81.232 Interview of the applicant to better describe that the Board may exclude the participation of the applicant's attorney or representative if they do not comply with the Department of Corrections' rules concerning entry into a prison by members of the public. The Board also deleted portions of the regulation which were not used, or were not the Board's responsibility. The Board did not adopt our recommendation to clarify the dimensions and quality of photographs applicants must provide. The Board explained that this requirement, which is in the existing regulations, has not resulted in questions from applicants about what photographs would be accepted nor has the Board found it necessary to reject photographs.

We have reviewed this regulation and find it to be in the public interest. We believe the Board's amendments will improve the effectiveness of their process and clearly communicate the Board's procedures to both the affected public and applicants for clemency.

*Therefore, It Is Ordered That:*

1. Regulation No. 56-1 from the Board of Pardons, as submitted to the Commission on March 6, 1997, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice-Chairperson; Alvin C. Bush; Arthur Coccodrilli; John F. Mizner

Public meeting held  
March 20, 1997

*Department of Community and Economic Development—  
Private Activity Bonds—Allocation; Doc. No. 4-61*

### Order

On March 3, 1997, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Community and Economic Development (Department). This rulemaking would amend 13 Pa. Code Chapter 57 by increasing the ceiling amount for private activity bonds. The authority for this regulation is contained in section 7(4) of the Tax Exempt Bond Allocation Act (73 P. S. § 397.7(4)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Federal Internal Revenue Code of 1986 (26 U.S.C.A. § 146) imposes a State ceiling on the aggregate amount of private activity bonds that may be issued in each calendar year by or on behalf of the Commonwealth and its political subdivisions. With this rulemaking, the Department is increasing the ceiling for 1997 by \$200,000. The State ceiling is calculated each year by multiplying \$50 by the State's estimated population figure, which comes from the U. S. Department of Census. Therefore, the change in the ceiling is a result of a change in population for Pennsylvania.

The Department allocates the State ceiling among four groups: qualified small issue bonds, exempt facility bonds, education bonds and housing bonds. The issuance of the bonds helps stimulate economic development and job creation by assisting in the expansion of current businesses, as well as attracting new industries into financially distressed communities.

In the rulemaking, the Department is placing the increased cap amount of \$200,000 into the qualified small issue bonds category, raising the ceiling for this category to \$152.8 million for 1997. The reason the Department placed the entire increase in this category is because the Tax Exempt Board Allocation Act places emphasis on the use of bonds for manufacturing purposes.

There will be no costs imposed upon the Department or the public since the rulemaking simply conforms to Federal standards. No State funds are used in the issuance of private activity bonds; all issuance costs are paid for out of the bond proceeds from the issuer or the borrower.

By letter dated March 19, Senator Terry Punt, Chairperson of the Senate Community and Economic Development committee, advised the Commission that the committee members had no comments on or objectives to the regulation.

We have reviewed this regulation and find it to be in the public interest. The change is necessary to amend the ceiling for private activity bonds to conform with Federal law.

*Therefore, It Is Ordered That:*

1. Regulation No. 4-61 from the Department of Community and Economic Development, as submitted to the Commission on March 3, 1997, is approved; and

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

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-525. Filed for public inspection April 4, 1997, 9:00 a.m.]

### 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>
4-63	Department of Community and Economic Development Site Development, Community Facilities, Site Recovery, Statistics and Information, Nursing Home Loan Agency, and Sunny Day	3/26/97

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-526. Filed for public inspection April 4, 1997, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; George Seidman; Doc. No. SC97-03-024

Notice is hereby given of the Order to Show Cause issued on March 25, 1997 by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: section 604 of The Insurance Department Act of 1921 (40 P. S. § 234); sections 4 and 5(a)(12) of The Unfair Insurance Practices Act (40 P. S. §§ 1171.4 and 1171.5(a)(12)); and 31 Pa. Code § 33.29(d).

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

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

Persons with a disability who wish to attend the above-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to partici-

pate in the hearing, please contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-527. Filed for public inspection April 4, 1997, 9:00 a.m.]

### **Alleged Violation of Insurance Laws; Philip Seidman; Doc. No. SC97-03-025**

Notice is hereby given of the Order to Show Cause issued on March 25, 1997 by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: section 604 of The Insurance Department Act of 1921 (40 P.S. § 234); sections 4 and 5(a)(12) of The Unfair Insurance Practices Act (40 P.S. §§ 1171.4 and 1171.5(a)(12)); and 31 Pa. Code § 33.29(d).

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

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

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-528. Filed for public inspection April 4, 1997, 9:00 a.m.]

### **Application for Acquisition of Control of Boyertown Mutual Insurance Company**

Amerigroupe, Inc. has filed an application to acquire control of Boyertown Mutual Insurance Company. The filing was made under the requirements set forth under the Insurance Holding Companies Act, 40 P.S. §§ 991.1401 *et seq.* Persons wishing to comment on the proposed acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of publication. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements may be directed to Carolyn Smith,

Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, Fax: (717) 787-8557.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-529. Filed for public inspection April 4, 1997, 9:00 a.m.]

### **Review Procedure Hearings; Cancellations 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 Derkscience; file no. 97-280-30504; State Farm Mutual Automobile Insurance Company; doc. no. PH97-03-032; May 14, 1997, at 11 a.m.;

Appeal of Sandhu, Kultar Singh; file no. 97-308-70395; State Farm Mutual Automobile Insurance Company; doc. no. PI97-03-043; May 14, 1997, at 1 p.m.;

Appeal of Diamond, August; file no. 97-121-01150; MIC General Insurance Corporation; doc. no. P97-03-042; May 14, 1997, at 2 p.m.;

Appeal of McHugh, Thomas and Marianne; file no. 97-121-00538; Erie Insurance Group; doc. no. P97-03-040; May 15, 1997, at 11 a.m.;

Appeal of Smith, Jeffrey; file no. 97-407-90298; Erie Insurance; doc. no. E97-03-039; May 15, 1997, at 1 p.m.;

Appeal of Motter, Leon E.; file no. 97-121-01414; Donegal Mutual Insurance Company; doc. no. P97-03-045; May 15, 1997, at 2 p.m.;

Appeal of Nguyen, Duc V. and Nga; file no. 97-265-30705; The Insurance Company of the State of Pennsylvania; doc. no. PH97-03-038; May 19, 1997, at 11 a.m.;

Appeal of Frederich, Robert; file no. 97-215-30096; General Accident Insurance Company of America; doc. no. PH97-03-037; May 19, 1997, at 1 p.m.;

Appeal of Kenny, Thomas and Cheryl; file no. 97-223-30485; Zurich Personal Insurance; doc. no. PH97-03-036; May 19, 1997, at 2 p.m.;

Appeal of Ferry, Joseph and Kathleen; file no. 97-267-30555; The Travelers Indemnity Company; doc. no. PH97-03-035; May 27, 1997, at 9 a.m.;

Appeal of Webb, Izear, Jr.; file no. 97-280-30815; Pennland Insurance Company; doc. no. PH97-03-034; May 27, 1997, at 10 a.m.;

Appeal of Doweary, Charles and Karen; file no. 97-198-00944; Keystone Insurance Company; doc. no. P97-03-048; May 27, 1997, at 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9

and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to 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) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-530. Filed for public inspection April 4, 1997, 9:00 a.m.]

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

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

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

Appeal of Foster, George; file no. 97-308-70308; Erie Insurance Company; doc. no. E97-03-044; May 7, 1997, at 11 a.m.;

Appeal of Curtosi, Anthony J., Jr.; file no. 97-267-30681; White Hall Mutual Insurance Company; doc. no. PH97-03-033; May 13, 1997, at 1 p.m.;

Appeal of Creazzo, Patricia A.; file no. 97-121-00411; State Farm Insurance Companies; doc. no. P97-03-041; May 14, 1997, at 9 a.m.;

Appeal of Zaydon, Catherine; file no. 97-121-00612; Nazareth Mutual Insurance Company; doc. no. P97-03-046; May 19, 1997, at 9 a.m.;

Appeal of Dunn, Alfred, Jr. and Cheri; file no. 97-121-01154; Allstate Insurance Company; doc. no. P97-03-050; May 28, 1997, at 9 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues pre-

sented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-531. Filed for public inspection April 4, 1997, 9:00 a.m.]

### United Services Automobile Association; Personal Auto Manual

On March 14, 1997, the Insurance Department received from United Services Automobile Association a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 4.5% decrease, amounting to \$3,049,109 annually, to be effective June 30, 1997.

Unless formal administrative action is taken prior to May 13, 1997, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Office of Rate and Policy Regulation, Bureau of Property and Casualty Insurance, Actuarial Review Division, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-532. Filed for public inspection April 4, 1997, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petitions of Rural and Small Incumbent Local Exchange Carriers

*PUC Docket No. P-00971177: Petition of Rural and Small Incumbent Local Exchange Carriers for Commission Action under Section 251(f)(2) and 253(b) of the Telecommunications Act of 1996.*

*PUC Docket No. P-00971188: Petition of Citizens Telephone Company of Kecksburg to Intervene in PUC Docket No. P-00971177 and to suspend the Interconnection Requirements of the Telecommunications Act of 1996 under Sections 251(f)(2) and 253(b).*

On February 20, 1997, the Pennsylvania Public Utility Commission (PUC) received a filing (Petition) by several rural and small local exchange companies (Petitioners). The Petition asks the PUC to grant an immediate stay of the interconnection requirements under section 251(f)(2) of the 1996 Act. The Petition also asks the PUC to suspend, for at least 24 months following final action by the FCC on Universal Service and access charge reform, the Petitioners' section 251(b) and 253(c) interconnection obligations under the 1996 Act. The Petition further wants the PUC to refuse to certify additional facilities based carriers in the rural and small service territories in exchange for a commitment to file Chapter 30 filings by July 8, 1997.

On March 13, 1997, Citizens Telephone Company of Kecksburg submitted a Petition to Intervene in PUC Docket No. P-00971188 and for relief from the 1996 Act pursuant to Sections 251(f)(2) and 253(b) of the Act.

Given the related nature of these proceedings, the Commission seeks any comment from interested parties on both Petitions. The Commission also seeks particular comment on four issues.

The PUC wants to know what, if any, factors should govern any grant of the requested stay.

The PUC wants to know what weight should be given to the fact that some rural telcos, with video programming operations in existence before enactment of the 1996 Act, are expanding those video programming operations while seeking an exemption from rural competition under the Act.

The PUC also wants to know what, if any, harm to competition is experienced from rural telco expansion of video programming operations during the pendency of this matter.

The deadline for comments is April 14, 1997. The deadline for Reply Comments is April 21, 1997. An original and 15 copies of any comments or Reply Comments must be submitted to the Pennsylvania Public Utility Commission, P. O. Box 3265, Office of the Prothonotary, Harrisburg, PA. Filings must refer to PUC Docket Nos. P-00971177 and P-00971188 collectively and filed in both dockets.

Copies of the Petition may be obtained from the Prothonotary at the PUC's offices in Harrisburg. The contact person at the PUC is Joseph K. Witmer, Esq., Law Bureau, (717) 787-3663.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-533. Filed for public inspection April 4, 1997, 9:00 a.m.]

### Water Service Without Hearing

**A-213550 F0012. York Water Company.** Application of the York Water Company for approval of the right to begin to offer or furnish water service to the public in the Boroughs of Glen Rock, Shrewsbury, New Freedom and Railroad, Shrewsbury Township and portions of North Hopewell and Hopewell Townships, York County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg,

with a copy served on the applicant on or before April 21, 1997, under 52 Pa. Code (relating to public utilities).

*Applicant:* The York Water Company, 130 East Market Street, P. O. Box 15089, York, PA 17405;

By and Through Counsel: Michael W. Gang, Esq., Michael W. Hassell, Esq., Morgan, Lewis and Bockius, LLP, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-534. Filed for public inspection April 4, 1997, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

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

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

May 14, 1997	Garry L. Carpenter (Multiple Service)	1 p.m.
May 28, 1997	Stephen Crouse (Option Change)	10 a.m.
	Patricia Graham (Service Purchase)	1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 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. 97-535. Filed for public inspection April 4, 1997, 9:00 a.m.]

## STATE ETHICS COMMISSION

### Thresholds for Disclosure on the Statement of Financial Interests

Section 5 of the Public Official and Employee Ethics Law (Ethics Law) (65 P. S. § 405) which sets forth the requirements for disclosure for Statements of Financial Interests filed under the Ethics Law, includes certain categories for which there are threshold dollar amounts at or beyond which disclosure must be made. Section 5(d)

(65 P. S. § 405(d)) requires that the State Ethics Commission biennially review these threshold dollar amounts to determine whether they should be increased to assure appropriate disclosure. Upon a final determination of the appropriate reporting increases, the Commission is required to publish a schedule of the increases in the *Pennsylvania Bulletin* in 2 successive months. See 65 P. S. § 405(d); 51 Pa. Code § 19.5(d).

On February 21, 1997, the State Ethics Commission reviewed and increased the dollar amounts set forth in section 5, subparagraphs (b)(4), (b)(5), (b)(6) and (b)(7)(i) of Act 9 of 1989, such that the reporting thresholds shall be as follows effective beginning with the forms that are due to be filed in 1998:

- The dollar amount in section 5(b)(4) involving creditors shall increase from \$5,000 to \$6,500;
- The dollar amount in section 5(b)(5) involving sources of income shall increase from \$1,000 to \$1,300;
- The dollar amount in section 5(b)(6) involving gifts shall increase from \$200 to \$250; and
- The dollar amount in section 5(b)(7)(i) involving certain paid/reimbursed actual expenses shall increase from \$500 to \$650.

JOHN J. CONTINO,  
*Executive Director*

[Pa.B. Doc. No. 97-536. Filed for public inspection April 4, 1997, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

**Contract No. 96-003-RJ67.** Bituminous Overlay, ID-2, and shoulder reconstruction from MP 291.93 to MP 299.30 on the PA Turnpike in Lancaster and Berks Cos., PA.

*Bid Opening Date:* May 6, 1997, 11 a.m.

*Bid Surety:* 5%.

Plans, specifications and contract documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$35 per set by check or P. O. Money Order (no cash) to the Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-537. Filed for public inspection April 4, 1997, 9:00 a.m.]