

NOTICES

DEPARTMENT OF AGRICULTURE

Pennsylvania Apple Marketing Program; Referendum

Under the applicable provisions of the Pennsylvania Agricultural Commodities Marketing Act of 1968, a referendum was held from April 11 to April 25, 1997, to determine if the producers affected by the Pennsylvania Apple Marketing Program desired to have the Program continue for another 5 years. In order to pass, a majority of eligible producers voting had to vote in favor of the Program continuing. An impartial Teller Committee met on April 30, 1997, to count the ballots. The following

results were submitted to me by the Teller Committee: a total of 141 eligible votes were cast, with 78 producers voting in favor of and 63 producers voting against continuing the Program. The eligible votes favoring continuation of the Program represented 55.3% of the eligible votes and those against continuation of the Program represented 44.7% of the eligible votes. There were five spoiled or ineligible ballots. Because a majority of the votes were cast in favor of the Program, the Pennsylvania Apple Marketing Program shall continue for another 5 years.

CHARLES C. BROSIUS,
Secretary

[Pa.B. Doc. No. 97-770. Filed for public inspection May 16, 1997, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 6, 1997.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-30-97	Harris Interim Savings Bank I Harrisburg Dauphin County	Harrisburg	Approved
	Interim savings bank being formed in connection with the "two-tier" reorganization of Harris Financial, MHC, Harrisburg.		
5-1-97	Sentry Trust Company Chambersburg Franklin County	1930 Scotland Ave. Chambersburg Franklin County	Commenced Operations

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-29-97	Founders' Bank, Bryn Mawr, and Susquehanna Interim Bank, Bryn Mawr Surviving Institution— Founders' Bank, Bryn Mawr	Bryn Mawr	Filed
	Subject merger is being effected solely to facilitate the acquisition of Founders' Bank, Bryn Mawr, by Susquehanna Bancshares, Inc., Lititz, a bank holding company.		
5-2-97	S & T Bank, Indiana, and Peoples Bank of Unity, Pittsburgh Surviving Institution— S & T Bank, Indiana	Indiana	Effective

All branches of Peoples Bank of Unity, Pittsburgh, will become branches of S & S Bank, including the former main office of Peoples Bank located at:

7660 Saltsburg Road
Pittsburgh
Allegheny County

NOTICES

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-23-96	Old Forge Bank Old Forge Lackawanna County	304 Main Street Duryea Luzerne County	Opened
4-30-97	Jersey Shore State Bank Jersey Shore Lycoming County	WalMart SuperCenter Hogan Boulevard and Country Club Lane Bald Eagle Township Clinton County	Approved
4-30-97	Fulton Bank Lancaster Lancaster County	Route 30 and Roosevelt Avenue York West Manchester Twp. York County	Approved
5-1-97	East Penn Bank Emmaus Lehigh	Route 100 and West End Trail Macungie Lehigh County	Approved
5-1-97	Jersey Shore State Bank Jersey Shore Lycoming County	Route 64 Zion Walker Township Centre County	Approved
5-5-97	The Glenmede Trust Company Philadelphia Philadelphia County	25825 Science Park Drive, Suite 385 Beachwood Cuyahoga County Ohio	Filed
5-5-97	Pittsburgh Home Savings Bank Pittsburgh Allegheny County	Shop N Save 5001 Library Road Bethel Park Allegheny County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-5-97	Financial Trust Company Carlisle Cumberland County	805 West Lisburn Rd. Mechanicsburg Cumberland County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
4-30-97	Patriot Interim Bank (In Organization) Pottstown Montgomery County	To provide for the addition of an initial Director to Article 8 of the Articles of Incorporation.	Approved and Effective

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS**Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-1-97	White Rose Postal Employees Federal Credit Union York York County		
	<i>To:</i> White Rose Credit Union York York County	York	Filed

Application represents conversion from a Federally-chartered credit union to a State-chartered credit union.

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-5-97	Philadelphia Telco Credit Union Trevose Bucks County	291 E. Swedesford Rd. Tredyfrin Township Wayne Chester County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
4-30-97	Erie Postal Credit Union Erie Erie County	To provide for a change in the language of Article 8 of the Articles of Incorporation.	Approved and Effective

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 97-771. Filed for public inspection May 16, 1997, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of June 1997

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of June is 9¾%.

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

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the U. S. Treasury. The latest yield rate on long-term government securities is 7.18 to which was added 2.50 percentage points for a total of 9.68 that by law is rounded off to the nearest quarter at 9 ¾%.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 97-772. Filed for public inspection May 16, 1997, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Availability of 1997-98 Competitive Funds under the Carl D. Perkins Vocational and Applied Tech- nology Education Act Amendments of 1990

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

386—Tech Prep Education: Tech Prep Education Implementation

1. *Eligibility Requirements*

To invite competitive applications from school districts and Area Vocational-Technical schools not previously participating in Statewide Tech Prep activities to initiate a Tech Prep program in conjunction with existing regional Tech Prep consortia. Programs must be carried out under written agreement to consort and meet the requirement of the State Tech Prep Assurances.

2. *Application Requirements*

Applications are due June 11, 1997 by 4:30 p.m.

3. *Application Forms and Guidelines*

Completion of applications requires the use of two references: the general and categorical guidelines. Documents are available from Emmanuel Constantine, 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 are to be mailed or delivered (not faxed) to the Division of Advisory and Approval Services on or before the designated due date.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 97-773. Filed for public inspection May 16, 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 Water Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

Applications for National Pollutant Discharge Elimination Systems (NPDES) permit to discharge to State waters.

Northcentral Region: Environmental Program Manager, Water Management, 200 Pine Street, Williamsport, PA 17701-6510, telephone (717) 327-3666.

PA 0035688. Sewerage, SIC: 4952, **Potter Township**, R. D. 1, Box 159AA, Spring Mills, PA 16875.

This proposed action is for issuance of an NPDES permit for an existing discharge of treated sewage to Cedar Run in Potter Township, **Centre County**.

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

For the purpose of evaluating requirements for TDS, NO₂-NO₃, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton on the West Branch Susquehanna River.

Outfall 001: The proposed effluent limits, based on a design flow of 0.035 mgd, are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10	15	20
Suspended Solids	20	30	40
Ammonia Nitrogen (5-1 to 10-31)	3	4.5	6
(11-1 to 4-30)	9	13.5	18
Total Chlorine Residual	1		2.3
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	200/100 ml as a geometric average		
pH	6.0—9.0 at all times		

Other Conditions: none.

The EPA waiver is in effect.

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

PA 0101389. Sewage. **Penncrest School District (Maplewood Elementary School)**, R. D. 1, Box 808, Saegertown, PA 16433.

This application is for a renewal of an NPDES permit to discharge treated sewage to Muddy Creek in Townville Borough, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: high quality fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Borough of Cambridge Springs on French Creek located at Cambridge Springs, approximately 15 miles below point of discharge.

The proposed effluent limits, based on a design flow of 0.046 mgd, are:

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	3	9
(11-1 to 4-30)	9	18
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	4,100/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

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

PA 000647. Industrial waste, SIC: 3399, **Crucible Research**, Division of Crucible Materials Corporation, 6003 Campbells Run Road, Pittsburgh, PA 15205-1022.

This application is for renewal of an NPDES permit to discharge treated process water and untreated cooling water and stormwater from the Crucible Research facility in Robinson Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Campbells Run, 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 West View Water Company, located on the Ohio River over 15 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.017 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Oil and Grease			15		30
Temperature (°F)					110
Aluminum			monitor and report		
Mercury			monitor and report		
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: No net addition of pollutants to cooling water, thermal conditions for cooling water, priority pollutant analysis, chemical additives, solids disposal, control floating solids, stormwater conditions, Part II limits superseded, control of dilution and specific waste streams and biannual sampling or training.

Outfall 101: existing discharge, design flow of 0.005 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Total Suspended Solids			20		50
Copper			1.0		2.5
Cyanide			0.12		0.30
Lead			0.20		0.50
Total Chromium			0.5		1.25
Total Iron			4.0		10.0

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Oil and Grease			12		30
pH	not less than 7.5 nor greater than 10.0				

Outfall 201: existing discharge, design flow of 0.012 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
pH	flow to consist solely of uncontaminated noncontact cooling water not less than 6.0 nor greater than 9.0				

Outfall 301: existing discharge, design flow of 1,824 gal/month

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Total Suspended Solids			20		50
Copper			1.0		2.5
Cyanide			0.12		0.30
Lead			0.20		0.50
Total Chromium			0.5		1.25
Total Iron			4.0		10.0
Oil and Grease			12		30
Aluminum			monitor and report		
pH	not less than 7.5 nor greater than 10.0				

The EPA waiver is in effect.

PA 0003719. Industrial waste, SIC: 4011, **LTV Steel Company**, 4650 Second Avenue, Pittsburgh, PA 15207.

This application is for renewal of an NPDES permit to discharge treated process water and untreated cooling water and stormwater from the Monongahela Connecting Railroad Company in the City of Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela 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 West View Water, located over 8 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.13 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Oil and Grease			15		30
Temperature (°F)					110
Total Suspended Solids			30		60
pH	not less than 6.0 nor greater than 9.0 standard units				

Other Conditions: Residual waste, control floating solids, cooling water conditions, stormwater runoff, storage tank conditions, chemical additives, submission of information.

The EPA waiver is in effect.

PA 0034819. Industrial waste, SIC: 3399 and 3499, **Ametek, Inc.**, Route 519, Eighty Four, PA 15330.

This application is for renewal of an NPDES permit to discharge treated process water, sewage and stormwater and untreated stormwater from the Ametek Specialty Metals Products Division Plant in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Little Chartiers Creek and unnamed tributary to Little Chartiers Creek, classified as a high quality 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 Western Pennsylvania Water Company—Canonsburg District, located on Little Chartiers Creek, 8 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0115 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Three-year compliance period for and minimization of Total Residual Chlorine (OF201), disinfection conditions, percent removal, priority pollutant analysis, water quality-based effluent limit conditions, sewage sludge reporting, solids disposal, control floating solids, mass limit conditions, receiving stream temperature increase control, stormwater, chemical additives and submission of information.

Outfall 101: existing discharge, design flow of 0.010 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Chromium	0.084	0.21	0.26	0.65	
Nickel			0.25	0.5	
Fluoride			4.9	9.8	
Copper	0.44	0.85	1.37	2.64	
Cyanide	0.045	0.11	0.14	0.34	
Lead	0.10	0.17	0.31	0.53	
Oil and Grease	4.8	9.6	15	30	
Total Suspended Solids	9.4	19.8	30	60	
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: existing discharge, design flow of 0.0015 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	0.0023				
CBOD ₅					
(5-1 to 10-31)	10				
(11-1 to 4-30)	10				
Suspended Solids	25				
Ammonia Nitrogen					
(5-1 to 10-31)	5				
(11-1 to 4-30)	15				
Fecal Coliform					
(5-1 to 9-30)	200/100 ml as a geometric mean				
(10-1 to 4-30)	10,000/100 ml as a geometric mean				
Total Residual Chlorine					
1st month—36th month	monitor and report				
37th month—expiration	1.4				
pH	not less than 6.0 nor greater than 9.0				

Outfalls 301, 002 and 003: existing discharge of stormwater.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Outfalls to consist solely of uncontaminated stormwater.					

The EPA waiver is in effect.

PA 0042102. Industrial waste, SIC: 2851 and 2821, **Ranbar Electrical Materials, Inc.**, Route 993, Box 607, Manor, PA 15665-0607.

This application is for renewal of an NPDES permit to discharge treated groundwater, noncontact cooling water and stormwater from the Ranbar facility in Manor Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Bushy Run, classified as a trout stocked (TSF) 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 Western Pennsylvania Water Company, located at Pittsburgh on the Monongahela River, >15 miles below the discharge point.

Outfall 001: Existing discharge, design flow of 0.038 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
TSS			30		100
Oil and Grease			15		30
Temperature					74°F
pH	not less than 6.0 nor greater than 9.0				

Outfall 101: new discharge to Outfall 001 (0.001 mgd).

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
TSS			30		100
Oil and Grease			15		30
Iron					7.0
Benzene			0.001		0.0025
Ethylbenzene				monitor and report	
Toluene				monitor and report	
Xylenes (Total)				monitor and report	
BTEX*			0.10		0.25
Styrene			0.008		0.02
Phenols (Total)			0.068		0.170
O-Cresol			0.5		1.25
P-Cresol			2.3		5.75
pH	not less than 6.0 nor greater than 9.0				

*BTEX is the sum of analytical results for Benzene, Toluene, Ethylbenzene and Xylenes.

Outfall 003: existing discharge, design flow of 0.001 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
TSS			30		100
Oil and Grease			15		30
Temperature					74°F
pH	not less than 6.0 nor greater than 9.0				

Outfalls (new) 004, 005, 006 and 007.

Discharge consists solely of uncontaminated stormwater runoff.

Other Conditions: N/A.

The EPA waiver is in effect.

PA 0038172. Sewage, **The Hempfield Township Municipal Authority**, R. D. 6, Box 501, Greensburg, PA 15601.

This application is for renewal of an NPDES permit to discharge treated sewage from the Rolling Hills Sewage Treatment Plant in Hempfield Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of .071 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	1.5	2.2		3.0
(11-1 to 4-30)	3.0	4.5		6.0
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			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	0.5			1.2
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0096342. Sewage, **Fairchance-Georges Joint Municipal Sewage Authority**, 125 West Church Street, Fairchance, PA 15436.

This application is for renewal of an NPDES permit to discharge treated sewage from Fairchance-Georges STP in Georges Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Georges 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 Dunkard Valley Joint Municipal Authority on the Monongahela River.

Outfall 001: Existing average design flow of 0.35 mgd, effective until the treatment plant expansion is completed and operational. Proposed average design flow of 0.45 mgd, effective after the treatment plant expansion is completed and operational.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅				
(5-1 to 10-31)	15	23		30
(11-1 to 4-30)	25	38		50
Suspended Solids	25	38		50
Ammonia Nitrogen				
(5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	5.0	7.5		10.0
Total Residual Chlorine				
At existing 0.35 mgd flow	monitor and report			
At proposed 0.45 mgd flow ¹	0.07			0.23
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			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

¹This limitation is effective if chlorination is used for disinfection for the expanded plant.

The EPA waiver is in effect.

PA 0097195. Sewage, **Kiski Area School District**, Administration Office, 200 Poplar Street, Vandergrift, PA 15690.

This application is for issuance of an NPDES permit to discharge treated sewage from the Bell Elementary School Sewage Treatment Plant in Bell Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Wolford 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 Buffalo Township Municipal Authority.

Outfall 001: existing discharge, design flow of 0.01 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0204854. Sewage, **Knob Vue Estates, Inc.**, 40 Metz Hill Road, Freedom, PA 15042.

This application is for renewal of an NPDES permit to discharge treated sewage from Knob Vue Estates Sewage Treatment Plant in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Pine 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 ARCO Chemical Company, BV Plant on the Ohio River.

Outfall 001: existing discharge, design flow of .0145 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	6.0			12.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration				0.35
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0217620. Sewage, **Consol Pennsylvania Coal Company**, 1800 Washington Road, Pittsburgh, PA 15241.

This application is for issuance of an NPDES permit to discharge treated sewage from the Crabapple Portal Sewage Treatment Plant in Richhill Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Crabapple 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 City of Sistersville Water Company on the Ohio River.

Outfall 001: new discharge, design flow of 0.025 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration				1.05
Dissolved Oxygen	not less than 4.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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
PA 0060372	Factoryville Borough P. O. Box 277 Factoryville, PA 18419	Wyoming Clinton Twp.	South Branch Tunkhannock Creek	TRC

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0062944	Robert Barker/Charles Rice 618 Quaker Plain Road Bangor, PA 18013	Northampton Mt. Bethel Twp.	Chimney Creek	TRC

PA 0063703. Sewerage. **Thomas E. Little**, R. R. 4, Box 89A, Dalton, PA 18414.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary of the South Branch of the Tunkhannock Creek, Benton Township, **Lackawanna County**.

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

Outfall 001

The proposed effluent limits based on a design flow of 0.0004 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Total Suspended Solids	20	40
Fecal Coliform	200/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine	monitor and report	

The EPA waiver is in effect.

PA 0062090. Industrial waste, SIC: 3580, **Anemostat Products Division**, Dynamics Corporation of America, 888 N. Keyser Avenue, Scranton, PA 18508.

This proposed action is for renewal of an NPDES permit to discharge noncontact cooling water into an unnamed tributary to Keyser Creek in the City of Scranton, **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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Supply on N. Branch of Susquehanna River.

Outfall 001

The proposed effluent limits based on a design flow of .0083 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease	15.0		30.0
pH	6—9 standard units at all times		
Total Chromium	monitor and report		
Total Lead	monitor and report		
Total Iron	monitor and report		

The EPA waiver is in effect.

PA 0062715. Industrial waste, SIC: 5171, **Sun Company, Inc.**, c/o David A. Justin, 1801 Market Street, Philadelphia, PA 19103.

This proposed action is for renewal of an NPDES permit to discharge treated stormwater into an unnamed tributary of Toby Creek in Edwardsville Borough, **Luzerne 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, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Authority located on the North Branch Susquehanna River.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	
Total Recoverable Petroleum Hydrocarbons	monitor only

This permit also contains special conditions pertaining to control of product contaminated stormwater run-off from petroleum marketing terminals.

The EPA waiver is in effect.

PA 0063614. Sewerage, **Borough of Penn Lake Park Council**, Box 133, White Haven (Penn Lake), PA 18661.

This proposed action is for issuance of an NPDES permit to discharge treated sewage into Wright Creek in Penn Lake Borough, **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.

Outfall 001

The proposed effluent limits based on a design flow of .050 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Dissolved Oxygen	a minimum of 5 mg/l at all times		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine	1.2		2.8

The EPA waiver is in effect.

PA 0032131. Sewerage, **Commonwealth of Pennsylvania**, Bureau of State Parks (Locust Lake State Park) P. O. Box 1467, Harrisburg, PA 17120.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Locust Creek in Ryan 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Borough of Pottstown Water Authority intake located on the Schuylkill River.

Outfall 001

The proposed effluent limits based on a design flow of .047 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	14		28
Total Suspended Solids	30		60
Dissolved Oxygen	a minimum of 6.0 mg/l at all times		
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine			
First month through 36th month	monitor and report		monitor and report
37th month through expiration date	.7		1.7

The EPA waiver is in effect.

PA 0060623. Sewerage, **Silver Lake Township Municipal Authority**, P. O. Box 1975, Brackney, PA 18812.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Little Rhiney Creek in Silver Lake Township, **Susquehanna County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is at the PA/NY State border.

Outfall 001

The proposed effluent limits based on a design flow of .042 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.5		5
(11-1 to 4-30)	7.5		15

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen	a minimum of 6 mg/l at all times		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine	1.2		2.8

The EPA waiver is in effect.

PA 0061379. Industrial waste, SIC: 4941, **Nicholson Borough Authority**, R. R. 2, Box 11, Nicholson, PA.

This proposed action is for renewal of an NPDES permit to discharge treated filtration backwash water into Horton Creek in Nicholson Borough, **Wyoming 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Company on West Branch of Susquehanna River.

Outfall 001

The proposed effluent limits based on a design flow of .013 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Dissolved Solids	30	60	
Total Iron	2.0	4.0	
Total Aluminum	4.0	8.0	
Total Manganese	1.0	2.0	
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0082864	Jesus Ministries, Inc. R. R. 1, Box 58B Shirleysburg, PA 17260	Huntingdon Cromwell Twp.	Augwick Creek	TRC
PA 0020818	Glen Rock Sewer Auth. P. O. Box 116 Glen Rock, PA 17327	York Shrewsbury Twp.	S. Branch Codorus Creek	TRC
PA 0084085	Country View Estates MHP P. O. Box 175 Newville, PA 17241	Cumberland U. Frankford Township	Bloser Run	TRC
PA 0037737	Elizabethville Area Auth. P. O. Box 271 Elizabethville, PA 17023	Dauphin Washington Township	Wiconisco Creek	TRC
PA 0111350	Boro of Petersburg P. O. Box 6 Petersburg, PA 16669-0006	Huntingdon Logan Twp.	Shaver Creek	TRC

PA 0081795. SIC: 6515, Sewage, **Williams Grove Mobile Homes**, 1550 Williams Grove Road, Mechanicsburg, PA 17055-5349.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Yellow Breeches Creek, in Monroe Township, **Cumberland County**.

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

The proposed effluent limits for Outfall 001 for a design flow of .030 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
Total Phosphorus	2.0	4.0
Total Residual Chlorine	0.50	1.63
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0—9.0 inclusive	
Fecal Coliforms	200/100 ml as a geometric average	
(5-1 to 9-30)	100,000/100 ml as a geometric average	
(10-1 to 4-30)		

The EPA waiver is in effect.

PA 0086878. SIC: 4941, Industrial waste, **Hamburg Municipal Authority**, 61 North Third Street, Hamburg, PA 19526.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Furnace Creek, in Hamburg Borough, **Berks County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.03 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
pH (s.u.)	from 6.0 to 9.0 at all times		
Total Residual Chlorine	0.8		2.6
Total Copper	0.1	0.2	0.25
Total Mercury	0.00012	0.00024	0.0003
Total Aluminum	4	8	10
Total Manganese	1	2	2.5
Total Iron	2	4	5

The EPA waiver is in effect.

PA 0009253. SIC: 3795, Industrial waste, **United Defense, L. P.**, P. O. Box 15512, Wolf's Church Road, York, PA 17405-1512.

This application is for renewal of an NPDES permit for existing discharges of treated industrial waste to Codorus Creek and unnamed tributaries, in West Manchester Township, **York County**.

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

The proposed effluent limits for Outfall 101 for a design flow of 0.072 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)		monitor and report	
pH (s.u.)		from 6.0—9.0 inclusive	
Oil and Grease	15.0		30.0
Total Suspended Solids	31.0	60.0	77.5
Total Aluminum		monitor and report	
Total Cadmium	0.05	0.1	0.13
Total Chromium	1.7	2.8	4.2
Hexavalent Chromium	0.025	0.05	0.06
Total Copper	0.4	0.8	1.0
Total Lead	0.35	0.7	0.8
Total Nickel	2.0	4.0	5.0
Total Silver	0.08	0.16	0.2
Total Zinc	1.5	2.6	3.8
Total Cyanide	0.35	0.7	0.9
TTO	2.13		

The proposed effluent limits for Outfall 102 for a design flow of 0.071 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)		monitor and report from 6.0—9.0 inclusive	
pH (s.u.)			
Dissolved Oxygen	5.0		
Total Suspended Solids	30.0		60.0
CBOD ₅	25.0		50.0
Total Phosphorus	2.0		4.0
Fecal Coliform			
(5-1 to 9-30)	200		
(10-1 to 4-30)	2,000		

The proposed effluent limits for Outfall 002 for a design flow of 0.0288 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)		monitor and report from 6.0—9.0 inclusive	
pH (s.u.)			
Tetrachloroethylene	0.0007	0.0014	0.0018

The proposed effluent limits for Outfall 003 for a design flow of 0.144 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)		monitor and report from 6.0—9.0 inclusive	
pH (s.u.)			
Tetrachloroethylene	0.0007	0.0014	0.0018
Chloroform	0.006	0.0012	0.0015
1,1-Dichloroethylene	0.00013	0.00026	0.0003
1,1,1-Trichloroethane	0.2	0.4	0.5
Trichloroethylene	0.003	0.006	0.0075

The proposed effluent limits for Outfall 004 for a design flow of 0.0036 mgd are:

<i>Parameter</i>	<i>Composite Sample (mg/l)</i>	<i>Grab Sample (mg/l)</i>
CBOD ₅	monitor and report	monitor and report
Chemical Oxygen Demand	monitor and report	monitor and report
Total Suspended Solids	monitor and report	monitor and report
Total Phosphorus	monitor and report	monitor and report
Total Kjeldahl Nitrogen	monitor and report	monitor and report
Dissolved Iron	monitor and report	monitor and report
Oil and Grease		monitor and report
pH (s.u.)		monitor and report
Total Aluminum	monitor and report	monitor and report
Total Cadmium	monitor and report	monitor and report
Total Chromium	monitor and report	monitor and report
Hexavalent Chromium	monitor and report	monitor and report
Total Copper	monitor and report	monitor and report
Total Lead	monitor and report	monitor and report
Total Nickel	monitor and report	monitor and report
Total Silver	monitor and report	monitor and report
Total Zinc	monitor and report	monitor and report
Total Cyanide	monitor and report	monitor and report

The EPA waiver is not in effect.

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER
Applications under the Pennsylvania Clean Streams Law
(Part II Permits)

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. 2597409. Sewage, **Jeffrey Durfee**, SRSTP, 3435 West 40th St., Erie, PA 16506. This project is for the construction of a Single Residence Sewage Treatment Plant in Waterford Township, **Erie County**.

WQM Permit No. 6197402. Sewage, **Ray Kotewicz**, SRSTP, 2854 Bellavista Dr., Allison Park, PA 15101. This project is for the construction of a Single Residence Sewage Treatment Plant in Victory Township, **Venango County**.

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

A. 3997405. Sewerage. **Parkland School District**, 1210 Springhouse Road, Allentown, PA 18104-2119. Application to construct and operate a Sewage Treatment Plant with sewers and appurtenances to serve the new Parkland High School, located in South Whitehall Township, **Lehigh County**. Application received in the Regional Office April 28, 1997.

Applications received for industrial waste and sewage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

A. 0697201. Industrial waste. Submitted by **Western Berks Water Authority**, 91 Water Road, Sinking Spring, PA 19608-9633 in Lower Heidelberg Township, **Berks County** to construct and operate a new process wastewater management facility was received in the Southcentral Region on April 10, 1997.

A. 2297402. Sewerage. Submitted by **Robert and Shirley Rissinger**, c/o Allen Shaffer & Assoc., P. O. Box 335, Millersburg, PA 17061 in Halifax Township, **Dauphin County** to construct a single-family residence sewage treatment plant was received in the Southcentral Region on April 17, 1997.

A. 0697405. Sewerage. Submitted by **Bern Township Municipal Authority**, 1609 Old Bernville Road, Reading, PA 19605-9632 in Bern Township, **Berks County** to construct an interceptor to serve the West Ridge Bern development was received in the Southcentral Region on April 17, 1997.

A. 0694405. Sewerage. Submitted by **William G. Kazmierczak**, R. D. 2, Box 351A, Birdsboro, PA 19508 in Exeter Township, **Berks County** to construct community sewage system was received in the Southcentral Region on April 24, 1997.

A. 2197404. Sewerage. Submitted by **East Pennsboro Township**, 98 S. Enola Drive, Enola, PA 17025 in East Pennsboro Township, **Cumberland County** to replace the Enola Creek Trunk Sewer was received in the Southcentral Region on April 24, 1997.

A. 6797405. Sewerage. Submitted by **Dover Township Sewer Authority**, 2480 W. Canal Road, Dover, PA 17315 in Dover Township, **York County** to construct and replace existing Ashcombe Interceptor Sanitary Sewer Line was received in the Southcentral Region on April 30, 1997.

**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 noted above the application.

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

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

Southwest Regional Office: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, telephone (412) 442-4028.

Southcentral Regional Office: Regional Water Management Program Manager, 1 Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

Northcentral Regional Office: Regional Water Management Program Manager, 208 W. Third Street, Williamsport, PA 17701, telephone (717) 327-3669.

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701, telephone (717) 826-2553.

Berks County Conservation District, District Manager, Agricultural Center, Leesport, PA 19533, telephone (610) 372-4657.

NPDES Permit PAS10C032. Stormwater. **Enrico Filippini**, Exeter Public Golf Course, R. D. 3, Reading, PA 19606 has applied to discharge stormwater from a construction activity located in Exeter Township, **Berks County**, to Antietam Creek.

Lycoming County Conservation District, District Manager, Ste. 6, 2130 County Farm Road, Montoursville, PA 17754, telephone (717) 433-3003.

NPDES Permit PAS103913. Stormwater. **Transcontinental Gas Pipeline Corporation**, 2800 Post Oak Boulevard, P. O. Box 1396, Houston, TX 77251 has applied to discharge stormwater from a construction activity located in Loyalsock and Old Lycoming Townships, **Lycoming County**, to Lycoming and Loyalsock Creeks.

Montgomery County Conservation District, District Manager, 1015 Bridge Road, Ste. B, Collegetown, PA 19426, telephone (610) 489-4506.

NPDES Permit PAS10T084. Stormwater. **Perkiomen Valley School District**, 3 Iron Bridge Drive, Collegetown, PA 19426 has applied to discharge stormwater from a construction activity located in Skippack Township, **Montgomery County**, to UNT to Perkiomen Creek.

NPDES Permit PAS10T085. Stormwater. **Pa. Department of Transportation**, 200 Radnor-Chester Road, Saint Davids, PA 19087 has applied to discharge stormwater from a construction activity located in Upper Merion Township, **Montgomery County**, to the Schuylkill River.

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

NPDES Permit PAS10U070. Stormwater. **Muhlenberg Realty Corporation**, 2545 Schoenersville Road, Bethlehem, PA 18017 has applied to discharge stormwater from a construction activity located in Hanover Township, **Northampton County**, to Monocacy Creek.

Perry County Conservation District, District Manager, 31 W. Main Street, New Bloomfield, PA 17068, telephone (717) 582-8988.

NPDES Permit PAS105102. Stormwater. **Donald Failor**, 5534 Spring Road, Shermansdale, PA 17090 has applied to discharge stormwater from a construction activity located in Spring Township, **Perry County**, to Montour Creek.

Washington County Conservation District, District Manager, 100 Beau Street, Washington, PA 15301, telephone (412) 228-6774.

NPDES Permit PAS10W062. Stormwater. **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676 has applied to discharge stormwater from a construction activity located in Carroll Township, **Washington County**, to Pigeon Creek.

Public Hearing

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

- PAS10-G258 - Malvern Hills II Partners - Malvern Hills II
- PAS10-G260 - Liberty Property Trust - Cedar Hollow Road Site
- PAS10-G261 - DHR Limited - Valley Forge Trails
- PAS10-G264 - Liberty Property Trust - Great Valley Corporate Center Technology Park - Parcels 38A, 30 and 3

The hearing is scheduled for June 23, 1997 at 7 p.m. at 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. The applications are for stormwater construction activities, with a discharge to the Valley Creek Watershed. A copy of these applications are available for review in the Southeast Regional Office's Record Management Section, telephone (610) 832-6268. Those interested in reviewing these applications should call to schedule a date to review the files. The project sponsors are:

Malvern Hills II Partners, P. O. Box 3085, West Chester, PA 19381

Liberty Property Trust, 65 Valley Stream Parkway, Great Valley Corporate Center, Malvern, PA 19355

DHR Limited Partnership, 600 Fletcher Road, Wayne, PA 19087

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 person's name, address and phone number, whether 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 (800) 654-5984.

Public Hearing

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

PAS10-G259, Tattersall Golf Community, Phase II

The hearing is scheduled for June 30, 1997 at 7 p.m. at West Bradford Township Building, Meeting Room, 1385 Campus Drive, Downingtown, PA 19335, Chester County. The hearing is being held to solicit pertinent comments on this application. The application is for stormwater construction activities, with a discharge to Broad Run. A copy of this application is available for review in the Southeast Regional Office's Record Management Section, telephone (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is:

Tattersall Development Group, P. O. Box 217, Chester Springs, PA 19425

Comments received will be considered by DEP in completing its review and prior to taking final action concerning the application. 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 person's name, address and phone number, whether 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 (800) 654-5984.

SAFE DRINKING WATER

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

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

A. 1497501. Lemont Water Company, P. O. Box 26, Lemont, PA 16851, College Township, **Centre County**. Installation of a liquid polyphosphate feed system to sequester calcium at the Puddingtown Pump Station.

A. 4197501. Limestone Township Municipal Water Authority, R. R. 2, Box 823, Jersey Shore, PA 17740, Limestone Township, **Lycoming County**. Construction of a pressure sand filtration plant to treat Nigart Run and two new wells, construction of a new storage tank, and construction of corrosion control treatment facilities.

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

4597501. Public water supply. **Pocono Plateau**, c/o Larry Moyer, 32 Chipperfield Drive, Effort, PA 18330. This proposal involves permitting of an existing system to allow for construction of a well house with disinfection facilities for treatment of raw water from one of the two currently used wells. It is located in Tunkhannock Township, **Monroe County**.

Engineer: James P. Palumbo, PE, 37 North Washington Street, Wilkes-Barre, PA 18701.

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

A. 0697501. Public water supply. **United Mobile Homes**, Greenwich Township, **Berks County** (Samuel L. Landy, President, United Mobile Homes, Inc., 125 Wyckoff Road, Eatontown, NJ 07724), expansion of existing mobile home park public water system, two wells, elevated storage tank, distribution system expansion, (Gregory S. Blash and Associates, Gregory Blash, P. E., 113 Squirrel Tree Lane, Mount Laurel, NJ 08054).

A. 0197502. Public water supply. **Appler Limited Partnership**, Littlestown Borough, **Adams County**, (Edward Smariga, President, 178 Thomas Johnson Drive, Suite 202L, Frederick, MD 21702), the Appler well at a rate of 125 gallons per minute. Treatment will be limited to chlorine gas disinfection. The well is to be incorporated into the Littlestown Borough Community Water System, (Steven M. Metzler, P. E., R. E. Wright Environmental, Inc., Gateway West, 125 Airport Drive, Suite 36, Westminster, MD 21157).

A. 02297503. Public water supply. **Pennsylvania-American Water Company**, Derry Township, **Dauphin County**, (David V. Modeer, Vice-President-Operations, PA American Water Company-Westford System, 800 West Hershey Park Drive, Hershey, PA 17033), installation of corrosion control treatment at Westford Water System to achieve compliance with lead and copper rule. Caustic soda and corrosion inhibitor to be added at well no. 5. Corrosion inhibitor to be added at well no. 2, (Jay R. Lucas, P. E., PA, American Water Company, 800 West Hershey Park Drive, Hershey, PA 17033).

HAZARDOUS SITES CLEAN-UP

Under the Act of October 18, 1988

Prompt Interim Response

National Granulating Company, Inc. (A.K.A. Washington Tire Fire) City of Washington, Washington County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), initiated an Interim Response at the National Granulating Company, Inc. site. This response was taken under section 506(b) of HSCA.

The National Granulating Company, Inc. site is located at 41 Detroit Street, Washington, Washington County, PA. The site, approximately 11 acres in size, contained four buildings, and approximately 1.8 million whole and chipped tires. The site is located in a mixed residential and light industrial area. The nearest residence is less than 200 feet from the site.

A fire, which started on February 27, 1997, consumed nearly all of the whole and chipped tires, two buildings and involved approximately 3 acres of the site. Hazardous materials released to the environment, as a result of the fire, adversely impacted onsite and offsite air quality, on-and offsite water quality, including an unnamed tributary to Catfish Run, Catfish Run and Chartiers Creek and both onsite and offsite soils.

The release of hazardous materials posed a health threat to those individuals exposed to the smoke plume and those in contact with the contaminated soils and waters. The release also posed a threat to persons using surface waters for recreational and agricultural purposes and resulted in a fish kill in Catfish Run.

The Department began its response to the fire on February 27. Its major objective was to protect human health while providing protection to the environment.

The Department monitored air quality around the site and within the contaminant plume migrating offsite. In conjunction with fire fighting activities, the Department instituted measures to protect the receiving waters by using check dams, booms and oil/water separators.

Between March 2 and March 7, 1997, the Department worked to control offsite air contamination by assisting the fire departments in extinguishing the fire. Through its interim response contractor the Department processed the materials by clenching the burning rubber to lower the temperatures below its flashpoint, and moving the materials offsite for disposal. This process reduced air emissions, provided control over the material to insure no auto re-ignition, and made room for fire fighters to fight the fire. Concurrently, run-off water from the fire was recirculated back to the fire or treated prior to discharge.

From March 5 until March 14 processed material was sent for disposal and contaminated surface water run-off was collected and treated. From March 14 through March 20, contaminated soils were removed and disposed of at a permitted disposal facility.

Between April 1 and April 3, 726 drums of Latex material were removed from the site for disposal. Between April 3 and April 28 the remaining 500 drums were overpacked and readied for disposal at a permitted site.

The Department and other involved emergency management leaders considered the following options during

the emergency response: 1) allow the fire to burn itself out, 2) allow the fire to burn itself out and collect the surface water run-off, and 3) work to extinguish the fire, collect and treat surface water and dispose of contaminated soils and materials.

This notice is being provided under section 506(b) of HSCA. The Administrative Record which contains the basis and documents the selection of this response action is available for public review and comment. The Administrative Record is located at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745 and is available for review Monday through Friday from 8 a.m. to 4 p.m. The Administrative Record will be open for comment from May 17 until August 18. Persons may submit written comment into the record during this time only by sending them to Terry Goodwald at 400 Waterfront Drive, Pittsburgh, PA 15222-4745 or by delivering them to this office in person.

In addition, persons may present oral comments for inclusion into the Administrative Record during a public hearing on Wednesday, June 18. The hearing will be held at 7 p.m. in the City of Washington Council Chambers, City Hall, Washington, PA. Persons wishing to present comments must register with Betsy Mallison at (412) 442-4182 or in writing to Pennsylvania DEP, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

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

LAND RECYCLING AND ENVIRONMENTAL REMEDATION

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

For further information concerning the content of a Notice of Intent to Remediate, contact the Department of

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

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

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

Brensinger Residence, Moore Township, **Northampton County**. All Phase Environmental Services, Inc., 131 Technology Drive, Bethlehem, PA has submitted a Notice of Intent to Remediate (on behalf of its client, John Brensinger, 469 Monacacy, Bath, PA) concerning the remediation of site soils which became contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polyaromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

Northwest Regional Office: John Fruehstorfer, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, telephone (814) 332-6648.

Fostermation, Inc., 200 Valley View Drive, Meadville, PA, **Crawford County**, has submitted a Notice of Intent to Remediate soil. The site has been found to be contaminated with PHC's. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate will be published in the *Meadville Tribune* on May 8, 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, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and municipal waste regulations for a general permit to operate municipal waste processing facilities and the beneficial use of municipal waste.

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

General Permit A. WMGM001. Allegheny Energy Resources, Inc., 20 Stanwix Street, Suite 600, Pittsburgh, PA 15222. An application for processing and beneficial use of municipal waste landfill gas (LFG). The facility will produce for beneficial use, as an alternative energy source, a medium to high BTU rated pipeline quality gas generated by the decomposition of municipal waste.

General Permit A. WMGM002. Allegheny Energy Resources, Inc., 20 Stanwix Street, Suite 600, Pittsburgh, PA 15222. An application for processing and beneficial use of municipal waste landfill gas (LFG). The facility will produce for beneficial use, as an alternative energy source, a medium BTU rated pipeline quality gas generated by the decomposition of municipal waste.

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.

HAZARDOUS WASTE, TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

A. I. D. No. PAD000736942. Calgon Carbon Corporation, P. O. Box 717, Pittsburgh, PA 15230. Calgon Carbon Corporation, 200 Neville Road, Pittsburgh, PA 15225. A RCRA Part B major permit modification for the incorporation of a Thermal Treatment Operation, in Neville Township, **Allegheny County**, was received in the Regional Office on April 23, 1997.

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 a solid waste processing or disposal area or site.

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

A. I. D. No. 301302. Duquesne Light Co., 411 Seventh Avenue, Pittsburgh, PA 15230-1930. Cheswick Power Station Emergency Ash Pond, Porter Street, Springdale, PA 15114. Application for a closure plan for a residual waste disposal impoundment in Springdale Township, **Allegheny County**. Received in the Regional Office on October 15, 1996.

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

A. 301309. Brunner Island Steam Electric Station, Pennsylvania Power & Light Company (Two North Ninth Street, Allentown, PA 18101). Application for Brunner Island Steam Electric Station Mill rejects disposal area for a site in East Manchester Township, **York County**. Application determined to be administratively complete in the Regional Office April 23, 1997.

A. 300877. Reading City Landfill, Reading Area Water Authority, Reading City Hall, 815 Washington Street, Reading, PA 19601. Application for repermitting of a water filtration plant sludge landfill site in Maiden Creek Township, **Berks County**. Application determined to be administratively complete in the Regional Office April 23, 1997.

AIR POLLUTION

OPERATING PERMITS

Construct, modify or activate air contaminant sources

25 Pa. Code § 129.1

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

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

OP-41-0001A. The Department intends to issue an operating permit to **Stroehmann Bakeries, L. C.** (3373 Lycoming Creek Road, Williamsport, PA 17701) for the operation of bread dough processing and related operations previously owned and operated by Stroehmann Bakeries, Inc. in Old Lycoming Township, **Lycoming County**.

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

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

06-323-017. The Department intends to issue an Air Quality Operating Permit to **Lindberg Heat Treating Company** (17 Dennis Drive, Reading, PA 19606) for a metal heating treating operation in Exeter Township, **Berks County**.

21-2026. The Department intends to issue an Air Quality Operating Permit incorporating a 50-ton VOC emissions limit to **Carlisle Syntec, Inc.** (P. O. Box 7000, Carlisle, PA 17013) for its rubber roofing manufacturing facility in Carlisle, **Cumberland County**.

34-303-002A. The Department intends to issue an Air Quality Operating Permit to **Jay Fulkroad & Sons, Inc.** (R. D. 2, Box 125, McAllisterville, PA 17049) for a batch asphalt plant in Fayette Township, **Juniata County**.

34-310-001D. The Department intends to issue an Air Quality Operating Permit to **Jay Fulkroad & Sons, Inc.** (R. D. 2, Box 125, McAllisterville, PA 17049) for a limestone crushing plant in Fayette Township, **Juniata County**. The source is subject to 40 CFR 60, Subpart 000, Standards of Performance for New Stationary Sources.

06-318-042D. The Department intends to issue an Air Quality Operating Permit to **Reynolds Metals Company** (County Line Road, R. D. 1, Boyertown, PA 19512) for eight flexographic presses and three laminators controlled by two oxidizers in Colebrookdale Township, **Berks County**.

06-323-019. The Department intends to issue an Air Quality Operating Permit to **Troutman Industries, Inc.** (2201 Reading Avenue, West Lawn, PA 19609) for a hard chrome plating operation controlled by a mist eliminator in Spring Township, **Berks County**. The source is subject to 40 CFR 63, Subpart N, National Emission Standards for Hazardous Air Pollutants.

31-323-003. The Department intends to issue an Air Quality Operating Permit to **Berg Electronics Group,**

Inc. (Emig and Busser Roads, Emigsville, PA 17318) for their no. 2 R & C electroplating line controlled by a fume scrubber in Shirley Township, **Huntingdon County**.

67-2021. The Department intends to issue a Synthetic Minor RACT Air Quality Operating Permit to **Eisenhart Wallcoverings Company** (P. O. Box 464, 400 Pine Street, Hanover, PA 17331-0464) for a wallcovering operation in Hanover Borough, **York County**.

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

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

OP-04-00265. The Department received an Air Quality Operating Permit application from **Roberts Oil Company, Inc.** (P. O. Box 70, Beaver, PA 15009) for a gasoline storage facility located in Bridgewater Borough, **Beaver County**.

OP-65-00549. The Department received an Air Quality Operating Permit application from **Comptec, Inc.** (P. O. Box 250, Irwin, PA 15642) for Glass Insulating Components at its facility located in North Huntingdon Township, **Westmoreland County**.

OP-65-00885. The Department received an Air Quality Operating Permit application from **Powerex, Inc.** (200 Hillis Street, Youngwood, PA 15697) for a Semiconductor Manufacturing operation at its Youngwood Plant located in Hempfield Township, **Westmoreland County**.

OP-63-00886. The Department received an Air Quality Operating Permit application from **Clad Metals, Inc.** (R. R. 2, Canonsburg, PA 15317) for a metal production operation at its facility located in Canonsburg Borough, **Washington County**.

OP-30-00106. The Department received an Air Quality Operating Permit application from **Carnegie Natural Gas Company** (P. O. Box 267, Waynesburg, PA 15370) for an Extraction Plant at its Waynesburg Station located in Franklin Township, **Greene County**.

OP-04-00478. The Department received an Air Quality Operating Permit application from **Emess Lighting, Inc.** (1 Early Street, Elwood City, PA 16117) for a Lighting Fixture Manufacturing process at its Cycle II Facility located in Franklin Township, **Beaver County**.

OP-65-00219. The Department received an Air Quality Operating Permit application from **Jeannette City School District** (P. O. Box 418, Park Street, Jeannette, PA 15644) for a CNG Tri-fuel Boiler at its high school located in Jeannette, **Westmoreland County**.

OP-56-00102. The Department received an Air Quality Operating Permit application from **Penn Carbose, Inc.** (100 Burgess Street, Somerset, PA 15501) for their facility located in Somerset Borough, **Somerset 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.

Regional Office: 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: **46-399-112**
 Source: No-Bake Pump Mold and Casting
 Company: **Hale Products, Inc.**
 Location: Conshohocken
 County: **Montgomery**

Notice of Intent to Issue Title V Operating Permit

Title V Operating Permit No. 39-00014

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to DPW/Commonwealth of Pennsylvania Allentown State Hospital. The facility contains four combustion boilers located in Allentown, Lehigh County. The Allentown State hospital contact regarding this application is Gerald Christein, FMM2 at 1600 Hanover Ave., Allentown, PA 18103.

Allentown State Hospital consists of four combustion boilers. As a result of the levels of Nitrogen Oxide emissions from the combustion boilers, 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 # 39-00014)
- 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. Persons submitting comment 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, telephone (717) 826-2511.

Title V Operating Permit #62-00012

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to Pennsylvania Electric Com-

pany (Penelec) for its Warren Generating Station. Penelec's facility is located in Conewango Township, Warren County. Penelec's representative to contact concerning this application is Timothy E. McKenzie, Environmental Air Manager, Pennsylvania Electric Company, 1001 Broad Street, Johnstown, PA 15907, telephone (814) 533-8670.

Penelec's Warren Generating Station is primarily used for the generation of electricity. The facility's air emission sources include four utility boilers, a combustion turbine and various fugitive dust emission locations. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of sulfur oxides, nitrogen oxides, and particulate matter less than 10 microns in diameter. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. This Title V Operating Permit will also include applicable requirements concerning the Phase II Acid Rain Program under Title IV of the Clean Air Act.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

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 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 information:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify Permit # TV-62-00012).
- Concise statements regarding the relevancy of the information in the proposed permit 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. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Larry W. Wonders, Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Eric A. Gustafson, Facilities Section Chief, Air Quality Program, at the same address or phone at (814) 332-6940.

**Title V Operating Permit
Permit No. TV-31-05003**

The Department of Environmental Protection intends to issue a Title V Operating Permit to the Texas Eastern Transmission Corporation for the Entriiken Compressor station located in Todd Township, Huntingdon County. The Title V Operating Permit is required under 25 Pa. Code Chapter 127, Subchapter G for major stationary sources.

An appointment to review the application and other pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Those wishing to comment on the proposed action may contact Kanubhai Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110.

Comments may be submitted during the 30-day period immediately following the publication of this notice. Each comment must include the name, address and telephone number of the person submitting the comments along with the reference number of the permit (TV-31-05003).

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will give notice of any scheduled public hearing at least 30 days in advance of the hearing as per 25 Pa. Code § 127.521.

**Title V Operating Permit
Permit No. TV-22-05010**

The Department of Environmental Protection intends to issue a Title V Operating Permit to the Texas Eastern Transmission Corporation for the Grantville Compressor Station located in East Hanover Township, Dauphin County. The Title V Operating Permit is required under 25 Pa. Code Chapter 127, Subchapter G for major stationary sources.

An appointment to review the application and other pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Those wishing to comment on the proposed action may contact Kanubhai Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110.

Comments may be submitted during the 30-day period immediately following the publication of this notice. Each comment must include the name, address and telephone number of the person submitting the comments along with the reference number of the permit (TV-22-05010).

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will give notice of any scheduled public hearing at least 30 days in advance of the hearing as per 25 Pa. Code § 127.521.

Title V Operating Permit #40-00020

Under 25 Pa. Code § 127.521 Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to the Department of Public Welfare, White Haven Center at White Haven located in White Haven Borough, Luzerne County. The Department of Public Welfare, White Haven Center representative to contact regarding this application is Peter J. Yestrumskas, Assistant Superintendent (Administration), White Haven Center, White Haven, PA 18661-9602.

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

Persons 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 # 40-00020)
- 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. Persons submitting comments or requesting a hearing will be notified of 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 Thomas DiLazaro, Regional Air Quality Program Manager, Department of Environmental Protection, Northeast Region, Field Operations, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511 or Chinu Patel, Air Pollution Control Engineer, at the same address.

Title V Operating Permit No. 40-0025

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to Sun Company, Inc. (Refining and Marketing) for the Kingston Bulk Gasoline Terminal, located in Edwardsville Borough, Luzerne County. The Sun Company, Inc. contact regarding this application is Jeffrey McGill, Environmental Engineer, Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103-1699.

The Kingston Terminal contains several Petroleum Storage Tanks and two tanker truck loading racks. As a result of the level of volatile organic compounds emitted from the storage tanks and loading racks, the Kingston Terminal is considered a major stationary source subject to the 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 review during normal business hours at the Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Persons 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 comments.
- Identification of the proposed permit (specify permit # 40-0025).

- 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. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this 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. For additional information contact James Garner, Air Pollution Control Engineer II, Air Quality Program at the same address and phone number.

Title V Operating Permit No. 40-0005

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to UGI Utilities Inc., Electric Division for the Hunlock Power Station, located in Hunlock Township, Luzerne County. The UGI Utilities Inc. contact regarding this application is David Stettler, Manager, Power Production, U. S. Route 11, Hunlock Creek, PA 18621.

The Hunlock Power Station contains three boilers. As a result of the levels of sulfur oxides and nitrogen oxides emitted from the boilers, the Hunlock Power Station is considered a major stationary source subject to the 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 the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Persons 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 comments.
- Identification of the proposed permit (specify permit # 40-0005).
- 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. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this 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. For additional information contact James Garner, Air Pollution Control Engineer II, Air Quality Program at the same address and phone number.

Title V Operating Permit No. 64-0001

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to the Pennsylvania Department of Corrections for the Waymart State Correctional Institute, located in Canaan Township, Wayne County. The Pennsylvania Department of Corrections contact regarding this application is Robert Calik, Chief Engineer, P. O. Box 598, Camp Hill, PA 17001-0598.

The Waymart State Correctional Institute contains three boilers. As a result of the levels of sulfur oxides and particulate matter emitted from the boilers, the Waymart State Correctional Institute is considered a major stationary source subject to the 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.

Persons 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 comments.
- Identification of the proposed permit (specify permit # 64-0001).
- 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. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this 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. For additional information contact James Garner, Air Pollution Control Engineer II, Air Quality Program at the same address and phone number.

Title V Operating Permit No. 39-00022

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to Sun Company, Inc. for the Fullerton site, located in Whitehall Township, Lehigh County. The Sun Company contact regarding this application is

Jeffrey McGill, Environmental Engineer, 1801 Market Street, Philadelphia, PA 19103-1699.

The Fullerton site contains storage tanks and loading racks. As a result of the levels of Volatile Organic Compounds (VOC's) from the storage tanks and loading racks, the Fullerton Site is considered a major stationary source subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 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.

Persons 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 comments.
- Identification of the proposed permit (specify permit # 39-00022)
- 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. 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. For additional information contact Mark Wejksznar, Air Pollution Control Engineer III, Air Quality Program at the same address and phone number.

Title V Operating Permit No. 40-00011

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) intends to issue a Title V Operating Permit to the Pennsylvania Department of Corrections for the Dallas site, located in Jackson Township, Luzerne County. The Pennsylvania Department of Corrections contact regarding this application is Robert Calik, Chief Engineer, P. O. Box 598, Camp Hill, PA 17001-0598.

The Dallas facility contains three Keeler boilers. As a result of the levels of Nitrogen Oxides (NOx) from the boilers, the Dallas facility is considered a major stationary source subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 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.

Persons 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 comments.
- Identification of the proposed permit (specify permit # 40-00011)
- 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. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this 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. For additional information contact Mark Wejkszner, Air Pollution Control Engineer III, Air Quality Program at the same address and phone number.

PLAN APPROVALS

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

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

60-303-001B. Installation of an air cleaning device (a replacement fabric collector) on a batch asphalt concrete plant by **Eastern Industries, Inc.** (P. O. Box 177, Winfield, PA 17889) in Union Township, **Union County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.90—60.93.

53-301-001. Installation of an air cleaning device (a secondary combustion chamber) on an incinerator by **Charles Cole Memorial Hospital** (R. R. 1, Box 205, Coudersport, PA 16915-9762) in Eulalia Township, **Potter County**.

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

PA-65-857A. Norton Pakco Industrial Ceramics (55 Hillview Avenue, Latrobe, PA 15650) for a fabric filter on the Plasma Arc Cutter at its Derry Plant located in Derry Township, **Westmoreland County**.

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

07-308-003D. Modification of the existing gross treatment and refining operation by **Fry Metals** (4100 Sixth Avenue, Altoona, PA 16602) in the City of Altoona, **Blair County**.

07-310-022A. Modification of the existing wet mortar manufacturing operation controlled by a fabric collector by **A. P. Green Refractories, Inc.** (R. D. 1, Box 588-D, Claysburg, PA 16625) in Greenfield Township, **Blair County**.

29-318-003B. Construction of a rotoblast unit controlled by a fabric collector; a surface coating operation controlled by a combined zeolite rotary concentrator with a thermal oxidizer; and a post-assembly touch-up booth controlled by dry filter pads by **JLG Industries, Inc.** (1 JLG Drive, McConnellsburg, PA 17233) in Ayr Township, **Fulton County**.

67-329-001A. Construction of a landfill gas extraction system by **Modern Trash Removal of York, Inc.** (R. D. 9, Mt. Pisgah Road, York, PA 17402) at Modern Landfill located in Lower Windsor and Windsor Townships, **York County**. The source is subject to 40 CFR 60, Subpart WWW, Standards of Performance for New Stationary Sources.

06-1035B. Construction of a latex paint filling operation by **The Glidden Company** (301 Bern Street, Reading, PA 19601-1252) in Reading, **Berks County**.

06-1069A. Construction of a wastewater treatment plant by **East Penn Manufacturing Company, Inc.** (P. O. Box 147, Lyon Station, PA 19536-0147) controlled by three fabric collectors in Richmond Township, **Berks County**. The source is subject to 40 CFR 61, Subpart E, National Emission Standards for Hazardous Air Pollutants.

06-310-026A. Modification of a non-metallic crushing plant by **Pottstown Trap Rock Quarries, Inc.** (P. O. Box 196, Skippack, PA 19474) controlled by wet suppression in Douglass Township, **Berks County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

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.

Regional Office: 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-23-0034**
 Source: NOx Facility
 Company: **Villanova University**
 Location: Radnor
 County: **Delaware**

MINING

CONDUCT COAL AND NONCOAL ACTIVITIES

MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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.

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

Coal Applications Received:

11970103. T. J. Mining, Inc. (P. O. Box 370, Carrolltown, PA 15722), commencement, operation and restoration of bituminous strip mine in Cresson Township, **Cambria County**, affecting 35.5 acres, receiving stream Burgoon Run and an unnamed tributary to Burgoon Run (topographic drainage only), application received April 23, 1997.

56920104. Permit renewal, **Commercial Coal Sales, Inc.** (Box 148, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine in Milford Township, **Somerset County**, affecting 71.0 acres, receiving stream discharge to unnamed tributaries to/and Middle Creek; and unnamed tributaries to/and the Casselman River, application received April 30, 1997.

56920101. Permit renewal, **Future Industries, Inc.** (P. O. Box 157, Meyersdale, PA 15552), commencement, operation and restoration of bituminous strip mine in Summit Township, **Somerset County**, affecting 49.0 acres, receiving stream discharge to unnamed tributary to/and Casselman River, and Shaffer Run, application received April 30, 1997.

56803093. Stream encroachment, **Croner, Inc.** (R. D. 4, Box 83C, Berlin, PA 15530), the proposed stream crossing modification is located on an unnamed tributary to Buffalo Creek in Brothersvalley Township, **Somerset County**, PA. The crossing is located approximately 570 feet upstream and southeast of the unnamed tributary's intersection with another unnamed tributary which flows into Buffalo Creek. The proposed activities will take place at an existing haul road crossing of the unnamed tributary located approximately 1,450 feet southeast of Salco, PA on the eastern side of S. R. 2023. Approximately 0.01 acres will be disturbed along a 20 foot length of the unnamed tributary. Application received April 30, 1997.

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

17920109. Thomas Coal Co., Inc. (Star Route, Box 53, Curwensville, PA 16833), renewal of an existing bituminous surface mine permit in Bloom Township, **Clearfield County** affecting 30.5 acres, receiving streams unnamed tributaries of Bell Run and Bilger Run, application received April 18, 1997.

17970105. E. P. Bender Coal Co., Inc. (P. O. Box 594, Main and Lehmier Streets, Carrolltown, PA 15722), commencement, operation and restoration of a bituminous surface mine permit in Beccaria Township, **Clearfield County** affecting 132 acres, receiving streams Clearfield Creek, Snyder Run and unnamed tributaries to Clearfield Creek, application received April 21, 1997.

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

30841307. Cyprus Emerald Resources Corporation (P. O. Box 1020, 145 Elm Drive, Waynesburg, PA 15370), to revise the permit for the Emerald No. 1 bituminous deep mine in Franklin Township, **Greene County** for surface permit for No. 7 shaft site with access roads, portal facility, parking area, sewage treatment plant, water tank substation and boreholes, receiving stream unnamed tributary to Laurel Run. Application received April 14, 1997.

30831303. Cyprus Cumberland Resources Corporation (145 Elm Drive, Waynesburg, PA 15370), to revise

the permit for the Cumberland bituminous deep mine in Wayne Township, **Greene County** for No. 3 dewatering borehole site, no additional discharge. Application received April 22, 1997.

56841306. Lion Mining Company (P. O. Box 209, Jennerstown, PA 15547), to renew the permit for the Grove No. 1/E-Seam bituminous deep mine in Jenner Township, **Somerset County**, no additional discharge. Application received March 26, 1997.

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

49860102C. Mid-Valley Coal Sales, Inc. (5 Woodland Drive, Mt. Carmel Estates, Mt. Carmel, PA 17851), correction to existing anthracite stripping operation in Coal Township, **Northumberland County**, affecting 1215.1 acres, receiving stream Shamokin Creek. Application received April 17, 1997.

54861601R2. Schuylkill Coal Processing, Inc. (P. O. Box 134, Ashland, PA 17921-0134) renewal of an existing anthracite preparation plant in Butler Township, **Schuylkill County**, receiving stream Mahanoy Creek. Application received April 18, 1997.

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

Large Industrial Mineral Applications Received:

4977SM4. Daggett Sand & Gravel, Inc. (R. R. 1, Box 13A, Millerton, PA 16936), transfer of an existing Large Industrial Mineral (gravel, silt and sand) permit in Jackson Township, **Tioga County** affecting 10.3 acres, receiving streams Seeley Creek, application received April 25, 1997.

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

Noncoal Permits Received:

5276SM1A1C. West End Mining & Processing Co., Inc. (P. O. Box 160, Shawnee-on-Delaware, PA 18356), renewal of NPDES Permit #PA0594482 in Chestnuthill Township, **Monroe County** receiving stream McMichael's Creek. Application received April 22, 1997.

38870301C2. Tarmac America (P. O. Box 468, Hanover, PA 17331), correction to an existing quarry operation in Annville, North Annville and North Londonderry Townships, **Lebanon County** affecting 1,035.9 acres, receiving stream Killinger Creek. Application received April 22, 1997.

45900303C. C. H. Van Why, Inc. (5050 Milford Road, East Stroudsburg, PA 18301), renewal of NPDES Permit #PA0595276 in Middle Smithfield Township, **Monroe County**, receiving stream Suisse Creek. Application received April 21, 1997.

8275SM3C. Narvon Mineral Products, Inc. (R. R. 1, Box 237A, Huntingdon, PA 16652), renewal of NPDES Permit #PA0117986 in Caenarvon and East Earl Townships, **Lancaster County**, receiving stream unnamed tributary to Conestoga River. Application received April 25, 1997.

ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects:

<i>Project</i>	<i>Municipality</i>	<i>County</i>	<i>Acre</i>
BF 139-101.1	Conemaugh Twp.	Indiana	15
BF 341-102.1	Newport Twp.	Luzerne	40
BF 401-101.1	Gulich Twp.	Clearfield	11
BF 416-101.1	East Wheatfield Twp.	Indiana	8.5
BF 417-101.1	Manor Twp.	Armstrong	5.5
BF 419-101.1	Beccaria Twp.	Clearfield	22
BF 420-101.1	Murrysville Boro.	Westmoreland	50
BF 421-101.1	Murrysville Boro. and Washington Twp.	Westmoreland	20

Letters of interest must be received by Ernest F. Giovannitti, Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, P. O. Box 8476, Harrisburg, PA 17105-8476, no later than 4 p.m., June 20, 1997, to be considered.

Telephone inquiries shall be directed to B. P. Rao, Chief, Division of Acid Mine Drainage Abatement at (717) 783-1311.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

tection. Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

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

Permit No. E39-337. Encroachment. **Bruce C. Bodien**, 5490 Golden Key Road, Kempton, PA 19529. To remove the existing structure and to construct and maintain a single span bridge having a span of 14 feet with an underclearance of 5 feet across a tributary to Kistler Creek (CWF) for a private residential driveway. The project is located immediately south of the intersection of S. R. 4040 and S. R. 0863 (New Tripoli, PA Quadrangle N: 2.4 inches; W: 6.9 inches) in Lynn Township, **Lehigh County** (Philadelphia District, Army Corps of Engineers).

Permit No. E40-466. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To modify and maintain an existing reinforced concrete slab bridge across Toby Creek (TSF), with work consisting of widening the downstream end of the structure by approximately 20 feet. The existing structure has a waterway opening of approximately 12.0 feet × 7.5 feet at the downstream end, and located on S. R. 0415, Section 301, Segment 0010, Offset 2069, approximately 0.5 mile northwest of the intersection of S. R. 0145 and S. R. 0309 (Kingston, PA Quadrangle N: 15.7 inches; W: 12.1 inches) in Dallas Borough, **Luzerne County**.

Permit No. E64-181. Encroachment. **Wayne County Courthouse Annex**, Honesdale, PA 18431. To remove the existing super structure and to construct and maintain a single span steel I-beam bridge, having a span of 31.3 feet and an underclearance of approximately 8 feet across Wilcox Creek (HQ, CWF). This project is located along Township Route T-325 (Old Stephens Road), approximately 300 feet west of N. R. 3004 (Sterling, PA Quadrangle N: 21.5 inches; W: 8.5 inches) in Salem and Sterling Townships, **Wayne County** Philadelphia District, Army Corps of Engineers.

Permit No. E66-114. Encroachment. **Exeter Township**, P. O. Box 88, Falls, PA 18615-9801. To maintain a single span bridge, having a span of approximately 31 feet and average underclearance of 7.3 feet across White Lock Creek (CWF). The project is located along Township Road T336 (Coolbaugh Mountain Road), approximately 0.2 mile south of its intersection with S. R. 0292 (Ransom, PA Quadrangle N: 10.5 inches; W: 15.4 inches) in Falls Township, **Wyoming County** (Baltimore District, Army Corps of Engineers).

EA40-002NE. Encroachment. **Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Public Square Commons, 2 Public Square, Wilkes-Barre, PA 18711-0790. To place fill in a 4-acre water body in association with an abandoned mine reclamation project (OSM 40(3218)101.1, Pardeesville) under the category 2 blanket waiver guidelines published on December 14, 1996. The purpose of the project is to eliminate dangerous highwalls and hazardous water bodies. The project does not meet the criteria for the category 1 blanket waiver guidelines as published in the *Pennsylvania Bulletin* on December 14, 1996, (Freeland, PA Quadrangle N: 1.0 inches; W: 10.0 inches)

in Butler Township, **Luzerne County** (Baltimore District, Army Corps of Engineers).

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

E41-404. Encroachment. **Muncy Borough**, 14 N. Washington St., Muncy, PA 17756. To remove the deposits of gravel for a distance of approximately 5,000-feet and maximum depth of 2.5 feet for a total removal of approximately 9,000-cubic yards from Glade Run from 1,000-feet downstream of the Main St. bridge to 200-feet upstream of Penn Street bridge for the purpose of flood control over a period of 5 years and repair existing, or install new riprap and maintain both as necessary for streambank protection (Muncy, PA Quadrangle N: 14.9 inches; W: 4.8 inches) in Muncy Borough and Muncy Creek Township, **Lycoming County**. Estimated stream disturbance is more than 250 feet; stream classification is WWF.

E49-206. Encroachment. **Northumberland County Commissioners**, 50 S. Second St., Sunbury, PA 17801. To remove the existing structure and to construct and maintain a single span precast concrete beam bridge with a span of 46 feet and average underclearance of 7.85 feet over Limestone Run located on Ridge Ave., 80 feet north of Race Street (Milton, PA Quadrangle N: 3.0 inches; W: 13.8 inches) in Milton Borough, **Northumberland County**. Estimated stream disturbance is less than 250 feet, stream classification is WWF.

E57-077. Encroachment. **Kay M. Wienecke**, P. O. Box 85, Hillsgrove, PA 18619. To remove a 300 foot unvegetated gravel bar and to restore, protect with riprap, and maintain the opposite streambank along Elk Creek located next to Elk Creek Road about 1.25 miles north of Route 87 (Hillsgrove, PA Quadrangle N: 17.6 inches; W: 8.9 inches) in Hillsgrove Township, **Sullivan County**. This stream is designated HQ-CWF and this project will impact 300 feet of stream with no wetland impacts.

E59-340. Encroachment. **Rex and Ester Willard**, R. R. 5, Box 4B, Wellsboro, PA 16901. To remove the existing structure and to construct and maintain a private single span bridge, 20 feet long with an underclearance of 8 feet across Stony Fork Creek located off SR 3007 about 0.8 mile south of SR 3010 (Antrim, PA Quadrangle N: 12.6 inches; W: 14.7 inches) in Delmar Township, **Tioga County**. Estimated stream disturbance is 30 feet with no wetland impacts, stream classification is CWF.

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

E02-1190. Encroachment. **Evolutionary Management**, 6738 Reynolds Street, Pittsburgh, PA 15206. To construct and maintain a two-level deck on the north bank of the Allegheny River (WWF) located at an existing docking facility just downstream of the 31st Street Bridge on Herr's Island (Washington's Landing) (Pittsburgh East, PA Quadrangle N: 16.0 inches; W: 14.1 inches) in the City of Pittsburgh, **Allegheny County**.

E63-422. Encroachment. **Craig and Cindy Fox**, 645 Duncan Avenue, Washington, PA 15301. To remove existing structure and to construct and maintain a 12-foot span arch culvert with 6-foot underclearance in an unnamed tributary to Georges Run (WWF) located on the south side of Lynn Portal Road approximately 800 feet west of intersection of Lynn Portal Road and S. R. 18

(Washington West, PA Quadrangle N: 16.4 inches; W: 5.3 inches) in Canton Township, **Washington County**.

E65-667. Encroachment. **Camp Storage**, R. R. 1, Jeannette, PA 15644. To relocate and maintain a channel relocation of an unnamed tributary to Byers Run (TSF) for the purpose of installing an access road and self-storage units located north of intersection of Pleasant Valley Road and Chicken Street (Murrysville, PA Quadrangle N: 1.0 inch; W: 6.8 inches) in Penn Township, **Westmoreland County**.

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

E15-543. Encroachment. **Whitford Corporation**, P. O. Box 2347, West Chester, PA 19380. To construct and maintain a 6-inch PVC sanitary sewer line crossing a de minimus amount of wetlands (PFO) and 10 L. F. of an unnamed tributary to Valley Creek (EV) located approximately 2,600 feet southeast of the intersection of U. S. Route 30 and S. R. 352 (Malvern, PA Quadrangle N: 6.5 inches; W: 7.9 inches) in East Whiteland Township, **Chester County**.

E46-771. Encroachment. **Franconia Township**, Box 128, 671 Allentown Road, Franconia, PA 18924. To construct and maintain a 45-foot long by 6-foot wide pedestrian/bike path bridge which spans the Skippack Creek (TSF). Also, to install a 130 L. F. boardwalk across the adjacent 100 year floodplain to provide an access to the south side of the bridge. The site is located approximately 2,900 feet west of the intersection of Cowpath Road and Beck Road (Telford, PA Quadrangle N: 7.5 inches; W: 11.5 inches) in Franconia Township, **Montgomery County**.

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

E05-243. Encroachment. **Peter Bancroft**, 600 Somerset Rd., Baltimore, MD 21210. To maintain an existing bridge across Flintstone Creek along the west side of T-304 about 2.4 miles south of the Beans Cove Village (Beans Cove, PA Quadrangle N: 1.53 inches; W: 11.75 inches) in Southampton Township, **Bedford County**.

E06-491. Encroachment. **Donald Peters and Robert Nocentino**, 425 Mennonite Road, Collegeville, PA 19426. To construct and maintain a 30-inch storm sewer outfall to the Schuylkill River at a point approximately 500 feet upstream of the Reading Railroad (Temple, PA Quadrangle N: 6.0 inches; W: 10.5 inches) in Muhlenberg Township, **Berks County**.

E22-366. Encroachment. **Susquehanna Township**, Stanley Lawson, 1900 Linglestown Road, Harrisburg, PA 17110. To widen an existing bridge and to construct a bridge having a span of 36 feet and an underclearance of 12.4 feet across the channel of Paxton Creek at points at Progress Avenue and Interstate Drive, (Harrisburg East, PA Quadrangle N: 10.63 inches; W: 14.0 inches) in Susquehanna Township, **Dauphin County**.

E36-631. Encroachment. **Southridge Farm Partnership**, David Charles, 26 Millersville Road, Lancaster, PA 17603. To locate 250 l. f. of an intermittent tributary to Mill Creek to facilitate stormwater management. To construct and maintain an 8-inch sanitary sewer line, a 4-inch sewer force main and an 8-inch water line across a watercourse. A 42-inch pipe culvert will be constructed in

a tributary of Mill Creek under Southrun Drive for access within Southridge Farm development, located along Millport Road (T-541) (Lancaster, PA Quadrangle N: 5.0 inches; W: 1.5 inches) in East and West Lampeter Townships, **Lancaster County**.

E67-592. Encroachment. **TDC Galleria West LLC**, John Donohue, 513 Central Avenue, Highland Park, IL 60035. To place fill in a de minimus area of wetlands less than or equal to 0.05 acre for the purpose of constructing the Galleria West retail shopping center at a location immediately west of the existing York Galleria Mall (York, PA Quadrangle N: 20.5 inches; W: 7.8 inches) in Springettsbury Township, **York County**.

DAM SAFETY

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

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

D09-235. Dam. **Buckingham Township** (4613 Hughesian Drive, P. O. Box 413, Buckingham, PA 18912). To operate and maintain a stormwater detention dam across a tributary to Pine Run (TSF,MF) impacting approximately 0.25 acres of wetlands (PFO) in Buckingham Township, **Bucks County**. This structure also serves as a roadway crossing in the Buckingham Estates Subdivision.

ENVIRONMENTAL ASSESSMENT

The following Environmental Assessment and request for Water Quality Certification is being processed under sections 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.

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

D67-035EA. Environmental assessment. **PECO Energy Company** (2301 Market Street, S16-1, P. O. Box 8699, Philadelphia, PA 19101-8699). To breach and remove the Castle Fin Dam for the purpose of restoring Muddy Creek (TSF) to a free flowing condition. The dam is located approximately 500 feet downstream of the S. R. 74 Bridge over Muddy Creek at Castle Fin (Holtwood, PA Quadrangle N: 3.00 inches; W: 10.85 inches) in Lower Chanceford and Peach Bottom Township, **York County**.

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

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

EA08-001C0. Environmental assessment. **Richard Gulyas** (R. R. 2, Box 273-B, Ulster, PA 18850). To construct and maintain a non-jurisdictional dam across a tributary to Browns Creek (WWF) for the purpose of recreation located approximately 400 feet west of the intersection of Ulster Road and S. R. 4003 (Ulster, PA

Quadrangle N: 18.1 inches; W: 6.6 inches) in Ulster Township, **Bradford County**.

EA59-005C0. Environmental assessment. **Alvin Stoltzfus** (120 East Avenue, Wellsboro, PA 16901). To construct and maintain a non-jurisdictional dam across a tributary to Mutton Lane Creek (WWF) for the purpose of recreation located approximately 3,400 feet southeast of the intersection of T772 and S. R. 1024 (Jackson Summit, PA-NY Quadrangle N: 8.50 inches; W: 5.65 inches) in Jackson Township, **Tioga 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)

ACTIONS

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—504 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

Permits Issued

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

NPDES Permit No. PA0004821. Sewage, **Kenametal, Inc.**, P. O. Box 231, Latrobe, PA 15650-0231 is authorized to discharge from a facility located at Chestnut Ridge Sewage Treatment Plant, Derry Township, **Westmoreland County** to unnamed tributary of Miller Run.

NPDES Permit No. PA0027430, Amendment No. 1. Sewage, **City of Jeannette Municipal Authority**, P. O. Box 168, Jeannette, PA 15644 is authorized to discharge from a facility located at Jeannette Wastewater Treatment Plant, City of Jeannette, **Westmoreland County**.

NPDES Permit No. PA0217549. Sewage, **Grey's Colonial Acres**, R. D. 1, Box 137, Kittanning, PA 16201 is authorized to discharge from a facility located in Grey's Colonial Acres Sewage Treatment Plant, Colonial Road, Plumcreek Township, **Armstrong County** to an unnamed tributary of Cherry Run.

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

Permits Issued

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

Permit No. 0296201. Industrial waste, **Koppers Industries, Inc.**, 300 North State Street, Clairton, PA 15025. Construction of Chemical Manufacturing located in the City of Clairton, **Allegheny County** to serve the Clairton Tar Plant.

Permit No. 0297402. Sewerage, **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. Construction of truck sewer and force main located in the Township of McCandless, **Allegheny County** to serve the Longvue No 1—Busch Watershed System Improvements Project.

Permit No. 5697401. Sewerage, **Charles Thomas, Jr.**, R. D. 1, Box 31, Garrett, PA 15542. Construction of a single residence sewage treatment plant located in the Township of Brothersvalley, **Somerset County** to serve the Thomas residence.

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

Permits Issued

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

NPDES Permit No. PA 0035513. Sewage. **PA Dept. of Transportation**, Welcome Center E, 7th Floor Forum Place, 555 Walnut Street, Harrisburg, PA 17101 is authorized to discharge from a facility located in Shenango Township, **Mercer County** to an unnamed tributary to the Shenango River.

NPDES Permit No. PA 0104035, Amendment No. 2. Sewage. **Daily Bread Cafe and Bakery**, R. D. 1, Box 628, Port Allegany, PA 16743 is authorized to discharge from a facility located in Liberty Township, **McKean County** to an unnamed tributary to Allegheny River.

NPDES Permit No. PA 0222194. Industrial waste. **James Austin Company**, P. O. Box 827, Mars, PA 16046 is authorized to discharge from a facility located in Adams Township, **Butler County** to receiving waters named Breakneck Creek.

NPDES Permit No. PA 0091189. Sewage. **Slippery Rock Campground Association Inc.**, 1150 West Park Road, Slippery Rock, PA 16057 is authorized to discharge from a facility located in Worth Township, **Butler County** to receiving waters named Slippery Rock Creek.

NPDES Permit No. PA 0210528. Sewage. **Robert Bailey Construction**, US Route 219, R. D. 2, Brockway, PA 15824 is authorized to discharge from a facility located in Washington Township, **Jefferson County** to an unnamed tributary to Wolf Run.

Industrial waste and sewerage actions 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. 2097402. Sewage. **Meadville Area Sewer Authority**, 984 Water Street, Meadville, PA 16335. This project is for the construction of a wastewater pump station adjacent to Oakview Drive in West Mead Township, **Crawford County**.

WQM Permit No. 2597403. Sewage. **Fairview Township Sewer Authority**, P. O. Box U, Fairview, PA 16415. This project is for the construction of gravity sewers within the Walnut Heights Subdivision in Fairview Township, **Erie County**.

WQM Permit No. 2597408. Sewage. **Frank Fiamella Subdivision**, 10247 West Main Street, North East, PA 16428. This project involves the proposed construction of a small flow sewage treatment facility in Greene Township, **Erie County**.

INDIVIDUAL PERMITS (PAS)

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

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

Southwest Regional Office: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 422-4000.

<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10A093	Grand View Develop Co. 300 Mt. Lebanon Blvd. Pittsburgh, PA 15234	Monroeville Allegheny County	Turtle Creek
PAS10A096	Bear Run Village Apts. Inc. 650 Washington Road Pittsburgh, PA 15241	Ohio Twp. Franklin Park Boro. Allegheny County	Lowries Run
PAS10L011	PA Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Springhill Twp. Georges Twp. Fayette County	Mountain Creek UNT Mountain Creek Brownfield Hollow UNT Brownfield Hollow UNT Grassy Run
PAS10L012	PA Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Georges Twp. Fayette County Washington County	Georges Creek Mountain Creek
PAS103108	PA DEP Bur. of Abandoned P. O. Box 149 Ebensburg, PA 15931	Canoe Twp. Indiana County	UNT Little Mahoning Creek
PAS10W039	Crown American Financing Pasquerilla Plaza Johnstown, PA 15907	N. Franklin Twp. Washington County	Chartiers Creek
PAS10W058	David J. Wylie P. O. Box 1193 McMurray, PA 15317	N. Strabane Twp. Washington County	Little Chartiers Creek
PAS10X061	Nese Construction Co. Inc. One Monroeville Center Monroeville, PA 15146	Salem Twp. Westmoreland County	Beaver Run
PAS10X072	Willow Glenn Develop Co. 300 Garden Ctr. Ct. N. Huntingdon, PA 15642	N. Huntingdon Twp. Westmoreland County	Long Run
PAS10X074	Lakefront Properties Inc. 772 Pine Valley Drive Pittsburgh, PA 15239	Salem Twp. Westmoreland County	Beaver Run

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-D059	Toll Brothers, Inc. 3103 Philmont Avenue Huntingdon Valley, PA 19006	Warwick Township Bucks County	Neshaminy Creek Watershed
PAS10-G251	Wilmer L. and Joyce Hostetter 481 Limestone Road Oxford, PA 19363	East Nottingham Township Chester County	McDonald Run

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

PAS-10-0615. Individual NPDES. **Holliday Hills Limited Partnership**, P. O. Box 419, Hollidaysburg, PA 16648. To implement an Erosion and Sedimentation Control Plan for the construction of roadways and utilities in conjunction with the development of Sweet Cherry and Delicious Apple Sections of the Holliday Hills Development residential subdivision on 130.97 acres in Blair Township and Hollidaysburg Borough, **Blair County**. The project is located along Newry Lane (SR2012) about 0.4 mile south of its intersection with SR0022 (Hollidaysburg, PA Quadrangle N: 8.8 inches; W: 4.8 inches). Drainage will be to unnamed tributary of the Beaverdam Branch of the Juniata River.

PAS-10-0618. Individual NPDES. **Greg Dempsey**, 310 Orchard Avenue, Altoona, PA 16602. To implement an Erosion and Sedimentation Control Plan for the construction of a 56 residential lot subdivision to be named Country Side Estates on 57.6 acres in Scotch Valley Frankstown Township, **Blair County**. The project is located along the east side of Scotch Valley Road (T424) about 3.4 miles north of its intersection with SR 1009 (Frankstown, PA Quadrangle N: 19.6 inches; W: 8.4 inches). Drainage will be to an unnamed tributary to New Creek.

PAS-10-3005. Individual NPDES. **Bureau of Abandoned Mine Reclamation**, P. O. Box 149, Ebensburg, PA 15931. To implement an Erosion and Sedimentation Control Plan for the regrading and revegetation of an abandoned strip mine on 27.2 acres in Todd Township, **Huntingdon County**. The project is located along both north and south sides of SR 0944 at the Village of Joller (Saltillo, PA Quadrangle N: 14.9 inches; W: 9.2 inches). Drainage will be to Roaring Run.

PAS-10-C028. Individual NPDES. **Daniel Boone Area School District**, 1445 E. Main Street, Douglassville, PA

19518-0186. To implement an Erosion and Sedimentation Control Plan for the construction of an addition to an existing school on 65.4 acres in Union Township, **Berks County**. The project is located between Garey Road and Chestnut Street (Birdsboro, PA Quadrangle N: 1.0 inch; W: 8.4 inches). Drainage will be to a tributary to the Schuylkill River.

PAS-10-0063. Individual NPDES. **QVC Network Incorporated**, 1200 Wilson Drive, West Chester, PA 19380. To implement an Erosion and Sedimentation Control Plan for a QVC warehouse building expansion on 36.16 acres in West Hempfield Township, **Lancaster County**. The project is located off Stoney Battery Road on to Ivy Drive (Columbia East, PA Quadrangle N: 12.7 inches; W: 7 inches). Drainage will be to a tributary of Swarr Run.

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 respective 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

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Adams County Cumberland Twp.	PAR100046	Jobo Holstein Farm 200 Tall Oaks Rd. Gettysburg, PA 17325	UNT to Swift Run	Adams CD (717) 334-0636
Allegheny County Sewickley Heights Boro.	PAR10A204	Dr. and Mrs. Takanori Fukushima R. D. 4, Barberry Road West Sewickley, PA 15143	Ltl. Sewickley	Allegheny CD (412) 921-1999
Bradford County Springfield Twp.	PAR100811	Ronald Kline R. R. 2, Box 341 Troy, PA 16947	Leonard Creek	Bradford CD (717) 265-5530
Centre County Ferguson Twp.	PAR10F045-1	Tom Kostosky 4121 Okemos Rd. Okemos, MI 48864	UNT to Big Holl. Run	Centre CD (814) 355-6817
Clinton County Wayne Twp.	PAR101912	First Quality Products North Rd. McElhattan, PA 17748	West Branch Susquehanna	Clinton CD (717) 726-3798
Clinton County Bald Eagle Twp.	PAR101913	Keystone Central School District 95 W. 4th St. Lock Haven, PA	Bald Eagle Crk.	Clinton CD (717) 726-3798
Erie County North East, Greenfield, Venango, Greene, Waterford Washington, Franklin, Elk Conneaut Twps., and Boro of Cranesville	PAR10K077	MFS Network Technologies Rotterdam Industrial Park Schenectady, NY 12306	Twenty Mile 16 Mile, French, Elk, Franklin, LeBoeuf, Marsh, et al	Erie CD (814) 796-4203
Lancaster County E. Cocalico Twp.	PAR10-O-241	Four Seasons Produce Inc. 1975 N. Reading Rd. Denver, PA 17517	Stony Run	Lancaster CD (717) 299-5361
Lancaster County Manor Twp.	PAR10-O-245	Lancaster Area Sewer Authority 130 Centerville Road Lancaster, PA 17601	UNT to Ltl. Conestoga Creek	Lancaster CD (717) 299-5361
Lancaster County E. Lampeter Twp.	PAR10-O-246	High Associates LTD 1853 William Penn Way Lancaster, PA	UNT to Conestoga River	Lancaster CD (717) 299-5361
Lebanon County N. Lebanon Twp.	PAR10-P053	Paul Reber 1899 N. Highway 72 Lebanon, PA 17042	UNT to Brandywine	Lebanon CD (717) 272-3377
Luzerne County Exeter Borough	PAR10R108	CPS Development Company 424 Wyoming Ave. Kingston, PA	Hicks Creek	Luzerne CD (717) 674-7991
Luzerne County Butler Twp.	PAR10R109	DEP-BAMR 2 Public Square Wilkes-Barre, PA 18711	Black Creek	Luzerne CD (717) 674-7991
Luzerne County Butler Twp.	PAR10R110	Steven Wayne 5950 Pohopoco Dr. Lehighton, PA 18235	Ltl. Nescopeck Cr.	Luzerne CD (717) 674-7991
Montgomery County Franconia Twp.	PAR10T322	Sal Lapio 104 Mill Road Sellersville, PA 18960	Indian Creek	Montgomery CD (610) 489-4506
Montgomery County Franconia Twp.	PAR10T329	Asher's Chocolates Inc. 145 Keystone Dr. Montgomeryville, PA 18936	UNT to Skippack	Montgomery CD (610) 489-4506
Montgomery County U. Providence Twp.	PAR10T333	Penn International Land Co. 3000 Valley Forge Towers King of Prussia, PA 19406	Perkiomen Creek	Montgomery CD (610) 489-4506

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Northampton County Bethlehem Twp.	PAR10U065	Lehigh University 461 Webster St. Bethlehem, PA 18105	Lehigh River	Northampton CD (610) 746-1971
Somerset County Summit Twp.	PAR106122	New Enterprise Stone & Lime P. O. Box 77 N. Enterprise, PA	Casselman River	Somerset CD (814) 445-4652
Somerset County Shade TWP	PAR106125	Commonwealth Stone 1898 N. Center Ave. Somerset, PA	UNT to Stonycreek River	Somerset CD (814) 445-4652
York County Fairview Twp.	PAR10Y209	Ray Souders 431 Lewisberry Rd. New Cumberland, PA 17070	UNT to Yellow Breeches	York CD (717) 840-7430
York County Dover Twp.	PAR10Y241	Dover Area School District School Lane Dover, PA 17315	UNT to Fox Run	York CD (717) 840-7430
York County L. Windsor Twp.	PAR10Y244	Ronald Kohr R. D. 1 Wrightsville, PA 17368	Klines Run	York CD (717) 840-7430
Fayette County Springhill Twp.	PAR10L030	D.E.P. Bureau of Abandoned Mine Reclamation Ebensburg District Office P. O. Box 149 Ebensburg, PA 15931	Monongahela River	SW Regional Office (412) 442-4315
Armstrong County East Franklin Twp.	PAR306101	Penn Mag, Inc. R. D. 1, Box 22 Adrian, PA 16210	Unnamed tributary of the Allegheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cambria County Patton Borough	PAR806176	Cambria County Transit Authority Rural Division c/o Douglas Greenwood	Chest Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cambria County City of Johnstown	PAR806177	Cambria County Transit Authority Rural Division c/o Douglas Greenwood	Stoney Creek River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington Twp. Erie County	PAR608304	Charles J. Bauer Jay's Auto Wrecking, Inc. 22460 Hodges Lane Cambridge Springs, PA 16403	Conneautee Creek	DEP Northwest Region Water Management 230 Water Street Meadville, PA 16335 (814) 332-6942

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Millcreek Twp. Erie County	PAR808362	Overnite Transportation Co. P. O. Box 1216 Richmond, VA 23209	Roadside Ditch to Unnamed Tributary Lake Erie	DEP Northwest Region Water Management 230 Water Street Meadville, PA 16335 (814) 332-6942
Columbia Borough Lancaster County	PAR203584	Colonial Metals Company P. O. Box 311 Columbia, PA 17512	Shawnee Run Watershed	SCRO (717) 657-4590
Somerset County Brothersvalley Twp.	PAG046121	Charles Thomas, Jr. R. D. 1, Box 31 Garrett, PA 15542	Unnamed tributary to Buffalo Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

SAFE DRINKING WATER

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.

6489510. Public water supply. **Orchard Heights Trailer Court**, c/o Fred Haase, R. D. 1, Box 80, Beach Lake, PA 18405. This proposal involves an application for permit for an existing mobile home park. It is located in Damacus Township, **Wayne County**. Permit issued April 10, 1997.

6696502. Public water supply. **Copper Kettle Trailer Park**, R. R. 5, Box 370, Tunkhannock, PA 18657. This proposal involves the modification and permitting of an existing public water system serving Copper Kettle Trailer Park, in Monroe Township, **Wyoming County**. Permit issued April 22, 1997.

3597501. Public water supply. **Meadow Heights Development**, Fred Samala, 130 Eastview Drive, Clarks Summit, PA 18411. This proposal involves the modification and permitting of an existing public water supply system serving Meadow Heights Development. It is located in Clarks Summit, **Lackawanna County**. Permit issued April 15, 1997.

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 nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, 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.

Distribution Pole 23743S32420. Fairview Township, **York County. Pennsylvania Power & Light Company**, Two North Ninth Street, Allentown, PA 18101, has submitted a Final Report concerning remediation of site soils contaminated with PCBs. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Pennsylvania Power & Light Company (PP&L)—distribution pole #59960S447145 (Applewood Drive), South Whitehall Township, **Lehigh County**. PP&L, 2 North Ninth Street, Allentown, PA has submitted a Final Report concerning the remediation of site soils found to have been contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide health standard.

Brensinger Residence, Moore Township, **Northampton County**. All Phase Environmental Services, Inc., 131 Technology Drive, Bethlehem, PA has submitted a Final Report (on behalf of its client, John Brensinger, 469 Monacacy, Bath, PA) concerning the remediation of site soils which were found to be contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polyaromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

SOLID AND HAZARDOUS WASTE

LICENSE TO TRANSPORT HAZARDOUS WASTE

License 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.

Enviro-Trans, Inc., P. O. Box 409, Americus, GA 31709; License No. **PA-AH 0562**; license issued April 30, 1997.

Sturgeon and Son, Inc., 3511 Gilmore Avenue, Bakersfield, CA 93309; License No. **PA-AH 0563**; license issued April 30, 1997.

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.

Bulova Technologies L.L.C., 101 North Queen Street, Lancaster, PA 17604; License No. **PA-AH 0493**; renewal license issued April 30, 1997.

Cambridge Chemical Cleaning Inc., 11 West 21st Street, Linden, NJ 07036; License No. **PA-AH 0356**; renewal license issued April 30, 1997.

ETSS, Inc., P. O. Box 874, Ellwood City, PA 16117-0874; License No. **PA-AH 0318**; renewal license issued May 5, 1997.

Progressive Disposal Group, Inc., 510 East Barnard Street, Box A-6, West Chester, PA 19382; License No. **PA-AH 0445**; renewal license issued May 5, 1997.

Safeway Chemical Transportation Inc., P. O. Box 8781, Wilmington, DE 19899; License No. **PA-AH 0495**; renewal license issued April 25, 1997.

Sani Mobile Environment Inc., 2225 Boul Industrial, Laval Quebec, Canada H7S1P8; License No. **PA-AH 0335**; renewal license issued April 21, 1997.

Vanguard Research Industries, Inc., 239 St. Nicholas Avenue, South Plainfield, NJ 07080; License No. **PA-AH S130**; renewal license issued April 30, 1997.

License expired under the Solid Waste Management Act (35 P. S. §§ 6018.1001—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.

Gulf South Systems, Inc., 14461 Frenchtown Road, Greenwell Springs, LA 70739; License No. **PA-AH 0482**; license expired on April 30, 1997.

Industrial Oil Tank Service Corp., P. O. Box 167, Verona, NY 13478; License No. **PA-AH 0308**; license expired on April 30, 1997.

BENEFICIAL USE DETERMINATIONS

Determination of applicability for General Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for municipal and residual waste

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

General Permit No. WMGR038NC001. Grace's Future Block, Inc., (R. R. 1, Box 325, Millville, PA 17846). Determination of Applicability for General Permit for the processing and beneficial use of waste tires on a State-wide basis, issued in the regional office on April 25, 1997. Facility is located in Madison Township, **Columbia County**.

RESIDUAL WASTE PROCESSING FACILITIES

Approval granted for the Solid Waste Management Plant under the 25 Pa. Code Chapter 272 § 244(d) of the Municipal Waste Regulations.

Regional Office: Southcentral Regional Office, Bureau of Waste Management, One Ararat Boulevard, Harrisburg, PA 17110.

Cumberland County Solid Waste Authority, (Cumberland County Courthouse, One Courthouse Square, Carlisle, PA 17013). Under Act 101, Chapter 9, Section 901, the Department has approved the Cumberland County Municipal Waste Management Plan Revision, dated February 1997. The plan approval date is April 23, 1997.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101315, Modification. **Theodore Heaps, Sr. and Theodore Heaps, Jr.** (P. O. Box 208, Millville, PA 17846). Permit modification for construction of a new dumping area and change in operating hours at an existing transfer facility located in Madison Township, **Columbia County**, issued in the regional office on May 5, 1997.

PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

Licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and 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.

Stericycle, Inc., 1419 Lake Cook Road, Suite 410, Deerfield, IL 60015; License No. **PA-HC 0196**; license issued April 18, 1997.

AIR POLLUTION

OPERATING PERMITS

Construct, modify or activate air contaminant sources

25 Pa. Code § 129.1

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

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

OP-04-006: The Department issued an Air Quality Operating Permit on April 24, 1997 to **Brighton Electric Steel Company** (P. O. Box 206, Beaver Falls, PA 15010) for a Steel Foundry at its Division of J & L Structural located in Beaver Falls, **Beaver County**.

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

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

The Department issued an administrative amendment to the following air quality operating permit for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **46-313-116B**

Source: Synthesized Pharmaceutical Manufacturing Facility

Administrative Amendment: March 18, 1997

Company: **Lonza, Inc.**

Location: Upper Merion

County: **Montgomery**

Permit: **23-312-187**

Source: Barge Loading Dock No. 3

Administrative Amendment: March 26, 1997

Company: **Sun (R&M), Inc.**

Location: Marcus Hook

County: **Delaware**

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.

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

22-323-015A: On April 22, 1997, the Department issued a Plan Approval to **RAM Industries, Inc.** (3501 North 6th Street, Harrisburg, PA 17110) for the installation of three burn-off ovens in Susquehanna Township, **Dauphin County**.

ER 67-2008: On April 22, 1997, the Department issued an Emission Reduction Credit Approval to **York International Corporation** (P. O. Box 1592-091M, York, PA 17405-1592) for the shutdown of two vapor degreasing units at their plant at 631 South Richland Avenue in Spring Garden Township, **York County**.

67-304-035A: On April 22, 1997, the Department issued a Plan Approval to **American Colloid Company** (HCR 69, Box 135, Belle Fourche, SD 57717) for the modification of a sand mixing facility in the City of York, **York County**.

67-309-015E: On April 22, 1997, the Department issued a Plan Approval to **The J. E. Baker Company** (P. O. Box 1189, York, PA 17405) for the installation of an HPS Plant Distribution System controlled by a fabric filter in West Manchester Township, **York County**.

67-315-010: On April 24, 1997, the Department issued a Plan Approval to **P. H. Glatfelter Company** (228 South Main Street, Spring Grove, PA 17362-0500) for the construction of G-coater in Spring Grove Borough, **York County**.

06-319-017E: On April 28, 1997, the Department issued a Plan Approval to **Yuasa-Exide, Inc.** (2901 Montrose Avenue, Laureldale, PA 19605) for the construction of a grid caster at their Yuasa Plant in Laureldale Borough, **Berks County**. The source is subject to 40 CFR 60, Subpart KK, Standards of Performance for New Stationary Sources.

21-320-010A: On April 30, 1997, the Department issued a Plan Approval to **Fry Communications, Inc.** (800 West Church Road, Mechanicsburg, PA 17055) for the construction of a nine-unit double web offset press with two heatset dryers controlled by a catalytic incinerator in Mechanicsburg Borough, **Cumberland County**.

36-313-030E: On April 30, 1997, the Department issued a Plan Approval to **Warner-Lambert Company** (400 West Lincoln Avenue, Lititz, PA 17543) for the modification of a pharmaceutical manufacturing facility in Lititz Borough, **Lancaster County**.

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

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

PA-04-218A: On April 24, 1997 a Plan Approval was issued to **NF & M International, Inc.** (1729 Pennsylvania Avenue, Monaca, PA 15061) for a fume scrubber on the pickling operation at its Manufacturing Division facility located in Monaca Borough, **Beaver County**.

PA-65-788B: On April 24, 1997, a Plan Approval was issued to **Sony Electronics, Inc.** (1001 Technology Drive, Mt. Pleasant, PA 15666) for two Wave Solder Machines at its Pittsburgh Manufacturing Center located in Mt. Pleasant Township, **Westmoreland 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.

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

PA-03-198A: On April 24, 1997, a Plan Approval expiration date was extended to September 1, 1997 for **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) for a portable coal crusher at its Huskins Run Crusher facility located in Cowanshannock Township, **Armstrong County**.

11-305-028: On April 24, 1997, a Plan Approval expiration date was extended to July 1, 1998 for **Senate Coal Mines Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) for a water truck at the Wet Coal Refuse Reclaim Plant at its Mine #42 facility located in Adams Township, **Cambria County**.

11-305-032: On April 24, 1997, a Plan Approval expiration date was extended to October 1, 1998 for **Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) for a crushing and screening process on the Coal Refuse Reprocessing operation at its St. Michael Pile facility located in Adams Township, **Cambria County**.

04-313-065A: On April 24, 1997, a Plan Approval expiration date was extended to September 1, 1997 for **Nova Chemicals, Inc.** (400 Frankfort Road, Monaca, PA 15061) for a Pentane Emission Reduction System and baghouse on the Dylite Unit at its Beaver Valley Plant located in Potter Township, **Beaver County**.

56-305-049: On April 24, 1997, a Plan Approval expiration date was extended to September 1, 1997 for **PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541) for a limestone crushing/screening process at its Paxton Strip located in Brothersvalley Township, **Somerset County**.

56-305-050: On April 24, 1997, a Plan Approval expiration date was extended to September 1, 1997 for **Dunamis Resources, Inc.** (P. O. Box 846, Latrobe, PA 15650) for a coal processing facility at its Miller Mine/Quecreek No. 1 Mine located in Jenner Township, **Somerset County**.

56-305-043: On February 10, 1997, a Plan Approval expiration date was extended to October 1, 1997 for **Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) for a water truck at the Coal Refuse Reclaiming/Screen at its Mine 36 facility located in Winber Borough, **Somerset County**.

32-305-053: On April 24, 1997, a Plan Approval expiration date was extended to August 15, 1998 for **Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) for a bituminous coal processing operation at its Coral Tipple facility located in Burrell Township, **Indiana County**.

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

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

The Department issued an administrative amendment to the following air quality plan approvals, for the construction of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **46-399-104**
Source: Five I. C. Diesel Engines
Administrative Amendment: **March 28, 1997**
Company: **MM Biogas Power, LLC**
Location: Upper Merion
County: **Montgomery**

Permit: **46-320-028A**
Source: Flexographic Press
Administrative Amendment: **March 28, 1997**
Company: **Global Packaging, Inc.**
Location: Upper Providence
County: **Montgomery**

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

Administrative Amendments of Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 127.450 for Reasonable Available Control Technology.

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

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

Permit: **OP-09-0021**
Source: Facility VOC Sources
Administrative Amendment: **March 4, 1997**
Company: **MRI Flexible Packaging, formerly Mike Rich, Inc.**
Location: Newtown
County: **Bucks**

Permit: **CP-46-0005**
Source: Facility VOC and NOx
Administrative Amendment: **March 6, 1997**
Company: **Merck & Co., Inc.**
Location: Upper Gwynedd
County: **Montgomery**

Permit: **CP-09-0005**
Source: NOx and VOC Sources
Administrative Amendment: **March 14, 1997**
Location: Bristol
County: **Bucks**

Proposed Revision to the State Implementation Plan for Oxides of Nitrogen (NOx) and volatile organic compounds (VOC) and public hearing

Approval of Reasonably Available Control Technology (RACT) Plans for: LNP Engineering Plastics, Inc. (Caln Township, Chester County) SPS Technologies, Inc. (Abington Township, Montgomery County) Boeing Helicopters (Ridley Township, Delaware County)

DEP has made a preliminary determination to approve RACT plans as amendments to the State Implementation Plan (SIP) for the above facilities. The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in RACT approvals for these facilities to comply with current regulations.

These preliminary determinations, if finally approved, will be incorporated into Plan Approvals and/or Operating

Permits for the facilities and will be submitted to the U. S. Environmental Protection Agency (EPA) as revisions to Pennsylvania's SIP.

The following is a summary of the preliminary RACT determinations for these facilities:

LNP Engineering Plastics, Inc. (Operating Permit OP-15-0035)

<i>Source</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Production Process Lines (12 Thermocomp and 1 Vertron)	Manufacturers Specifications and Good Control Practices	Upon Issuance of Permit
3 Pyrolysis Ovens	Internal Afterburners	Upon Issuance of Permit

This facility is a minor NOx emitter.

SPS Technologies, Inc. (Operating Permit OP-46-0032)

<i>Source</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
4 Boilers	Presumptive	Implemented
18 Combustion Sources	Presumptive	Implemented
87 Misc. VOC Sources	Current Operations	Implemented

Boeing Helicopters (Compliance Permit CP-23-0009)

<i>Source</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Composite Manufacturing	Limited VOC Materials	Implemented
Nital Etch	Solvent Substitution	Implemented
Paint Gun Cleaning	Spray Gun Washers	Implemented
Solvent Bath Cleaning	Good Control Practices	Implemented
Vapor Degreasing	Condensing Coil	Implemented
Combustion Sources	Good Control Practices	Implemented
Solvent Wiping	Good Housekeeping	Implemented
Cleaver Brooks Boiler	Presumptive	Implemented
Cleaver Brooks Boilers 1 and 2	Presumptive	Implemented
Superior Boilers 1 and 2	Presumptive	Implemented
B and W Boilers 1 and 2	Combustion Tuning and Fuel Restriction	Implemented
Emergency Generators	Presumptive	Implemented
Heaters	Presumptive	Implemented
Make-up Air Equipment	Presumptive	Implemented
Heat and Vents	Presumptive	Implemented
Bulk Haz-Mat	Presumptive	Implemented
Air Conditioners	Presumptive	Implemented

There are 16 de-minimis VOC sources associated with this facility.

One public hearing will be held for the purpose of receiving comments on the proposed SIP revisions. The hearing will be held at 2 p.m. on June 19, 1997 at the

Department of Environmental Protection, Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA. The hearing will represent the opportunity for oral comment to DEP on the proposed SIP revisions and will not be a question and answer session. Persons wishing to present testimony at the hearing are encouraged to contact Clarke Rupert, DEP Community Relations Coordinator, at (610) 832-6020 to register prior to the hearing, but may also register at the hearing. Those unable to attend the hearing but who wish to comment should send their written comments to Francine Carlini, Air Quality Program Manager, Department of Environmental Protection, Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428 on or before June 19, 1997.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate should contact Clarke Rupert at (610) 832-6020 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Copies of the pertinent documents are available for reviewing at the DEP Southeast Regional Office. Appointments for scheduling a review may be made by calling (610) 832-6003.

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—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Applications Issued:

56960107. Godin Brothers, Inc. (R. D. 3, Box 61R, Boswell, PA 15530), application for a stream encroachment permit for topsoil storage and a stream crossing of an unnamed tributary to Quemahoning Creek for receiving streams—Quemahoning Creek, application received March 21, 1997, application issued April 28, 1997.

32960103. Kraynak Coal Company (R. D. 1, Box 158, Mahaffey, PA 15757), commencement, operation and restoration of a bituminous strip-auger mine in Grant and Green Townships, **Indiana County**, affecting 329.7 acres, receiving stream unnamed tributary to East Run and Little Mahoning Creek to Mahoning Creek and unnamed tributaries of North Branch to Two Lick Creek, application received February 14, 1996, permit issued April 28, 1997.

11960109. Paul F. Becker Coal Company (1593 Old Route 22, Duncansville, PA 16635), commencement, operation, and restoration of a bituminous strip mine in

Elder Township, **Cambria County**, affecting 26.0 acres, receiving stream unnamed tributary to Brubaker Run, application received October 24, 1996, permit issued April 30, 1997.

32960105. M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of a bituminous strip mine in Pine Township, **Indiana County**, affecting 12.8 acres, receiving stream unnamed tributary to Yellow Creek and Yellow Creek to Two Lick Creek to Conemaugh River, application received September 23, 1996, permit issued April 30, 1997.

56880109. Permit Renewal, **PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), commencement, operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 154.2 acres, receiving stream unnamed tributaries of Bluelick Creek and Bluelick Creek, application received March 4, 1997, permit issued April 30, 1997.

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

17880123. E. P. Bender Coal Company, Inc. (Main and Lehmier Streets, Carrolltown, PA 15722), renewal of an existing bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 166 acres, receiving streams: unnamed tributary to Muddy Run and Muddy Run to Muddy Run and Muddy Run; Muddy Run to Clearfield Creek, Clearfield Creek to West Branch Susquehanna River; West Branch Susquehanna River to Susquehanna River, application received January 22, 1997, permit issued April 18, 1997.

17910124. Al Hamilton Contracting Company (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 to 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, permit issued April 23, 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, permit issued April 29, 1997.

17900111. Falls Creek Energy, Inc. (R. D. 6, Box 231, Kittanning, PA 16201), transfer of an existing bituminous surface mine-auger permit from Maud Mining Company, Brady Township, **Clearfield County** affecting 579.6 acres, receiving streams: Limestone Run, two unnamed tributaries of Stump Creek, and Stump Creek, application received January 29, 1997, permit issued April 18, 1997.

17960110. E. P. Bender Coal Co., Inc. (P. O. Box 594, Carrolltown, PA 15722), commencement, operation and restoration of a bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 67 acres, receiving streams: unnamed tributaries to Banian Run to Clearfield Creek to the West Branch of the Susquehanna River, application received June 12, 1996, permit issued April 16, 1997.

17960115. Waroquier Coal Company (P. O. Box 129, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine permit in Girard Township, **Clearfield County** affecting 37.1 acres, re-

ceiving streams: unnamed tributaries of Bald Hill Run, and Bald Hill Run, Bald Hill Run to West Branch Susquehanna River, application received September 4, 1996, permit issued April 18, 1997.

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

63841302. Maple Creek Mining, Inc., (P. O. Box 517, Bentleyville, PA 15314), to revise the permit for the Maple Creek bituminous deep mine in New Eagle Borough, **Washington County** to add two portals at the New Eagle Portal Facility, no additional discharge. Permit issued April 25, 1997.

56961302. Dunamis Resources, Inc., (R. D. 4, Box 1542, Homer City, PA 15748) to operate the Miller bituminous deep mine in Jenner and Lincoln Townships, **Somerset County**, new mine, receiving stream Quemahoning Creek. Permit issued April 28, 1997.

33961302. Doverspike Brothers Coal Company, (R. D. 4, Box 271, Punxsutawney, PA 15767), to operate the Sandy Lands bituminous deep mine in McCalmont Township, **Jefferson County**, receiving stream unnamed tributary to Little Sandy Creek. Permit issued April 29, 1997.

56951301. RoxCoal, Inc., (P. O. Box 149, Friedens, PA 15541), to operate the Augustus bituminous deep mine in Shade Township, **Somerset County**, new mine, receiving streams unnamed tributary to Coal Run, Coal Run, and Dark Shade Creek. Permit issued April 29, 1997.

17841608. Lady Jane Collieries, Inc., (P. O. Box 306, Penfield, PA 15849), to renew the permit for the Lady Jane Collieries, Inc. Preparation Plant in Huston Township, **Clearfield County**, no additional discharge. Permit issued April 30, 1997.

32901603. Tipple Four J Inc., (P. O. Box 194, Shelocta, PA 15774), to operate the Tipple Four J in Armstrong Township, **Indiana County**, receiving stream Crooked Creek. Permit issued April 29, 1997.

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

54860207R2. South Tamaqua Coal Pockets, Inc. (R. R. 3, Box 14, Tamaqua, PA 18252), renewal of an existing coal refuse reprocessing/disposal operation in West Penn Township, **Schuylkill County** affecting 65.0 acres, receiving stream—none. Renewal issued April 30, 1997.

22851601R & R2. Underkoffler Coal Services, Inc. (6833 Route 209 West, Lykens, PA 17048), renewal of an existing coal preparation plant operation in Wiconisco Township, **Dauphin County** affecting 13.0 acres, receiving stream—none. Renewals issued April 30, 1997.

22851304R2. S & M Coal Co. (189 North Street, Lykens, PA 17048), renewal of an existing deep mine operation in Wiconisco Township, **Dauphin County** affecting 4.2 acres, receiving stream—none. Renewal issued April 30, 1997.

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

Noncoal Permits Issued

6277SM1A1C. Compass Quarries, Inc. (47 McIlvaine Road, Box 130, Paradise, PA 17562), renewal of NPDES Permit #PA0595080 and correction in Paradise Township, **Lancaster County** affecting 161.0 acres, receiving stream—Londonland Run. Renewal/correction issued April 28, 1997.

40870301C3. Small Mountain Quarry, Inc. (125 North Warren Street, West Hazleton, PA 18201), renewal of NPDES Permit #PA0593818 in Dorrance Township, **Luzerne County** receiving stream—Balliet Run and Wapwallopen Creeks. Renewal issued May 2, 1997.

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

Large Industrial Mineral Permits Issued:

08960805. Tom Simonds & Son Excavating (R. R. 1, Box 50B, Sayre, PA 18840), commencement, operation and restoration of a large Industrial Mineral (Surface Excavation, Sand and Gravel) permit in Athens Township, **Clearfield County** affecting 14.2 acres, application received October 7, 1996, permit issued April 24, 1997.

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

Small Industrial Mineral Authorizations Granted:

08960805. John Heeman (R. R. 2, Box 273, Wyalusing, PA 18853), commencement, operation and restoration of a Small Noncoal (Bluestone) Permit in Tuscarora Township, **Bradford County** affecting 1 acre, application received December 13, 1996, authorization granted April 23, 1997.

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

General Small Noncoal Authorizations Granted:

58970808. Joseph Bowen (R. R. 4, Box 263, Montrose, PA 18801), commencement, operation and restoration of a small bluestone quarry operation in Rush Township, **Susquehanna County** affecting 1.0 acres, receiving stream—none. Authorization granted April 28, 1997.

28970802. King Excavating (3483 Keller Road, St. Thomas, PA 17252), commencement, operation and restoration of a small quarry operation in St. Thomas Township, **Franklin County** affecting 5.0 acres, receiving stream—none. Authorization granted April 28, 1997.

58970803. Ed Kozlowski (R. R. 2, Box 66, Kingsley, PA 18826), commencement, operation and restoration of a small bluestone quarry operation in Dimock Township, **Susquehanna County** affecting 1.0 acres, receiving stream—none. Authorization granted May 1, 1997.

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

Dams, Encroachments and Environmental Assessments

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

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—504 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals

must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

PERMITS ISSUED AND ACTIONS ON 401 CERTIFICATIONS

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

Permit No. E41-394. Encroachment. **Transcontinental Gas Pipe Line Corp.**, P. O. Box 1396, Houston, TX 77251-1396. To maintain concrete grout bag jacket around three exposed natural gas transmission pipelines (Labeled A, B, & C), the placement of approximately 3,000 tons of R-8 riprap over the grouting and then backfilling of the riprap with onsite sand and gravel in the streambed of the Loyalsock Creek (Montoursville North, PA Quadrangle N: 5.5 inches; W: 5.6 inches) in Fairfield Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Permit No. E59-337. Encroachment. **Pa. Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structure and to construct and maintain a 73 foot single span steel I-beam bridge with a reinforced concrete deck on a 90 degree skew with an underclearance of approximately 6.7 feet across Cedar Run on SR 3001 approximately 2.4 miles north of the village of Cedar Run (Cedar Run, PA Quadrangle N: 10.0 inches; W: 11.5 inches) in Morris Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Southwest Regional Office, Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.
Permits Issued

Permit No. E02-1160. Encroachment. **Karrington Acquisitions Inc.**, 919 Old Henderson Road, Columbus, OH 43220. To place and maintain fill in approximately 0.15 acre of wetlands adjacent to an unnamed tributary to Turtle Creek for the purpose of constructing the Karrington of Monroeville Care Facility. The project is located just southwest of the intersection of King Lear Drive and Mosside Boulevard (Braddock, PA Quadrangle N: 9.9 inches; W: 0.4 inch) in Borough of Monroeville, **Allegheny County**.

Permit No. E02-1166. Encroachment. **U. S. Steel Clairton Works**, Division of USX Corporation, 400 State Street, Clairton, Pa 15025. To operate and maintain the existing barge loading facility and to construct and maintain a light oil/tar barge loading facility and a

29-foot diameter ice breaker along the left bank of the Monongahela River near river mile 19.6 (Glassport, PA Quadrangle N: 10.8 inches; W: 1.0 inch) in the City of Clairton, **Allegheny County**.

Permit No. E03-361. Encroachment. **PA Fish & Boat Commission**, 450 Robinson Ln, Bellefonte, PA 16823-9620. To remove the existing concrete launching ramp and to construct and maintain a 24-foot × 74-foot concrete boat launching ramp, a paved 23 car/trailer and a 16 car only parking lot, a 6-foot × 32-foot wooden boarding dock and necessary signs, drainage and beautifying landscaping in and along the Allegheny River for the purpose of developing a public fishing and boating area. The project is located at approximately River Mile 54.7 (Templeton, PA Quadrangle N: 8.25 inches; W: 12.25 inches) in Pine Township, **Armstrong County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

Permit No. E11-247. Encroachment. **Edward J. and Tina M. Shedlock**, 815 West Knox Avenue, Portage, PA 15946-2174. To remove the existing structure and to construct and maintain a 100-foot long 5-foot × 4-foot box enclosure in an unnamed tributary to Kane Run for the purpose of preventing flooding and improving a private residential property located on West Knox Avenue (Ebensburg, PA Quadrangle N: 0.4 inch; W: 6.5 inches) in Portage Township, **Cambria County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

Permit No. E56-273. Encroachment. **Somerset County Commissioners**, 111 East Union Street, Ste. 100, Somerset, PA 15501. To rehabilitate and maintain the existing Pack Saddle Covered Bridge (County Bridge No. 26) across Brush Creek (HQ-CWF). The rehabilitation consists of constructing new abutments, adding steel I-beams and replacing the timber decking. The bridge has a clear span of 43.3 feet and an underclearance of 8.5 feet, located on T-407 at a point approximately 600 feet west of intersection of T-407 and T-772 (Fairhope, PA Quadrangle N: 21.4 inches; W: 9.5 inches) in Fairhope Township, **Somerset County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

Permit No. E56-275. Encroachment. **PA Department of Transportation**, 1620 North Juniata Street, Holidaysburg, PA 16648. To remove the existing structure and to construct and maintain a 16.3-foot × 8.8-foot low profile metal box culvert with its invert depressed 1.0 foot below the streambed in Clear Run on SR 4001, Section FLD, Segment 0090, Offset 1426. This permit also authorizes the construction and maintained of a temporary roadway crossing consisting of two 42-inch C. M. pipes in Clear Run downstream from the proposed structure. The project is located approximately 3 miles northeast of the Village of Bakersville (Bakersville, PA Quadrangle N: 13.5 inches; W: 7.3 inches) in Jefferson Township, **Somerset County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

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

E45-304. Encroachment. **West End Fire Company, Inc.**, HCR 1, Box 20, Brodheadsville, PA 18322. To construct and maintain a 6-inch PVC water intake structure in an offstream pond (known as Robinwood Lake) along McMichael Creek to be used as a dry hydrant for

fire protection. The project is located on the east side of S. R. 0715, approximately 800 feet south of its intersection with S. R. 3026 (Brodheadsville, PA Quadrangle N: 18.8 inches; W: 3.4 inches) in Chestnuthill Township, **Monroe County**.

E48-241. Encroachment. **Sawmill Golf Course**, 5630 Sullivan Trail, Easton, PA 18040. To place approximately 6,000 cubic feet of fill in the floodway and adjacent wetlands of Little Bushkill Creek for the purpose of constructing a golf green, and to construct and maintain three wetland crossings in accordance with General Permit BDWM-GP-7 (Minor Road Crossings). The total wetland impact is approximately 0.10 acre. The project is located at the Sawmill Golf Course, approximately 0.2 mile southeast of the intersection of S. R. 0191 and S. R. 1005 (Wind Gap, PA Quadrangle N: 2.6 inches; W: 2.8 inches) in Plainfield Township, **Northampton County**. The permittee is required to provide 0.10 acre of replacement wetlands.

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

E15-525. Encroachment Permit. **Rouse/Chamberlin, Inc.**, 500 Exton Commons, Exton, PA 19341. To relocate approximately 1,250 linear feet of an unnamed tributary to Pickering Creek (WWF) through a portion of the stormwater management system associated within the proposed Moorehall at Valley Forge residential subdivision. A 1,410-foot long reinforced concrete stream enclosure, consisting of pipes varying in diameter between 42 inches and 60 inches, will be used to convey the stream flow to a proposed non-scope dam/storm water detention basin situated at the enclosure terminus. The project site is located along the right side of the Nutt Road (S. R. 0023) in the vicinity of the intersection with the White Horse Road (T-552) (Valley Forge, PA Quadrangle N: 22.1 inches; W: 17.0 inches) in Schuylkill Township, **Chester County**.

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

E06-477. Encroachment. **Delaware County Solid Waste Authority**, 1521 North Providence Road, Media, PA 19063. To place and maintain fill in approximately 0.15 acre of wetlands at the Colebrookdale Landfill (Boyertown, PA Quadrangle N: 20.5 inches; W: 12.9 inches) in Earl Township, **Berks County**. The permittee will provide 0.15 acre of replacement wetlands.

E06-487. Encroachment. **Adeline Grassi**, P. O. Box 39, Bernville, PA 19506. To relocate approximately 200 feet of channel of a tributary to North Creek at a point downstream of Route 183 (Strausstown, PA Quadrangle N: 13.4 inches; W: 1.9 inches) in Jefferson Township, **Berks County**. This permit also includes 401 Water Quality Certification.

E21-260. Encroachment. **PA Dept. of Transportation**, Engineering District 8-0, John Rautzahn, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure and to construct and maintain a prestressed concrete spread box beam bridge having a centerline span of 35 feet on an 80 degrees skew with a minimum underclearance of 3 feet, 9.5 inches across Mt. Rock Spring Creek on SR 0641, Section 003, Segment 0360, Offset 0000 located about 0.8 mile west of Plainfield Village (Plainfield, PA Quadrangle N: 14.36 inches; W: 8.0 inches) in West Pennsboro Township, (**Cumber-**

land County. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

E22-358. Encroachment. **Robert Dido**, 202 Oakleigh Avenue, Harrisburg, PA 17111. To construct a 16 foot × 18 foot addition to an existing residence in the floodway of Spring Creek at a point at the intersection of Oakleigh Avenue and Rutherford Street (Harrisburg East, PA Quadrangle N: 1.7 inches; W: 9.6 inches) in Swatara Township, **Dauphin County.** This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

E22-361. Encroachment. **Harrisburg Enterprise Development Corporation**, Mayor's Office of Economic Development, 10 North Second Street, Harrisburg, PA 17101. To remove an existing building and construct and maintain a building in the floodway of Paxton Creek at a point downstream of Sycamore Street (Harrisburg East, PA Quadrangle N: 0.0 inches; W: 16.2 inches) in the City of Harrisburg, **Dauphin County.** This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

E36-624. Encroachment. **MJT Associates, Inc.**, Daniel C. Gohn, P. O. Box 128, Mount Joy, PA 17552. To regrade and fill a deminimus area of wetlands less than or equal to 0.05 acre for development of a retirement village to be located along the east side of Sheaffer Road (T-855) at intersection with Ridge Road (T-855) (Elizabethtown, PA Quadrangle N: 5.4 inches; W: 10.1 inches) in Mount Joy Township, **Lancaster County.**

E36-626. Encroachment. **Parkway Development Corporation**, Joseph Nadu, Lancaster County, 1730 Columbia Avenue, Lancaster, PA 17603. To fill a deminimus area of wetlands less than or equal to .05 acre and to remove an open water pond for grading and construction of a stormwater detention basin within the Willow Run subdivision. The development is located south of Willow Street and along the east side of Willow Street Pike (SR 272) (Conestoga, PA Quadrangle N: 16.8 inches; W: 3 inches) in Pequea and West Lampeter Townships, **Lancaster County.** This permit also includes 401 Water Quality Certification.

ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL ASSESSMENT APPROVALS AND ACTIONS ON 401 CERTIFICATION

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

EA09-011CO. Environmental Assessment. **Bucks County Technical School** (610 Wistar Road, Fairless Hills, PA 19030). To construct and maintain a nonjurisdictional dam in the watershed of a Tributary to the Delaware Estuary (WWF) impacting approximately 0.16 acre of wetlands (PEM) for the purpose of stormwater management at the proposed Bucks County Technical School expansion located approximately 1,000 feet southwest of the intersection of New Falls Road (S. R. 2006) and Wistar Road (T-331) (Trenton West, NJ-PA Quadrangle N: 6.1 inches; W: 14.0 inches) in Bristol Township, **Bucks County.** The applicant made a contribution to the Pennsylvania Wetland Replacement Project as compensatory mitigation for wetland impacts.

SPECIAL NOTICES

CERTIFICATION TO PERFORM RADON-RELATED ACTIVITIES IN PENNSYLVANIA

In the month of April 1997 the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800)-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Jay F. Bauder	585B Mountain Trail Road Newmanstown, PA 17073	Mitigation
Brian Bacchus Sunn Radon Company Chuck Berthoud	10475 Perry Highway, Suite 305 Wexford, PA 15090 47 Brookside Avenue Hershey, PA 17033	Testing Mitigation (firm only) Testing
G. Frank Burditt, Jr.	387 Winfred Manor Drive Bethel Park, PA 15102	Testing
Jimmie L. Camp	6028 Forest Drive Monaca, PA 15061	Testing
Thomas Clarke	29 Lake Valhalla East Stroudsburg, PA 18301	Testing
Richard D. Cuthbert	351 West 10th Street Erie, PA 16502	Testing
Joseph M. Garzio	461 Sharon Drive Wayne, PA 19087	Testing
David Grammer Northeast Environmental Testing Brenda Neilson-Hansen	27 Ironia Road, Unit 2 Flanders, NJ 07836 100 Dickinson Drive, Suites 109 and 110 Chadds Ford, PA 19317	Testing Testing
Leonard D. Hornberger LDH Waterproofing & Radon Control Peter Muehlbronner AllState Home Inspections, Inc. Ira Nerenberg AmeriSpec of Northeast PA Brian Reuss Housemaster Home Inspections	218D West Main Street Leola, PA 17540 704 Roslyn Avenue Glenside, PA 19038 55 Indian Drive Greentown, PA 18426 200 Ravencroft Court Cranberry Twp., PA 16066	Mitigation Testing Testing Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Jules Samitz	P. O. Box 471 Lafayette Hill, PA 19444	Testing
Ronald Segada	425 3rd Street Cresson, PA 16630	Testing
Allan G. Valunas	510 Charl Drive Shavertown, PA 18708	Testing

Suspension of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of April 1997, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code § 240.203(b), suspended the certification of the person or persons listed below to perform radon-related activities in Pennsylvania.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Joseph Baicker	P. O. Box 900 Rocky Hill, NJ 08553	Laboratory

[Pa.B. Doc. No. 97-774. Filed for public inspection May 16, 1997, 9:00 a.m.]

Areas Unsuitable for Mining; Muddy Run Watershed, Cambria and Clearfield Counties

The Department of Environmental Protection (Department), Bureau of Mining and Reclamation, has accepted for technical study a petition to designate the Muddy Run watershed in Reade Township, Cambria County, and the upper portion of the Muddy Run watershed in Beccaria and Gulich Townships, Clearfield County, as an area unsuitable for surface mining operations. The petition study area includes approximately 5,127 acres (2,075 hectares) located south of Township Road T534. This study is in response to Petition No. 11969901 submitted by James Thompson on behalf of the Reade Township Municipal Authority for the protection of public water supply wells. The petitioner alleges that mining could result in the degradation and loss of surface and groundwater resources, including aquifers and aquifer recharge areas used for the public water supply.

The Department will review the factual allegations in the petition, conduct a technical study, and hold a public hearing to determine whether a recommendation to designate the area as unsuitable for surface mining operations should be submitted to the Environmental Quality Board. The public hearing will be held within 10 months of acceptance of the petition.

Any person with an interest within the petition area which may be affected by a designation may become an intervenor, for or against these proceedings, by filing allegations of fact, supporting evidence, a short statement identifying the petition to which the allegations pertain, their interests which could be affected, and a request for intervenor status including name, address and phone number. Requests for intervenor status will be accepted

until 3 days before the public hearing on the petition.

The public record on this petition is open for public review during regulation business hours at the Ebensburg District Mining Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931, and at the Bureau of Mining and Reclamation, Room 213 Executive House, P. O. Box 8461, Harrisburg, PA 17105-8461. For further information call (717) 787-4761. Persons with a disability may use the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) and request that the call be relayed to Mr. McCommons at (717) 787-4761.

This notice is given under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a), The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Coal Refuse Disposal Act (52 P. S. §§ 30.51—30.66) and the regulations promulgated thereunder.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-775. Filed for public inspection May 16, 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 DEP at (717) 783-8727. [Note: This is a change. DEP is now filing these orders in-house. Persons who placed an order with Elwyn, Inc. (the previous printer) on or after April 15, 1997 will have their order forwarded to DEP.]

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.

Final Technical Guidance—New Guidance

DEP ID: 012-0830-002 Title: Data Standards for Pennsylvania Municipality Codes and Names Description: Municipality Codes and Names data for all incorporated Pennsylvania municipalities will originate and be incorporated into all DEP electronic database systems that utilize municipality data, based upon Management Directive M315.1, Municipal Tax Rate Schedules, published and updated by the Office of the Budget. Related Guidance Documents: Management Directive M315.1 and Extract of Management Directive M315.1 Please note that the Extract of the Management Directive M315.1 is published and distributed with this technical

guidance to aid in the use of the municipality codes and names. Effective Date: April 18, 1997 Page Length: 3 pages (The Extract of Management Directive M315.1 is 28 pages long.) Location: Volume 01, Tab 11 Contact: Kimberly Nelson at (717) 787-3534.

Final Technical Guidance—Revisions to Existing Guidance

DEP ID: 361-2000-011 Title: Technical Reference Guide for the Pennsylvania Single Discharge Toxics Model (when inquiring refer to PENTOXSD TRG) Description: The Department uses PENTOXSD to determine recommended NPDES effluent limitations for toxics and other substances based on water quality criteria and other instructions published in Chapters 93, 95 and 16 (Statement of Policy). Effective Date: January 9, 1995 Page Length: 65 pages (including all appendices and an attachment titled "Important Technical Issues and Procedures" Location: Volume 31, Tab 8 Contact: Ed Brezina at (717) 787-9637.

DEP ID: 257-2212-501 Title: County Option to Retain to Eliminate Municipal Waste Flow Control Description: This policy revision gives counties the option to retain or eliminate municipal waste flow control as part of the county municipal waste management plan. Effective Date: April 11, 1997 Page Length: 2 pages Location: Volume 6, Tab 30 Contact: Josephine Valencia at (717) 787-9870.

Draft Technical Guidance

DEP ID: 562-3000-105 BMR PGM: I:01:05 Title: Field Evaluations of Pit Size Variances Background: This document is being revised to improve clarity and combine important portions of another PGM: Pit Variance/Equipment Removal (Section I, Part I, Subpart 6). This will result in one less PGM and put all important information in one place. Deadline for Submittal of Comments: June 19, 1997 Contact: John Meehan at (717) 783-9388.

Notice of Intent to Revise Technical Guidance

DEP ID: 562-4180-306 BMR PGM I:3:6 Title: Civil Penalty Assessments Background: This guidance is necessary to establish procedures for the calculation and assessment of civil penalties. The regulations are in the process of being changed. This revision is necessary to bring the existing document in line with the proposed regulations. Anticipated Effective Date: October 31, 1997 or upon approval of the revised regulations if after October 31, 1997 Anticipated Draft Development Date: June 16, 1997 Proposed Development and Review Process: This document will be reviewed by the Pennsylvania Coal Association, Mine Operators, the Public, Field Operations and the Bureau of Mining and Reclamation. Contact: Michael Terretti at (717) 787-7846.

DEP ID: 254-2212-504 Title: Approval of Act 101 Municipal Waste Management Plan Revisions Background: The Division of Waste Minimization and Planning reviewed two existing technical guidance documents: DEP ID: 257-2212-501 (Approval of Act 101 Municipal Waste Management Plans) and DEP ID: 254-2212-504 (Approval of Municipal Waste Management Plan Revisions). The Division concluded that the guidances are outdated or voided by recent court decisions, need to be updated to deal with the pending rewriting of the 10-year plans and need to be revised to implement recommendations of the Municipal Waste Stakeholders in their report to the Secretary. Moreover, to promote consistency and clarity, all of the information in both guidances

will be incorporated into DEP ID 254-2212-504. DEP ID 257-2212-501 now contains other information and is titled "County Option to Retain or Eliminate Municipal Waste Flow Control." (See above.)

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-776. Filed for public inspection May 16, 1997, 9:00 a.m.]

Bureau of Deep Mine Safety; Schedule of Customer Roundtable Meetings

The Bureau of Deep Mine Safety has completed an analysis of responses to its customer needs survey that was distributed to its clients during November 1996. The Bureau is seeking additional input from its customers. Several public roundtable meetings will be conducted to clarify the survey responses and define possible program improvements in the Bureau of Deep Mine Safety.

The roundtable meetings are scheduled as follows:

- June 18— *Bituminous Region*
Four Points Hotel
Route 30E, 100 Sheraton Drive
Greensburg, PA 15601
Keystone Rooms
Time: 1 p.m. to 4 p.m.
- June 19— *Industrial Minerals (Metal/Non-Metal) Region*
Ramada Inn
Exit 10, PA Turnpike
Somerset, PA 15501
Somerset Ballroom
Time: 1 p.m. to 4 p.m.
- June 25— *Anthracite Region*
PA Dept of Environmental Protection
Conference Room
5 West Laurel Blvd.
Pottsville, PA 17901
Time: 1 p.m. to 4 p.m.

Interested persons may attend one or more of these roundtable discussions. The Department views public input as very important to the development of our business plan.

Questions concerning this schedule can be directed to Matthew Bertovich at (412) 439-7469 or E-mail Bertovich. Matthew@al.dep.state.pa.us. This schedule will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Matthew Bertovich directly at (412) 439-7469 to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-777. Filed for public inspection May 16, 1997, 9:00 a.m.]

Proposed General Plan Approval and General Operating Permit; Petroleum Dry Cleaning; BAQ-GPA/GP-6

The Department of Environmental Protection (Department) proposes to issue general plan approvals and operating permits for petroleum dry cleaning plants (hereinafter referred to as "Petroleum Dry Cleaning General Permit"). This general plan approval and operating permit, authorized under section 6.1(f) of the Air Pollution Control Act, is limited to plants that are not major volatile organic compound (VOC) or major hazardous air pollutant (HAP) emitting facilities as defined in 25 Pa. Code § 121.1. That is, those facilities whose potential yearly emissions are less than:

- a. 25 tons of VOC in the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia.
- b. 50 tons of VOC in all remaining counties.
- c. 10 tons of any one HAP or 25 tons of any combination of HAP's throughout the state.

The proposed general plan approval and operating permit contains conditions which prescribe applicable performance standards, emission limits, monitoring, recordkeeping and reporting requirements.

Prior to operating under the Petroleum Dry Cleaning General Permit, the owner or operator of the source must notify the Department and receive prior written approval from the Department before commencing to operate the affected facility. Notification of the facility's intent to use the general permit and plan approval must be submitted on a form provided by the Department. Petroleum dry cleaning plants operating under this general permit shall comply with the terms and conditions of the general plan approval and general operating permit.

Authorization to operate under the Petroleum Dry Cleaning General Permit will be valid for a term of 5 years. The Department proposes to establish application, permit renewal and annual general operating permit administrative fees as follows:

- a. Two hundred fifty dollars during the 1995—1999 calendar years.
- b. Three hundred dollars during the 2000—2004 calendar years.
- c. Three hundred seventy-five dollars beginning in the 2005 calendar year.

Within 30 days of the expiration date of the authorization to operate under the general plan approval and general operating permit, the permittee must renew the authorization if the facility intends to continue to operate under the Petroleum Dry Cleaning General Permit.

A complete copy of the Petroleum Dry Cleaning General Permit may be obtained by contacting Kimberly Maneval, Division of Permits, Bureau of Air Quality, 12th Floor Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, telephone (717) 787-4325. TDD users may telephone the Department through the AT&T Relay Service, (800) 654-5984. Internet users can access a copy of the general permit at <http://www.dep.state.pa.us>.

The Department requests written comments on the proposed general plan approval and operating permit. Notice and opportunity for comment will also be provided to the United States Environmental Protection Agency and the States of Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. Interested per-

sons may submit written comments, suggestions or objections to Douglas L. Leshner, Chief, Title V/NSR Section, Division of Permits, Bureau of Air Quality, 12th Floor Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. The Department will also consider written requests that a public hearing be held concerning this proposed general plan approval and operating permit. Public comments must be submitted to the Department within 45 days of the date of this notice in the *Pennsylvania Bulletin*. Comments received by facsimile will not be accepted.

JAMES M. SEIF,
Chairperson

[Pa.B. Doc. No. 97-778. Filed for public inspection May 16, 1997, 9:00 a.m.]

Proposed General Plan Approval and General Operating Permit; Portable Nonmetallic Mineral Processing Plants; BAQ-GPA/GP-3

The Department of Environmental Protection (Department) proposes to issue general plan approvals and operating permits for nonmetallic mineral processing plants (hereinafter referred to as "Portable Nonmetallic Mineral Processing Plant General Permit"). This general plan approval and operating permit, authorized under section 6.1(g) of the Air Pollution Control Act, will apply to the erection, operation and modification of portable nonmetallic mineral processing plants: a) temporarily (no longer than 24 months) located at construction sites; and/or, b) for periods less than 5 years at sites previously granted air quality or mining permits. Nonmetallic mineral processing plants, as defined in 40 CFR §§ 60.670 and 60.671, are designed to process nonmetallic minerals, and consist of affected units like crushers, grinders, screening operations, belt conveyors, bucket elevators, storage bins, bagging operations, and enclosed truck and rail car loading stations.

The proposed general plan approval and operating permit contains conditions which prescribe applicable performance standards, emission limits, monitoring, recordkeeping and reporting requirements.

Prior to operating under the Portable Nonmetallic Mineral Processing Plant General Permit, the owner or operator of the source must notify the Department and receive prior written approval from the Department before commencing to construct or operate the affected facility. Notification of the facility's intent to use the general permit and plan approval must be submitted on a form provided by the Department. Nonmetallic mineral processing plants operating under this general permit shall comply with the terms and conditions of the general plan approval and general operating permit.

The Portable Nonmetallic Mineral Processing Plant General Permit may not be used by any source that is subject to the requirements of 25 Pa. Code Chapter 127, Subchapter D (relating to prevention of significant deterioration), 25 Pa. Code Chapter 127, Subchapter E (relating to new source review) and 25 Pa. Code Chapter 127, Subchapter G (relating to Title V operating permits).

The Portable Nonmetallic Mineral Processing Plant General Permit will be issued for a term of 5 years. The Department proposes to establish application, permit renewal and annual general operating permit administrative fees as follows:

- a. Seven hundred fifty dollars during the 1997—1999 calendar years.
- b. Eight hundred fifty dollars during the 2000—2004 calendar years.
- c. One thousand seventy-five dollars beginning in the calendar year 2005.

Within 30 days of the expiration date of the general plan approval and general operating permit, the permittee must renew the general permit if the facility intends to continue to operate under the Portable Nonmetallic Mineral Processing Plant General Permit.

A complete copy of the Portable Nonmetallic Mineral Processing Plant General Permit may be obtained by contacting Kimberly Maneval, Division of Permits, Bureau of Air Quality, 12th Floor Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, telephone (717) 787-4325. TDD users may telephone the Department through the AT&T Relay Service (800) 654-5984. Internet users can access a copy of the general permit at <http://www.dep.state.pa.us>.

The Department requests written comments on the proposed general 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 Douglas L. Leshner, Chief, Title V/NSR Section, Division of Permits, Bureau of Air Quality, 12th Floor Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. The Department will also consider written requests that a public hearing be held concerning this proposed general plan approval and operating permit. Public comments must be submitted to the Department within 45 days of the date of this notice in the *Pennsylvania Bulletin*. Comments received by facsimile will not be accepted.

JAMES M. SEIF,
Chairperson

[Pa.B. Doc. No. 97-779. Filed for public inspection May 16, 1997, 9:00 a.m.]

Proposed Industrial Mineral General Permit; Notice of Public Meetings

The Department of Environmental Protection will hold public meetings to take comments on proposed procedural guidelines for a new industrial mineral surface mining general permit.

The proposed changes to the Nocoal Regulations (25 Pa. Code Chapter 77) include the authorization to develop general permits. The Department is currently developing a general permit, which can be implemented once the proposed regulations are adopted and the official public notice requirements of the general permit are satisfied.

The general permit will be for the surface mining activities associated with the removal of minerals to be used on a specific construction project. The duration of the mineral extraction will be less than 1 year and the potential environmental impact from the mining is minimal.

The Department will introduce the proposed general permit and receive comments on how to improve the general permit at seven public meetings scheduled for

late May and early June. The meetings will be held from 1 p.m. to 4 p.m. Evening meetings will be held at several of the locations to maximize the opportunity for the public to attend. The evening meetings will be from 6 p.m. to 9 p.m.

A list of the meeting locations and dates follows:

- Erie County—Monday, May 19, 1 p.m. and 6 p.m., Holiday Inn, I-90, Exit 7, Erie
- Luzerne County—Tuesday, May 20, 1 p.m. and 6 p.m., at the Genetti's Best Western Hotel, 77 E. Market St. in The Castle Room, Wilkes-Barre
- Dauphin County—Wednesday, May 21, 1 p.m., at the Rachel Carson State Office Building, 400 Market St., Harrisburg
- Clinton County—Tuesday, May 27, 1 p.m. and 6 p.m., Lamar Comfort Inn, Route 64, Lamar
- Tioga County—Wednesday, May 28, 1 p.m., Bonanza Restaurant, 300 Gateway Dr., Mansfield

- Mercer County—Monday, June 2, 1 p.m. and 6 p.m., Radisson Hotel of Sharon, I-80, West Middlesex
- Westmoreland County—Wednesday, June 4, 1 p.m. and 6 p.m., Sheraton Inn, 100 Sheraton Dr., Greensburg

Copies of the proposed general permits are available from Chris Yeakle, DEP District Mining Operations, P. O. Box 669, Knox, PA 16123 or by e-mail Yeakle. Chris@al.dep.state.pa.us or on the DEP website, Public Participation Center. Written comments may be submitted by June 23 to Chris Yeakle. For more information or for persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Chris Yeakle at (814) 797-1191 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-780. Filed for public inspection May 16, 1997, 9:00 a.m.]

Retention of a Mechanical and Electrical Engineering Firm; Request for Proposals

Project Reference No. DEP-BWE-97:1

The Department of Environmental Protection hereby issues this Request for Proposals to retain a mechanical and electrical engineering firm to conduct annual inspections of pumping stations located throughout the Commonwealth and provide consulting services, design services and construction services regarding mechanical and electrical issues as needed. The Director, Bureau of Waterways Engineering, will identify and assign the work at each of the following flood protection pumping stations, as required.

<i>Priority</i>	<i>Community</i>	<i>County</i>	<i>Station Type</i>	<i>Driver Type</i>	<i>No. of Pumps</i>	<i>Pump Size Column—Capacity Inches—GPM</i>
1.	Cheltenham Township	Montgomery	stormwater	motor	3	20—9,000
2.	Stroudsburg Borough	Monroe	stormwater	motor	2	6—800
3.	Everett Borough	Bedford	flood control	engine	3	24—15,000
4.	Sayre Borough	Bradford	stormwater	motor	1	10—1,500
5.	Danville Borough	Montour	flood control	engine	3	60—100,000
6.	Smithfield Township Pennsylvania Avenue	Huntingdon	stormwater	motor	3	14—4,200
7.	Smithfield Township Mount Vernon Avenue	Huntingdon	stormwater	motor	3	16—5,000

The Department has limited funds for these services and, as a result, may change the pumping station priority or may not require that all pumping stations be included in these services. All pumping stations will require annual inspections. Consulting services, design services and construction services may not be required every year. The work will be reviewed by the engineering staff of the Bureau for acceptability and approval.

The firm will be required to perform many of the following duties:

Annual Inspections and Reports

- Nondestructive and nonevasive testing including vibration and shock pulse testing
- Equipment and systems operational status
- Review of operation and maintenance procedures

Consulting Services

- Site visits and minutes
- Field surveys

- Problem solving and evaluating alternatives
- Emergency response
- Investigations and reports

Design Services

- Equipment selection or modification
- Preparation of contract documents for bidding including drawings, specifications, costs
- Preparation of operation and maintenance manuals

Construction Services

- Installing, testing, start-up and operation of equipment and systems
- Review of shop drawings and catalog cuts
- Attendance at job conferences

Key personnel must be registered professional mechanical or electrical engineers in Pennsylvania with considerable experience. Upon assignment of a specific project, personnel must be capable of completing all work on time.

The contract will be a multiple-year contract for a period of 3 years with an anticipated effective date of July 1, 1997 and termination date of June 30, 2000. The extent of the work for the second and third year will be dependent upon the availability of funds and work assignments. The contract period may be renewed for up to two additional consecutive terms, with a final termination date of June 30, 2002, upon the same terms and conditions set forth in the contract, dependent upon the availability of funds and work assignments.

The contract will be based on the hours of service and qualifying expenses not exceeding the contract amount.

Contract services shall include, but not be limited to, a preliminary meeting in the office of the Director, Bureau of Waterways Engineering, Suite 116, Executive House, 101 S. Second Street, Harrisburg, PA 17101-2513.

Preproposal Site Visits

The preproposal site visits will be conducted at each of the stations from 10 a.m. until 12 noon based on the following schedule:

Cheltenham Township	May 27, 1997
Stroudsburg Borough	May 28, 1997
Sayre Borough	May 29, 1997
Danville Borough	June 3, 1997
Smithfield Township Pennsylvania Ave.	10 a.m.—June 4, 1997
Smithfield Township Mount Vernon Ave.	11 a.m.—June 4, 1997
Everett Borough	June 5, 1997

The Department recently completed a mechanical and electrical evaluation and assessment report of the condition of each of the pumping stations. Onsite investigation and nondestructive, nonevasive testing of the mechanical and electrical equipment was conducted. This same type of tests will be required for the annual inspections. The report indicates that there are equipment or fixtures in the station that need to be added or that require repair or replacement. A copy of the report will be made available for review at each of the stations during the preproposal site visits.

General Requirements and Information

The Commonwealth of Pennsylvania is an "Equal Opportunity Employer" and requires conformance with all State and Federal laws prohibiting discrimination in hiring or employment opportunities.

Firms shall maintain the highest standards of integrity in the performance of this service and shall take no action in violation of State or Federal laws, regulations or other requirements that govern contracting with the Commonwealth.

Firms with out-of-state headquarters or corporations not incorporated in Pennsylvania must include with each Letter of Interest a copy of their registration to do business in the Commonwealth as provided by the Department of State.

Firms interested in performing the required services for this project are invited to submit proposals to Michael D. Conway, Director, Bureau of Waterways Engineering, P. O. Box 8460, Harrisburg, PA 17105-8460.

The Bureau of Waterways Engineering is located in Room 116, Executive House, 101 S. Second Street, Harrisburg, PA 17101-2513.

A complete proposal shall consist of the following information:

1. *Letter of Interest*

Each Letter of Interest must include the firm's Federal Identification Number and the Project Reference Number. The Letter of Interest shall also include three examples and brief descriptions of the most recently completed projects similar to the services being requested. Descriptions shall include the client with contact persons and phone numbers, the cost of the work performed by the firm, the project manager, and names and positions of all personnel who made major contributions to the project.

2. *Standard DGS Forms 150 and 150-S*

Standard DGS forms must accompany the Letter of Interest and shall indicate the individual in charge.

3. *SERB Information*

Commitment to enhance Socially/Economically Restricted Businesses (SERB).

The Commonwealth of Pennsylvania strongly encourages the submission of proposals by SERBs. To achieve the objective of enhancing SERB participation, the Commonwealth has established SERB utilization as a selection criteria in the evaluation process.

The Bureau of Contract Administration and Business Development (BCABD) will evaluate the criteria and will assign a point value to be considered within the overall total point tabulation.

Proposals submitted by individuals claiming SERB status or proposals submitted by individuals reflecting joint venture and subcontracting opportunities with SERBs must submit documentation verifying their claim.

SERBs are businesses whose economic growth and development has been restricted based on social and economic bias. Such businesses are BCABD certified minority and women-owned businesses and certain restricted businesses whose development has been impeded because their primary or headquarter facility is physically located in an area designated by the Commonwealth as being in an enterprise zone. Businesses will not be considered socially/economically restricted if one of the conditions listed below exists:

The business has gross revenues exceeding \$4,000,000 annually.

The concentration of an industry is such that more than 50% of the market is controlled by the same type of SERB (Minority Business Enterprise (MBE)/Women Business Enterprise (WBE)) or businesses within designated enterprise zones.

Proposers not considered to be socially/economically restricted businesses seeking to identify such businesses for joint ventures and subcontracting opportunities are encouraged to contact the Department of General Services, Bureau of Contract Administration and Business Development, Room 502, North Office Building, Harrisburg, PA 17125, phone (717) 787-7380, FAX (717) 787-7052.

SERBs are encouraged to participate as prime proposers. SERBs qualifying as an MBE/WBE must provide their BCABD certification number. SERBs qualifying as a result of being located in a designated enterprise zone must provide proof of this status.

Proposers not considered to be SERBs must describe, in a narrative form, their company's approach to enhance SERB utilization on a professional level in the implementation of this proposal.

The following options will be considered as part of the final criteria for selection:

- Priority Rank 1. Proposals submitted by SERBs.
- Priority Rank 2. Proposals submitted from a joint venture with a Commonwealth approved SERB as a joint venture partner.
- Priority Rank 3. Proposals submitted with subcontracting commitments to SERBs.

Each proposal will be rated for its approach to enhancing the utilization of SERB. The optional approach used will be evaluated with Option Number 1 receiving the greatest value and the succeeding options receiving a value in accordance with the above-listed priority ranking.

The dollar value designated for SERB commitment should be placed in a separate sealed envelope and stapled to the SERB section of the proposal. Contractor proposals should also include the SERB value in the Cost and Price Analysis section of the proposal. The applicable items shown in the Cost and Price Analysis section should also be used to prepare and detail the proposed SERB commitment value including, if applicable, fiscal year breakdown. The selected contractor's SERB commitment amount will be included as a contractual obligation when a contract is entered into.

4. *Cost and Price Analysis*

In addition to the Letters of Interest, the DGS Forms 150 and 150-S, and SERB information, a single copy of the hourly rates of the persons who will be working on the projects shall be submitted. The copy shall be in a sealed envelope clearly identified as to its contents. The contents of this envelope will be opened after the evaluation committee submits its report to the Director on other aspects of the proposal.

The contract document is the Agreement for Professional Services which includes the Department of Environmental Protection General Conditions of Professional Services Agreements. A copy of these General Conditions can be provided upon request.

The contract with the firm will be based solely on the hours of service, total billable hourly rates and qualifying direct expenses. The total billable hourly rates shall be shown. In addition, the total billable hourly rates shall be completely itemized to show the basic rates plus fringe benefits, profits and administrative costs for these persons. Rates shall be provided for the firm principal, project manager and site team leader, mechanical engineer, electrical engineer, staff engineer, engineering technician, CAD specialist, draftsman and secretary. The SERB shall be clearly identified as falling in one or more of the above job categories with the appropriate hourly rate. Specialists required for engine, pump, motor or other equipment testing or evaluation shall be identified as equipment specialist and included in the above list with the appropriate hourly rate. A complete list of the employees who will be working under this contract shall be provided showing the hourly rate for each employee.

Miscellaneous direct expenses shall include: travel, telephone, printing and mailing. Travel and subsistence expenses shall be based on the current Commonwealth's Travel and Subsistence Reimbursement Rules and Regulations, as amended. Telephone, printing and mailing shall be reimbursed at cost upon approval by the Director.

The firm shall provide a tool and equipment list with the proposal. The list shall identify tools and equipment owned and rented that will be required to perform the

work. Tools and/or equipment required to perform the work that are owned or rented will not be considered as qualifying direct expenses.

5. *Criteria for Selection*

The factors listed below will be considered during the evaluation of the firm's proposal. A maximum point value has been established for each of the major factors and established prior to release of this notice. The maximum point value will be awarded to the best proposal for each of the major factors. The cost factor is rated by giving the proposal with the lowest cost the maximum point value.

A. *Understanding the problem*

This refers to the firm's understanding of providing a proposal written specifically by this work, presented in a clear format that is easy to read and understand, with prompt responses to the needs of the schedule, the Department's desire to work across the State, and the importance of satisfactorily providing the service.

B. *Qualifications of the firm*

This refers to the ability of the firm to perform, the experience of the firm, the previous record with the Commonwealth, has the firm been recognized for work in this area, the length of time the firm has been in business, the experience record on pumping stations or similar projects, the education and experience record of key personnel including the content of resumes, the commitment by management to continue a high level of interest, the responsibility for quality work and the successful accomplishment of the work.

C. *Capability to perform*

This refers to the firm meeting agency objectives and the ability to provide a prompt response to the Department's needs in a professional manner.

D. *SERB Participation*

Emphasis here is placed on proposals submitted by BCABD approved SERBs, commitments by proposers not considered to be SERBs which significantly utilize approved SERBs in joint ventures, commitments by proposers not considered to be SERBs which aggressively pursue the utilization of approved SERBs in subcontracting opportunities.

E. *Cost*

The cost factor will be rated independently after completion of the rating of the first four factors.

Five copies of the Letter of Interest, the required DGS forms, and the SERB information in a separate sealed envelope, and a single separately sealed copy of the hourly rates must be received no later than 4 p.m. on June 23, 1997. The envelope containing the proposal should be clearly marked Proposal-DEP Project No. DEP-BWE-97:1.

The five copies shall be spiral bound. Contract award for this project will be made, if at all, to one of the firms responding to this notice. The Department reserves the right to reject all proposals submitted, cancel the solicitation requested under this notice, and/or readvertise solicitation for this service.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-781. Filed for public inspection May 16, 1997, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Meeting

The Statewide HIV Community Prevention Planning Committee (Committee), established by the Department of Health under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a), 247(b)), will hold a public meeting on Wednesday, May 21, 1997.

The meeting will be held at the Sheraton Inn Harrisburg, 800 East Park Drive, Harrisburg, PA, from 10 a.m. to 4 p.m.

For additional information, or for persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, please contact Tom DeMelfi, Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Harrisburg, PA 17108 at (717) 783-0574. TDD: (717) 783-6514 or Network/TDD: (8) (717) 433-6514.

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 97-782. Filed for public inspection May 16, 1997, 9:00 a.m.]

Human Immunodeficiency Virus (HIV) Coordinated Statement of Need Meeting

The Department of Health will convene a meeting to begin developing a Statewide coordinated statement of need on care related HIV issues as required by the Federal Health Resources and Services Administration.

The meeting is scheduled for May 29, 1997, and will begin at 9 a.m. The meeting will be held at the Holiday Inn Harrisburg/Hershey, 604 Station Road, Grantville, PA. Please RSVP to Michele Keefer at (717) 783-0479 by May 22, 1997.

For additional information, or for persons with a disability who desire to attend the meeting and require an auxiliary aid service or other accommodation to do so, please contact Michele Keefer, Department of Health, Bureau of HIV/AIDS, at (717) 783-0479. TDD: (717) 783-6514 or Network/TDD: (8) (717) 433-6514.

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 97-783. Filed for public inspection May 16, 1997, 9:00 a.m.]

Pennsylvania Cancer Control Prevention and Research Advisory Board

The Pennsylvania Cancer Control, Prevention and Research Advisory Board is scheduled to hold a meeting on June 18, 1997, from 10 a.m. to 1 p.m. at the Northeast Regional Cancer Institute, University of Scranton, The Estate, Room 1942, Scranton, PA. Anyone wishing to attend the meeting or who has questions regarding the meeting should contact Susan F. George, Program Manager, Department of Health, Cancer Control Program at (717) 787-5251.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other

accommodation to do so should contact Susan F. George at (717) 787-5251. TDD: (717) 783-6514/Network TDD: 8-433-6514.

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 97-784. Filed for public inspection May 16, 1997, 9:00 a.m.]

Renal Disease Advisory Committee Public Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, May 23, 1997.

The meeting will be held in Room 812, Health and Welfare Building, Harrisburg, PA, from 10 a.m. to 3 p.m.

For additional information, contact Jane E. Renaut, Director of the Chronic Renal Disease Program, Division of Special Health Care Needs at (717) 787-9772.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact the Chronic Renal Disease Program at (717) 787-9772. TDD: (717) 783-6514/Network TDD: 8-433-6514.

DANIEL F. HOFFMANN,
Secretary

[Pa.B. Doc. No. 97-785. Filed for public inspection May 16, 1997, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Double Dollars '97 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Double Dollars '97.

2. *Price:* The price of a Pennsylvania Double Dollars '97 instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Double Dollars '97 instant lottery game ticket will contain one "Play Area." The play symbols and their captions located in the "Play Area" are: \$1⁰⁰ (ONE), \$2⁰⁰ (TWO), \$5⁰⁰ (FIVE), \$10\$ (TEN), \$25\$ (TWO-FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1000 (ONE THO), \$3000 (THR THO) and \$\$ (DOUBLE).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$200, \$500, \$1,000 and \$3,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 11,942,400 tickets will be printed for the Pennsylvania Double Dollars '97 instant lottery game.

6. *Determination of Prize Winners:*

- (a) Holders of tickets with three matching play symbols of \$3000 (THR THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$3,000.
- (b) Holders of tickets with three matching play symbols of \$1000 (ONE THO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1,000.
- (c) Holders of tickets with three matching play symbols of \$500 (FIV HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$500.
- (d) Holders of tickets with two matching play symbols of \$100 (ONE HUN), and a \$\$ (DOUBLE) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of \$200.
- (e) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$100.
- (f) Holders of tickets with two matching play symbols of \$50\$ (FIFTY), and a \$\$ (DOUBLE) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of \$100.
- (g) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the "Play Area" on a single ticket, shall be entitled to a prize of \$50.
- (h) Holders of tickets with two matching play symbols of \$25\$ (TWIN-FIV), and a \$\$ (DOUBLE) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of \$50.
- (i) Holders of tickets with three matching play symbols of \$25\$ (TWIN-FIV) in the "Play Area" on a single ticket, shall be entitled to a prize of \$25.
- (j) Holders of tickets with two matching play symbols of \$10\$ (TEN), and a \$\$ (DOUBLE) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of \$20.

- (k) Holders of tickets with three matching play symbols of \$10\$ (TEN) in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.
- (l) Holders of tickets with two matching play symbols of \$5⁰⁰ (FIVE), and a \$\$ (DOUBLE) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of \$10.
- (m) Holders of tickets with three matching play symbols of \$5⁰⁰ (FIVE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$5.
- (n) Holders of tickets with two matching play symbols of \$2⁰⁰ (TWO), and a \$\$ (DOUBLE) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of \$4.
- (o) Holders of tickets with three matching play symbols of \$2⁰⁰ (TWO) in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.
- (p) Holders of tickets with two matching play symbols of \$1⁰⁰ (ONE), and a \$\$ (DOUBLE) play symbol in the "Play Area" on a single ticket, shall be entitled to a prize of \$2.
- (q) Holders of tickets with three matching play symbols of \$1⁰⁰ (ONE) in the "Play Area" on a single ticket, shall be entitled to a prize of \$1.
- (r) A prize will be paid only for the highest Pennsylvania Double Dollars '97 instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 11,942,400 Tickets</i>
3-\$1	\$1	1:10	1,194,240
2-\$1 + \$\$	\$2	1:25	477,696
3-\$2	\$2	1:50	238,848
2-\$2 + \$\$	\$4	1:100	119,424
3-\$5	\$5	1:200	59,712
2-\$5 + \$\$	\$10	1:200	59,712
3-\$10	\$10	1:499.99	23,885
2-\$10 + \$\$	\$20	1:400	29,856
3-\$25	\$25	1:999.97	11,943
2-\$25 + \$\$	\$50	1:2,000	5,971
3-\$50	\$50	1:999.97	11,943
2-\$50 + \$\$	\$100	1:3,999	2,986
3-\$100	\$100	1:8,003	1,492
2-\$100 + \$\$	\$200	1:19,974	598
3-\$500	\$500	1:70,908	168
3-\$1,000	\$1,000	1:709,080	17
3-\$3000	\$3,000	1:709,080	17

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Double Dollars '97 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Double Dollars '97,

prize money on winning Pennsylvania Double Dollars '97 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Double Dollars '97 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

11. *Termination of the Game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Double Dollars '97 or through normal communications methods.

ROBERT A. JUDGE, Sr.
Secretary

[Pa.B. Doc. No. 97-786. Filed for public inspection May 16, 1997, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Bureau of Motor Vehicles; International Registration Plan

[CORRECTION]

Under the authority contained in sections 6142 and 6145 of the Vehicle Code (75 Pa.C.S. §§ 6142 and 6145), the Department of Transportation published, at 27 Pa.B. 1610 (March 29, 1997), a notice of the Commonwealth of Pennsylvania's intention to continue to be a member of the International Registration Plan which provides for the proportional registration of fleet vehicles in all member jurisdictions in which the vehicles are driven.

In publishing the list of participating states and provinces of Canada, the Department inadvertently deleted from the list the State of Colorado and the District of Columbia. In addition, the Province of British Columbia was listed incompletely as the Province of Columbia. Thus, this Commonwealth does have a proportional registration agreement with the Province of British Columbia, the State of Colorado and the District of Columbia, as well as the other participating states and provinces of Canada delineated at 27 Pa.B. 1610 (March 29, 1997).

Because of the length and expense of publishing the full text of the International Registration Plan, a copy of the Plan has not been published with this notice. Interested persons, however, may obtain a copy of the International Registration Plan from Thomas Zamboni, Manager, Commercial Registration Section, Bureau of Motor Vehicles, P. O. Box 68285, Harrisburg, PA 17106, (717) 787-3864. The Department may impose a fee to cover its costs in forwarding the Plan. Questions, comments or suggestions regarding the Plan may also be submitted to Thomas Zamboni.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 97-787. Filed for public inspection May 16, 1997, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation, under 71 P.S. § 513(e)(7), intends to sell 5,598.67 square feet of land

owned by it located in Monroe Township, Snyder County, PA. It has been determined that the land is no longer needed for present or future transportation purposes.

Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Joel K. Hart, Department of Transportation, P. O. Box 218, Montoursville, PA 17754.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 97-788. Filed for public inspection May 16, 1997, 9:00 a.m.]

New Address for Administrative Docket Clerk

The Department of Transportation, Office of Chief Counsel, desires to give notice that all persons having occasion to appeal a decision, determination or ruling in matters before the Department under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to administrative agency law) and not otherwise vested in other bodies by law, may do so by filing a written request for a hearing with the administrative docket clerk at the following address: Secretary of Transportation, Administrative Docket Clerk, c/o Office of Chief Counsel, 555 Walnut Street—9th Floor, Harrisburg, PA 17101-1900.

This notice is being published as a reminder that the Office of Chief Counsel, and consequently the Administrative Docket Clerk, has been relocated from the Transportation and Safety Building, Room 521, Harrisburg, PA 17120 to the Forum Place Building situated at 555 Walnut Street—9th Floor, Harrisburg, PA 17101-1900.

Upon approval of a written request for a hearing or upon receipt of a written request from the Department for an order to show cause, the administrative docket clerk will continue to assign the matter a caption, including an administrative docket number, and will enter the matter onto the administrative docket. All correspondence, pleadings, briefs or other papers relating to the case shall be filed with the administrative docket clerk at the 555 Walnut Street—9th Floor address.

Questions, suggestions or comments may be directed to Helen E. Topolski, Administrative Docket Clerk, 555 Walnut Street—9th Floor, Harrisburg, PA 17101-1900, telephone (717) 772-8397.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 97-789. Filed for public inspection May 16, 1997, 9:00 a.m.]

Retention of Engineering Firms

Fayette, Greene, Washington and Westmoreland Counties Project Reference No. 08430AG2067

The Department of Transportation will retain an engineering firm for an Open-end Contract to provide supplementary construction inspection staff under the Department's Inspector-in-Charge to perform construction inspection services on various projects in Engineering District 12-0, that is Fayette, Greene, Washington and Westmoreland Counties. The contract will include road-

way and bridge construction projects and material plant inspection. The contract will be for a period of 60 months, with a maximum cost of \$1 million.

It is anticipated that a maximum supplementary construction inspection staff of 19 inspectors will be required for this assignment.

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

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

- a. Number of available inspectors in each payroll classification.
- b. Number of NICET certified inspectors in each payroll classification.
- c. Understanding of the Department's requirements, policies and specifications.
- d. Past Performance.
- e. Availability of inspectors.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	15 (9)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

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

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

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCIS)	\$38.21
(TCI)	\$33.44
(TA)	\$22.98

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

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

The firm selected will be required to supply the following equipment at no direct cost to the Department:

2	Nuclear Densometer Gauges/License
1	Paint Test Kit
2	Vehicles for the Transportation of Nuclear Gauges
2	Two-way Radios
1	Cellular Phone

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	3
TCI	18

No resumes are required for the TA Classification.

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to Michael H. Dufalla, P.E., District Engineer, District 12-0, P. O. Box 459, Uniontown, PA 15401.

Technical questions concerning the requirements for this project should be directed to Anthony M. Dzurko, P.E., District 12-0, at (412) 439-7137.

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

**Statewide
Open-End Contract for Constructability Reviews
Reference No. 08430AG2068**

The Department of Transportation will retain an engineering firm for an Open-End Contract for conducting constructability reviews on various projects located in Pennsylvania. The contract will be for a 60 month period with projects assigned on an as-needed basis. The re-

quired services may encompass a wide range of highway and bridge construction projects. The maximum amount of the Open-End Contract will be \$1 million.

The selected firm will be required to provide guidance and assistance to the Department by reviewing design documents of major transportation projects and coordinating Department Workshops. The reviews are to assure the project can be constructed efficiently, economically and expeditiously without delays, failures or major problems and with minimal inconvenience to the traveling public.

The selected firm shall provide a team of qualified individuals with experience in the construction and construction management of complex transportation projects.

The selected firm will not be allowed to release any information to prospective bidders of the construction contract.

The selected firm team, or any commonly owned company, will not be allowed to be involved or assist in the bidding process of the construction contract.

The firm will scrutinize each design from a contractor's point of view by conducting Constructability Reviews, Biddability Reviews and Estimate Reviews at the specified design development intervals.

The Constructability Review may consist of, but not be limited to the following:

- Project Scope
- Site logistics and constraints
- Environmental impacts of proposed construction methods
- Clarity of documents
- Technical constructability
- Compatibility of contract plans, specifications and applicable standards
- Subsurface soil data
- Scheduling requirements
- Construction phasing
- Erosion and Sedimentation control
- Maintenance and Protection of Traffic
- Construction site access for each phase of MPT including material delivery and specialized equipment needs
- Local event conflicts
- Material Acquisition
- Utility clearances for constructability and project schedule
- Property/Business owner access and pedestrian safety/access
- Full-Scale structural analysis of bridge designs is *not* required

The Constructability Reviews will establish project duration, milestone dates and applicable construction restrictions.

In conjunction with the Constructability Review, the firm will be required to develop a CPM (Critical Path Method) Schedule in the I-J Activity on Arrow format. The CPM Schedule will adhere to the Department's Specifications.

The Biddability Review may consist of, but not be limited to the following:

- Bid items; realistic means of evaluation and comparison of bids
 - Plans and specifications; accurate portrayal of the project in detail for reasonable bidding
 - Clarity of drawings and specifications
 - Provisions for processing shop drawings; review and realistic review periods
 - Specifications and drawings consistent, accurate and practical
 - Proper utilization and adaptability of innovative contracting methods
 - Criteria for acceptance or rejection of work defined
- The Estimate Review may consist of, but not be limited to the following:
- Bid unit prices, realistic and priced on scope of work described
 - Bid quantities realistic and representative of anticipated work
 - Scope of work for lump sum items clearly described and prices are realistic
 - Effect of construction schedule, and methodology on cost estimates

For each Work Order assignment, the firm will be furnished progress plans, specifications and estimates to review and may be required to attend and/or facilitate Constructability Review meetings. Within 14 to 28 days after receipt of these documents, the firm will submit to the Department their report with recommendations regarding the Constructability and Estimate reviews. Major issues will be communicated to the Department as they are discovered.

The firm will also be furnished final plans, specifications and estimates to review and may be required to attend and/or facilitate Constructability Review meetings. After receipt of these documents, the firm will submit to the Department their report with recommendations and present an oral report regarding the Constructability, Biddability and Estimate reviews within the time frame specified by the Department. Major issues shall be communicated to the Department as they are discovered.

The format and content of all documents, plans and specifications will be consistent with applicable State and Federal regulations and guidelines.

The engineering services identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related scope of work will be outlined for each individual Work Order developed under this Open-End Contract.

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

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

- a. Specialized experience, previous experience, technical competence of firm and experience of individuals who constitute the firm.

- b. Expertise as related to Plan, Specifications, Estimate and bid development.
- c. Expertise as related to heavy and highway construction.
- d. Familiarity with Department Specifications, Manuals and Standards.
- e. Past record of performance.
- f. Expertise as related to construction scheduling including Critical Path Method.
- g. Expertise as related to environmental engineering.
- h. Expertise as related to soil analysis.
- i. Available staffing for this assignment.
- j. Relative size and workload capacity of firm.

Technical questions concerning the requirements for this project should be directed to V. C. Shah, P.E., Contract Management Division, Bureau of Design, at (717) 787-5914.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division, Kash Batra, P.E., at (717) 783-9457.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit two copies of a letter of interest and required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the letter of interest and required information must be submitted to Charles W. Allwein, P.E., Chief, Consultant Agreement Division, 7th Floor, Forum Place, 555 Walnut Street, Harrisburg, PA 17101-1900.

The letter of interest and required information must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is 4:30 p.m. prevailing time of the thirteenth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a Joint Venture with an individual, firm or corporation which is permitted under the State law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate letters of interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project,

firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation, shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof.

Proposing DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include the following information, and the information must be packaged and presented in the following order:

1. Transmittal Letter (maximum of two typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable) and the firm's Federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional Engineer License Number of individuals who are directing heads or employes of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats and reports issued by the firm.

2. Project Organization Chart (one page, one side)

This chart should show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

The Standard Form 255 must be signed, dated and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. Under Item 4 of this form, Column A should include the number of subconsultant personnel and Column B should include the number of prime consultant personnel to be assigned to work on this project reference number.

If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company, unless an acceptable Standard Form 254 for the prime and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the letter of interest, the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the Bureau of Design and appropriate Engineering District/Central Office Bureau.

These forms shall be assembled with the prime's first, followed by the subconsultant's in the same order as they appear in Item 6 of Form 255.

5. Workload Projection Graph (not required for Construction Inspection Services)

A Workload Projection Graph for the prime and each subconsultant should indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next 2-year time frame. The Workload Projection Graph should be submitted for the offices where the work would be performed and should only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (if required)

If the advertisement requires a letter signed by individuals giving their approval to use their names in the letter of interest, the letters from proposed prime employees should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

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

8. Overhead Rates (one page)

This page must show the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Account must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

9. Additional Information

Additional information, not to exceed ten one sided pages or five double sided pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisements will be made to one of the firms who submitted an acceptable letter of interest in response to the project advertisement. The assignment will be made

based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this notice and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 97-790. Filed for public inspection May 16, 1997, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

National Fuel Gas Supply Corporation v. DEP; EHB Doc. No. 95-173-C (Consolidated with 96-190-C)

The Department of Environmental Protection (Department) and National Fuel Gas Supply Corporation (NFG) have agreed to a settlement of the above matter. The operation of certain described sources of air contamination at NFG's East Fork Compressor Station located in Wharton Township, Potter County is authorized under: Plan Approval No. PA-53-0007A which was issued on July 17, 1995, and amended by letter of August 22, 1996; and, Operating Permit No. OP-53-0007 issued on July 17, 1995, amended by letter of July 31, 1995, and modified by Plan Approval No. OP-53-0007B issued on August 22, 1996. On or about August 15, 1995, NFG filed an appeal of Plan Approval No. PA-53-0007A and Operating Permit No. OP-53-0007. Said appeals were docketed with the Environmental Hearing Board at EHB Docket No. 95-173-C. On or about September 20, 1996, NFG filed an appeal of the amendments to Plan Approval No. PA-53-0007A and Plan Approval No. OP-53-0007B. Said appeals were docketed with the Environmental Hearing Board at EHB Docket No. 96-190-C.

The Department and NFG have agreed to a settlement, the major provisions of which include:

1. The Department shall issue a revised Plan Approval No. PA-53-0007A and a revised Operating Permit No. OP-53-0007 which incorporates the changes more fully addressed in the Settlement Agreement.

2. The issuances of the revised Plan Approval No. PA-53-0007A and the revised Operating Permit No. OP-53-0007 shall supersede: the previously issued Plan Approval No. PA-53-0007A, as amended by letter of August 22, 1996; and, the previously issued Operating Permit No. OP-53-0007, as amended by letter of July 31, 1995, and as modified by Plan Approval No. OP-53-0007B issued on August 22, 1996.

3. NFG waives its right to appeal the revised Plan Approval No. PA-53-0007A issued by the Department unless the Department makes a material change to the document identified as Appendix A of the Settlement Agreement.

4. NFG waives its right to appeal the revised Operating Permit No. OP-53-0007 issued by the Department unless the Department makes a material change to the document identified as Appendix B of the Settlement Agreement.

Copies of the full agreement are in the possession of:

Dawn M. Herb, Assistant Counsel, Department of Environmental Protection, Northcentral Region Office of Chief

Counsel, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6568;

Louis A. Naugle, Esquire, Reed, Smith, Shaw & McClay, 435 Sixth Avenue, Pittsburgh, PA 15219-1886, (412) 288-3131;

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

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457. If information concerning this notice is required in an alternative form, please contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service at 1-800-654-5984.

Appeals must be filed within 20 days of this publication.

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

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 97-791. Filed for public inspection May 16, 1997, 9:00 a.m.]

National Fuel Gas Supply Corporation v. DEP; EHB Doc. No. 96-181-C

The Department of Environmental Protection (Department) and National Fuel Gas Supply Corporation (NFG) have agreed to a settlement of the above matter. On August 5, 1996, the Department issued Plan Approval No. PA-53-0009A and Operating Permit No. OP-53-0009 to NFG for the operation of certain described sources of air contamination at its Ellisburg Compressor Station located in Allegany Township, Potter County. On or about September 5, 1996, NFG filed an appeal of Plan Approval No. PA-53-0009A and Operating Permit No. OP-53-0009 to the Environmental Hearing Board.

The Department and NFG have agreed to a settlement, the major provisions of which include:

1. The Department shall issue a revised Plan Approval No. PA-53-0009A which incorporates the changes more fully addressed in the Settlement Agreement.

2. The Department shall publish a notice of intent to issue a revised Operating Permit No. OP-53-0009. Following a public hearing and subsequent 15 day public comment period, the Department shall issue the revised Operating Permit No. OP-53-0009.

3. The issuances of the revised Plan Approval No. PA-53-0009A and the revised Operating Permit No. OP-53-0009 shall supersede the previously issued plan approval and operating permit bearing these numbers.

4. NFG waives its right to appeal the revised Plan Approval No. PA-53-0009A issued by the Department unless the Department makes a material change to the document identified as Appendix A of the Settlement Agreement.

5. NFG waives its right to appeal the revised Operating Permit No. OP-53-0009 issued by the Department

unless the Department makes a material change to the document identified as Appendix B of the Settlement Agreement.

Copies of the full agreement are in the possession of:

Dawn M. Herb, Assistant Counsel, Department of Environmental Protection, Northcentral Region Office of Chief Counsel, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6568;

Louis A. Naugle, Esquire, Reed, Smith, Shaw & McClay, 435 Sixth Avenue, Pittsburgh, PA 15219-1886, (412) 288-3131;

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

Persons aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. If information concerning this notice is required in an alternative form, please contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service at 1-800-654-5984.

Appeals must be filed within 20 days of this publication.

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

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 97-792. Filed for public inspection May 16, 1997, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 1 p.m., Thursday, May 1, 1997, and took the following actions:

Regulation Approved:

#1698 State Conservation Commission #7-291: Nutrient Management (creates 25 Pa. Code Chapter 83)

#1744 Pennsylvania Public Utility Commission #57-167: Rescission of Obsolete Regulations Regarding Motor Carriers; Amendment of Medallion Program (rescinds obsolete provisions in 52 Pa. Code Chapters 29—31)

#1821 State Board of Chiropractic #16A-438: Examination and Business Provisions (amends 49 Pa. Code § 5.6, 5.12, 5.15, 5.16 and 5.32)

#1822 State Registration Board for Professional Engineers, Land Surveyors & Geologists #16A-474: Fees (amends 49 Pa. Code § 37.17)

#1823 State Board of Optometry #16A-524: Fees (amends 49 Pa. Code § 23.91)

#1824 State Board of Pharmacy #16A-545: Examination Fees (amends 49 Pa. Code Chapter 27)

#1825 State Board of Cosmetology #16A-453: Examination Fees (amends 49 Pa. Code § 7.2)

#1826 State Board of Dentistry #16A-466: Fictitious Names (amends 49 Pa. Code §§ 33.3 and 33.302)

#1762 Environmental Quality Board #7-297: Hazardous Waste Management (amends 25 Pa. Code Chapters 261, 262, 264, 265 and 266)

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

Public meeting held
May 1, 1997

*State Conservation Commission—Nutrient Management;
Doc. No. 7-291*

Order

On December 18, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Conservation Commission (Conservation Commission). This rulemaking would create 25 Pa. Code Chapter 83. The authority for this regulations are contained in section 4 (1) of the Nutrient Management Act (act) (3 P. S. § 1704(1)). The proposed regulation was published in the December 30, 1995 edition of the *Pennsylvania Bulletin* with an 89-day public comment period. The final-form regulation was submitted to the Commission on April 1, 1997.

The act was enacted in 1993 to help decrease nonpoint source pollution, especially nitrogen, into the waterways of this Commonwealth and the Chesapeake Bay. The act specifically requires agriculture operations with at least two animal equivalent units (AEUs) per acre to have a nutrient management plan (plan). The act defines an AEU as one thousand pounds live weight of livestock or poultry animals regardless of the actual number of individual animals comprising the unit. According to the Conservation Commission, approximately 5%—10% of the agriculture operations in this Commonwealth meet this standard and will be required to submit a plan.

The act authorizes the Conservation Commission to promulgate regulations that establish the standards for the development and review of plans. In developing the rulemaking, the Conservation Commission worked closely with the Nutrient Management Advisory Board which consists of commercial farmers, local governments, associations representing farming interests and citizens.

The regulation provides that all certified agriculture operations (CAOs) must submit a plan within 1 year from the final adoption of the regulation. The plan must be developed by a nutrient management specialist who has been certified by the Department of Agriculture. The plan must address nutrient application rates, utilization of excess manure, proper manure management in the barnyard and stormwater runoff control.

Once the plan has been developed, it must be reviewed by the Conservation Commission within 90 days of receipt. If a farmer lives in a county that has a delegation agreement with the Conservation Commission, the local county conservation district will be responsible for reviewing and approving the nutrient management plan. Once the plan has been approved, the farmer will have 3 years to fully implement the provisions contained in the plan.

The regulation also includes the procedures for providing financial assistance to farmers for the costs of developing and implementing a plan. Financial assistance may consist either of grants, loans or loan guarantees.

The House Agricultural Committee approved the final-form regulation on April 15, 1997. We received a letter from the Chesapeake Bay Foundation (CBF) recommending the final regulation be disapproved.

We, along with other commentators, submitted extensive comments on the proposed rulemaking. The Conservation Commission, in conjunction with the Nutrient Management Advisory Board, has adequately responded to our Comments by either adopting our recommendations or providing justification for their position. Some of the more significant issues with the proposed rulemaking, as well as the issues of concern of the CBF are discussed below.

The proposed regulation defined land suitable for manure spreading to include, in part, only land that is located within 10 miles of the point of manure generation. This limitation reduced the available land a farmer could use in spreading manure and increased the number of farming operations required to submit a plan. Many commentators opposed this restriction because they did not believe there was any basis for such a restriction and believed that all land owned by a farmer should be available for manure application. In response to these comments, the Conservation Commission deleted the 10-mile limit because it recognized some farmers currently transport manure greater distances as part of their current operation and that this may become a more common practice in the future.

The CBF opposes the deletion of the 10 mile limit for the determination of which farming operations will be required to submit a plan. The CBF believes that some farming operations may avoid submitting a plan by expressing an intent to apply manure on land significant distances from the point of generation, but in reality never use the land for manure application. Therefore, the CBF supports re-inserting the 10 mile limitation to discourage attempts of a farming operation to avoid submitting a plan.

Although the potential exists for a farming operation to provide false information to avert the requirements of the regulation, we believe there are adequate controls to discourage this practice. Specifically, the regulation requires that in determining whether an agricultural operation is a CAO the land is or will be used in the application of manure. If a agricultural operation provides false statements about the land intended to be used for manure application, the agricultural operation would be in violation of the regulations and be subject to civil penalties in accordance with section 1712 of the act. Therefore, we encourage the Conservation Commission, in conjunction with the Department of Agriculture, to monitor farming operations to ensure that an agricultural operation's expressed intentions for manure application on distant land is actually followed by the operator.

The proposed regulation required the submittal of an erosion and sedimentation control plan (E&S plan) along with the nutrient management plan. The E&S plan is a requirement contained in the Department of Environmental Protection's regulations at 25 Pa. Code Chapter 102. Since the Nutrient Management Act does not require the E&S plan to be submitted with the nutrient management plan, we and other commentators opposed the requirement. Instead, we believed it is the responsibility of the

DEP to assure that all farmer operations required to submit an E&S plan do so. In response to these comments, the Conservation Commission deleted the required submittal of an E&S plan as part of the nutrient management plan. However, this deletion does not alleviate farming operations from submitting an E&S plan if required to do so in accordance with 25 Pa. Code Chapter 102.

The CBF supports the requirement of an E&S plan because the uncontrolled, accelerated erosion from cropland significantly undermines the effectiveness of the nutrient management plan. Furthermore, the CBF believes the General Assembly intended to require specific soil conservation practices as part of the plan.

We agree soil conservation is an important environmental practice that should be employed by farming operations. Although the regulation no longer requires the submittal of an E&S plan, it does require the identification of critical runoff problems areas where nutrients directly discharge into surface water or ground water. In addition, the plan shall contain a list of specific runoff control base management practices to address the critical runoff problem areas. Because the regulation does address runoff control problems, we believe the Conservation Commission has met the intent of the General Assembly to address this problem area. We do not believe it is in the public interest to require the E&S plan to be submitted with the nutrient management plan simply because the required submittal of an E&S plan is not being followed under 25 Pa. Code Chapter 102. Instead, we believe the DEP should be making efforts to encourage the submittal and implementation of the E&S plan.

The proposed regulation allowed the Conservation Commission to delegate the administration of the financial assistance program, including the authority to review and approve applications, to one or more agents through a written agreement. We opposed the provision that allowed a third party, by a contract with the Conservation Commission, to determine how State revenues are to be distributed. We observed that such delegation was unlawful and contrary to caselaw. Therefore, we recommended the regulation be amended to allow the Conservation Commission to contract with a third party for the initial review of financial applications, but that the final determination on awarding financial assistance must remain with the Conservation Commission. The Conservation Commission agreed and amended the regulation accordingly.

We commented that the regulation should provide a more streamlined approach in describing the requirements for those farming operations volunteering to develop and implement a nutrient management plan. In response, the Conservation Commission has amended the regulation to list all applicable requirements for volunteers in one section and to simplify the recordkeeping requirements for these individuals.

Finally, we believed that proposed requirements for manure exporters to provide information packets to importers, including Conservation Commission fact sheets, the Manure Management Manual, and additional educational and information items supplied by the Commission, placed an unnecessary burden on CAOs and volunteer agricultural operations. The Conservation Commission has amended the regulation to limit this requirement to CAOs. Further, it will require only the documents that have been made available to the exporter by the Conser-

vation Commission or its delegated agent and only if the broker or importer does not have a current copy of the informational material.

We have reviewed this regulation and find it to be in the public interest. The Conservation Commission is to be commended for its work on this significant rulemaking and its involvement of the farming community and environmental groups in the development of the regulation. The Conservation Commission has adequately responded to concerns raised during the public comment period by either adopting recommendations made or providing justification for its position. The implementation of the regulation will help control the amount of non-point pollution from entering the waters of the Commonwealth.

Therefore, It Is Ordered That:

1. Regulation No. 7-291 from the State Conservation Commission, as submitted to the Commission on April 1, 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
May 1, 1997

Pennsylvania Public Utility Commission—Rescission of Obsolete Regulations Regarding Motor Carriers; Amendment of Medallion Program; Doc. No. 57-167

Order

On May 30, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking would rescind some obsolete provisions in 52 Pa. Code Chapters 29—31 relating to motor carriers of passengers and property and make certain other changes, as described below. The amendments are proposed under the authority of sections 501 and 2412 of the Public Utility Code, 66 Pa.C.S. §§ 501 and 2412, and section 201 of the Commonwealth Documents Law (45 P.S. § 1201 et seq.). The proposed regulation was published in the June 15, 1996 edition of the *Pennsylvania Bulletin*, with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 4, 1997.

This rulemaking, in general, would rescind some obsolete provisions applicable to motor carriers of passengers and property. The amendments also provide cross referencing to other provisions of law. A new provision would require motor carriers of property that operate leased equipment to either inspect the equipment or ensure that the equipment has a valid inspection decal. The final-form regulation also incorporates revised antidiscrimination provisions in the PUC's taxicab service regulation for the City of Philadelphia. The following are the specific changes made by this rulemaking.

In 52 Pa. Code Chapter 29 (motor carriers of passengers), § 29.71(b), relating to exceptions, includes a new subparagraph (ii) which provides that the required marking of vehicles (that is, with a PUC certificate of public convenience number) used as common carriers of passengers under § 29.71(a) does not apply to vehicles operated in luxury limousine service as provided in § 29.333(c).

This rulemaking also amends § 30.75, relating to taxicab driver standards under the 52 Pa. Code Chapter 30 medallion program. The medallion program is in effect in cities of the first class (that is Philadelphia). In the proposed version, § 30.75(f), which prohibits discrimination, was amended to prohibit a taxicab driver from discriminating against a person with a disability. The PUC sought to add this to the existing prohibitions against refusing taxicab service based on sex, race, religious preference, nationality, age and the person's point of origin or intended point of destination.

In the final-form regulation, the PUC further amended § 30.75(f) to provide that, in a street hail of a taxicab in Philadelphia, an available taxicab driver is required to stop and determine if the service requested by a person with a disability can be reasonably accommodated by that driver's vehicle. If not, the driver is excused from providing the service but is required to call a dispatcher on the spot to arrange for service by the closest available vehicle equipped to handle the customer's request, and to so advise the person of the status before departing. These additional procedures added to the final-form regulation were recommended to the PUC in our Comments on the proposed version of § 30.75(f).

In the proposed version, the PUC proposed to delete 52 Pa. Code § 31.13, relating to transportation of hazardous materials, as obsolete given the provisions of other existing hazardous materials regulations. In our Comments, we noted that deleting this provision will mean that there will be no PUC regulation which addresses or provides any guidance to anyone attempting to ascertain the requirements governing the transportation of explosives.

We recommended, accordingly, that the PUC retain § 31.13 and amend it to include references to other applicable laws, including providing specific citational references. We also recommended that the PUC revise its narrative description of this section accordingly. In the final-form regulation, the PUC adopted our recommendation except that it did not include specific citational references to the referenced laws in the text of § 31.13, although it did so in the general narrative (that is in the PUC's order approving the final-form regulation).

The PUC has also deleted 52 Pa. Code § 31.14, relating to transportation of unauthorized persons, as obsolete in light of the PUC's provisions in Chapter 37 pertaining to "Safety Code for Transportation of Property and Passengers." Chapter 37 incorporates by reference parts of federal law (from 49 CFR Parts 382 and 390—396, relating to transportation).

Section 31.32 of 52 Pa. Code, relating to equipment, is amended to permit a motor carrier to take possession of equipment under lease after either: (1) performing an inspection or ensuring that the vehicle has a valid inspection decal; or (2) complying with the periodic inspection requirements found at § 37.204(7). Section 37.204(7) incorporates 49 CFR Part 396 by reference, which sets forth Federal requirements for motor vehicle inspection, repair and maintenance.

The Senate Consumer Protection and Professional Licensure Committee voted unanimously to approve this regulation on April 15, 1997. There were no public comments submitted on the proposed version of this rulemaking.

In terms of the impact of these rulemaking changes, the revisions in inspection procedures will affect limousine carriers and motor carriers of property. The public should benefit from updated requirements which ensure that vehicles and vehicle equipment have been inspected.

The new medallion program prohibition against taxicab drivers in Philadelphia discriminating against a customer with a disability will affect the owners and operators of taxicabs in Philadelphia, taxicab patrons, local government enforcement officers, and the PUC staff. The expanded anti-discrimination requirement should benefit persons with disabilities in street hail situations. Costs associated with these amendments will be minimal and no increased costs for private entities are anticipated.

We have reviewed this regulation and find it to be in the public interest. These amendments will update and improve the clarity of the foregoing provisions of the PUC's rules as a result of cross-referencing interrelated regulatory provisions and eliminating obsolete requirements. The amendments also benefit the safety of the riding public by requiring motor carriers to ensure that equipment has been inspected. The provisions prohibiting taxicab drivers in Philadelphia from discriminating against prospective street-hail riders with disabilities is an appropriate expansion of the prohibitions against discrimination by a regulated public carrier.

Therefore, It Is Ordered That:

Regulation No. 57-167 from the Pennsylvania Public Utility Commission, as submitted to the Commission on April 4, 1997, is approved; and

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
May 1, 1997

State Board of Chiropractic—Examination and Business Provisions; Doc. No. 16A-438

Order

On April 4, 1997, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Chiropractic (Board). This rulemaking would amend the Board's examination and business provisions at 49 Pa. Code §§ 5.6, 5.12, 5.15, 5.16 and 5.32. The authority for this regulation is found in section 502 of the Chiropractic Practice Act (act) (63 P.S. § 625.502). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The existing regulation provides that the Board will administer an oral and practical examination in Chiropractic Technic as part of its requirements to license chiropractors. Section 502(b) of the act requires the Board's licensure examination to have oral, practical, and written components and include a practical demonstration of chiropractic technique. Section 502(d) of the act (63 P.S. § 625.502(d)) requires all examinations to be prepared and administered by a qualified and approved professional testing organization. Section 502(d) also requires the Board to use the testing organization's oral/practical examination when it becomes available.

The National Board of Chiropractic Examiners (NBCE) administers Parts I, II and III of the National Board Examination (NBE) and, as of January 1996, developed an oral and practical examination component of the NBE in Chiropractic Technic, known as Part IV. Accordingly,

this rulemaking consists of the following changes which have been submitted to comply with the mandate of section 502(d) of the act.

In § 5.6 (relating to fees), the Board has deleted the \$45 fee provision to take the oral/practical examination in chiropractic technic for the May 1996 examination (only) because it will no longer administer the oral/practical examination in chiropractic technic. Once these proposed changes go into effect, candidates for licensure will pay the fee(s) to take the NBE directly to the NBCE.

In § 5.12 (relating to licensure by examination), the Board amended subsection (a)(4) to provide that an applicant for licensure by examination must achieve a passing score on Part IV of the NBE. Existing references to the Board or its designee administering the oral, practical, written exams for chiropractic technique and jurisprudence are deleted. In addition, some minor clarifying changes in language have been made in two other subsections.

The Board has amended § 5.15(a)(1) and (2) (relating to licensure examinations), by adding Part IV of the NBE (to the requirements that an applicant must meet to be licensed by examination). Section 5.15(d) is amended to state that a passing score on Part IV of the NBE obtained at any time since Part IV has been offered by the NBCE will satisfy the Part IV NBE requirement under § 5.12(a)(4). This means that any candidate who confirms that they passed Part IV of the examination since January 1996 (when it was first offered) will satisfy the Part IV requirement. Section 5.15(e) deletes the reference to "oral/practical/written examinations" and replaces it with "Pennsylvania Chiropractic Law Examination" (PCLE).

In § 5.16(b) (relating to failure on examination; reexaminations), the Board has deleted the reference to oral/practical/written examinations in chiropractic technique or jurisprudence in favor of referencing that the PCLE may be retaken within 2 years.

In § 5.32 (relating to corporate and fictitious names; professional corporations), an existing restriction on the types of health care professionals that licensed chiropractors may affiliate with is deleted. The regulation retains a general provision allowing chiropractors to form corporations with other health care professionals.

The Senate Committee on Consumer Protection and Professional Licensure met and voted unanimously to approve this rulemaking on April 15, 1997, and the House Committee on Professional Licensure did the same on April 23, 1997.

These amendments will benefit graduates of chiropractic schools who seek to be licensed in Pennsylvania. Under this revised regulation, students and recent graduates will be able to take all parts of the examination, including the oral/practical examination and the jurisprudence examination (Part IV), at their chiropractic colleges in the spring and the fall of the academic year. The Board estimates that approximately 392 persons (the number of chiropractors newly licensed in Pennsylvania in 1995) will be required to comply with these revised requirements.

The Board estimates the costs to the regulated community to comply with these revised regulatory requirements will be \$505. That figure represents the difference between the \$45 fee for the deleted Board-administered oral/practical examination and the \$550 fee charged by the NBCE for an applicant to take Part IV of the NBE. However, the Board is mandated by section 502(b) of the

act to use Part IV now that it is available and candidates for licensure are required by law to pay all costs of examination.

Graduates who have passed Part IV of the NBE at any time since Part IV was first offered in one of the 22 other states which require Part IV as a condition of licensure will not need to retake the examination a second time (per amended section 5.15(d)). Also, Pennsylvania licensees who have passed Part IV of the NBE will get reciprocal credit towards licensure in the other 22 states which require Part IV as a condition of licensure.

On April 25, 1997, the Board's Counsel submitted to the standing committees and the Commission some minor, nonsubstantive, clarifying amendments to this rulemaking. The changes consisted of amending § 5.12(a)(ii) (licensure by examination) to reference all four parts of the NBE, and deleting subsections (a)(3) and (4) as surplusage. These revisions make the language of § 5.12 more parallel with the language in § 5.15 (licensure examinations). Section 5.15(e), relating to the PCLE, was amended by adding a cross reference to the fee provisions of § 5.6.

These proposed amendments have no cost impact on state or local government. No additional formal reporting, recordkeeping or paperwork will be required by the proposed amendments, nor will any legal, accounting or consultant procedures be impacted.

We have reviewed this regulation and find it to be in the public interest. These amendments will update the examination and licensure requirements of the Board and bring them into compliance with section 502(b) of the act. We must also note, however, that these regulatory amendments were submitted to the standing committees and this Commission well after the Board first voted (in August 1995) to recognize Part IV of the NBE and its vote (in April, 1996) to require the use in Pennsylvania of Part IV of the NBE, effective in November 1996. We urge the Board to act more promptly to amend its regulations after it decides to implement changes in its licensure requirements and policies.

Therefore, It Is Ordered That:

Regulation No. 16A-438 from the State Board of Chiropractic, as submitted to the Commission on April 4, 1997, and amended on April 25, 1997, is approved; and

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 date
May 1, 1997

State Registration Board for Professional Engineers, Land Surveyors and Geologists—Fees; Doc. No. 16A-474

Order

On April 4, 1997, the Independent Regulatory Review Commission (Commission) received this regulation from the State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board). This rulemaking would amend 49 Pa. Code § 37.17 relating to schedule of fees. The authority for this regulation is section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a) and sections 4(d) and 9 of the Engineer, Land Surveyor and Geologist Registration Law (63 P. S. §§ 151(d) and 156).

Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This regulation reduces the fees for the Fundamentals of Geology examination and the Principles and Practice of Geology examination. The fee for each of these two licensure examinations was \$175. This regulation will reduce the fee to \$150. Both examinations are prepared and administered by the National Association of State Boards of Geology (NASBG). When the fees were originally established in section 37.12, the contract price for each examination was \$175. This contract was renegotiated to decrease the price for each of the two examinations by \$25.

This regulation will have no additional fiscal impact on the Commonwealth or local governments. The NASBG administers the examinations to Pennsylvania applicants in April and October. The regulation will be effective upon publication in the *Pennsylvania Bulletin*. However, applicants for the April 1997 examinations were notified of the reduced fee and were charged \$150 for each examination. According to the Board, 12 applicants took the examinations in April.

The Senate Consumer Protection and Professional Licensure Committee met and approved this regulation on April 15, 1997. The House Professional Licensure Committee met on April 23, 1997, and also voted to approve this regulation.

We have reviewed this regulation and find it to be in the public interest. This regulation stands in significant contrast to most fee regulations promulgated by the professional licensure boards since it is a decrease. Section 812.1(b) of The Administrative Code of 1929 requires that the "applicants' fees cover the entire cost of the examination." This regulation is necessary to meet this statutory requirement. We commend the State Board and Bureau of Professional and Occupational Affairs for securing lower fees for examinations administered by a National testing organization.

Therefore, It Is Ordered That:

Regulation No. 16A-474 from the State Registration Board for Professional Engineers, Land Surveyors and Geologists, as submitted to the Commission on April 4, 1997, is approved; and

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
May 1, 1997

State Board of Optometry—Fees; Doc. No. 16A-524

Order

On April 4, 1997, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Optometry (Board). This rulemaking would amend 49 Pa. Code § 23.91. The authority for this regulation is found in sections 4.1 and 9(c) of the Optometric Practice and Licensure Act (act) (63 P. S. §§ 244.4a and 244.9(c)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

Act 130 of 1996, which added section 4.1 to the act, empowered the Board to certify qualified licensees to prescribe and administer pharmaceutical agents for therapeutic purposes (TPAs). Section 9(c) of the act requires the Board to fix fees by regulation to match revenues with expenditures. The proposed regulation establishes a fee of \$25 for optometrists seeking certification to prescribe and administer TPAs. Qualified applicants who are licensed optometrists in Pennsylvania and apply under either Category A or B will receive a license with a modified license number to indicate the additional authorization to prescribe and administer TPAs. The requirements of Categories A and B are as follows:

Category A: Applicant has graduated from an accredited school of optometry and, as a condition of graduation, has successfully completed a minimum of 100 hours in the prescription and administration of pharmaceutical agents for therapeutic purposes and has passed a licensure examination to practice optometry which examination included the prescription and administration of pharmaceutical agents for therapeutic purposes.

Category B: Applicant has completed a board approved course of a minimum of 100 hours in the prescription and administration of pharmaceutical agents for therapeutic purposes and has passed an examination on the prescription and administration of pharmaceutical agents for therapeutic purposes which examination was prepared and administered by a qualified and approved professional testing organization.

In order for an optometrist to maintain the authority to prescribe and administer TPAs, the licensee must complete continuing education requirements relating to the prescription and administration of TPAs.

The Senate Consumer Protection and Professional Licensure Committee approved the regulation on April 15, 1997. The House Professional Licensure Committee approved the regulation on April 23, 1997.

We have reviewed this regulation and find it to be in the public interest. However, we note that this regulation is only the first step necessary for the Board to comply with the requirements of Act 130. Act 130 not only authorizes the Board to certify qualified licensees to prescribe and administer TPAs, but also requires the licensees to complete a total of 30 hours of continuing education every 2 years, 6 hours of which must relate to TPAs. The Board's existing regulations on continuing education requirements at 49 Pa. Code §§ 23.81—23.89 only require 24 hours of continuing education and make no specific reference to TPA requirements. It is our understanding that the Board is developing a proposed regulation which will update the existing continuing education requirements and define a board-approved course in TPAs. We encourage the Board to proceed expeditiously with the promulgation of this proposed regulation to bring the Board's existing regulations into compliance with Act 130.

Therefore, It Is Ordered That:

Regulation No. 16A-524 from the State Board of Optometry, as submitted to the Commission on April 4, 1997, is approved; and

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
May 1, 1997

State Board of Pharmacy—Examination Fees; Doc. No. 16A-545

Order

On April 4, 1997, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Pharmacy (Board). This rulemaking would amend 49 Pa. Code Chapter 27. The authority for this regulation is contained in section 6(k) of the Pharmacy Act (63 P. S. § 390-6(k)) and section 812.1 of The Administrative Code of 1929 (71. P. S. § 279.3(a)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board is amending its examination regulations because the National testing organization, the National Association of Board of Pharmacy (NABP), is changing its method of testing candidates from a "pencil and paper" test to a computer based test. In March 1997, the NABP began to offer the North American Pharmacist Licensure Examination as the National uniform exam.

The specific amendments to the regulation include requiring the applicant to file an examination application 45 days prior to the exam. Part of the materials to be submitted include proof of graduation with a B.S. or an advanced degree in pharmacy granted by an ACPE accredited school, as well as affidavits of all internships.

The regulation also changes the passing score for the National American Pharmacist Licensure Examination (NAPLEX) and the Federal Drug Law Examination (FDLE) from an established score of 75 to a specific score to be determined by the NABP.

Finally, the regulation reduces the NAPLEX examination fee from \$295 to \$250 and maintains the FDLE examination fee at \$75.

The Senate Consumer Affairs and Professional Licensure Committee approved the regulation on April 15, 1997. The House Professional Licensure Committee approved the regulation on April 23, 1997.

When the regulation was originally submitted on April 4, 1997, it contained an inconsistent standard for the minimum passing score for the NAPLEX and the FDLE. The Board agreed, and on April 11, 1997, the Board amended the regulation to indicate that after March 1, 1997, the minimum passing score for both exams will be

determined by the NABP. At our request, the Board also provided further clarification on type of accredited schools the Board recognizes and the forms that must be submitted with the examination application.

We have reviewed this regulation and find it to be in the public interest. The regulation will allow the Board to institute the use of a computer based examination for licensure, which should be a more efficient and convenient method to test candidates for licensure.

Therefore, It Is Ordered That:

1. Regulation No. 16A-545 from the State Board of Pharmacy, as submitted to the Commission on April 4, 1997, and amended on April 11, 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
May 1, 1997

State Board of Cosmetology—Examination Fees; Doc. No. 16A-453

Order

On April 4, 1997, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Cosmetology (Board). This rulemaking would amend 49 Pa. Code § 7.2. The authority for this regulation is section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a) and section 16(a) of the Cosmetology Law (63 P. S. § 522(a)). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Board has restructured § 7.2 by deleting obsolete fees in subsection (a) and the currently effective fees from subsection (b). All licensure examination fees are now relocated in subsection (a). The complete licensing examination fees for a cosmetologist, cosmetician, manicurist or teacher examination is increased from \$52.50 to \$59. The fee includes a theory examination at \$31, also required of managers, and a performance examination at \$28. The new subsection (b) includes the various licensure, registration, renewal and certification fees previously established in regulation.

The Board has eliminated the Pennsylvania Law Examination, which tested knowledge of State law, rules and regulations, from the examination requirements for all license categories. The new fee structure is as follows:

Licensure Categories

Cosmetologist, Manicurist, Cosmetician and Teacher

Manager

Current Fees

- \$52.50 Complete
- \$27.00 Written (theory)
- \$24.00 Practical (Performance)
- \$18.50 Pennsylvania Law
- \$69.50 Total (if taken separately)
- \$28.50 Complete
- \$27.00 Written (theory)
- \$18.50 Pennsylvania Law
- \$45.50 Total (if taken separately)

Proposed Fees

- \$59.00
- \$31.00
- \$28.00
- Deleted
- \$59.00
- \$31.00
- Deleted

The proposed new fees will be effective for the term of the Board's contract with the testing agency, which runs

from July 1, 1997 to June 30, 2002. The new fees are necessary because the Board executed a new contract

with a professional testing organization. Testing fees for candidates will decrease overall because the Pennsylvania law examination is no longer required.

The Senate Consumer Affairs and Professional Licensure Committee approved this regulation on April 15, 1997. The House Professional Licensure Committee approved this regulation on April 23, 1997.

We have reviewed this regulation and find it to be in the public interest. However, we are concerned that the Board, through notification to schools of cosmetology on September 16, 1996, announced that the State law portion of the examination would no longer be given effective January 1997. We question why the Board did not elect to change its testing requirements effective with the July 1997 examination after approval of the final-omitted rulemaking by the standing committees and the Commission. As it stands, the Board's action conflicts with the requirements in § 7.2(b). Alternatively, the Board could have submitted this final-omitted regulation in a more timely manner. In either case, we believe administrative actions of the Board should be consistent with its regulations.

Therefore, It Is Ordered That:

1. Regulation No. 16A-453 from the State Board of Cosmetology, as submitted to the Commission on April 4, 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
May 1, 1997

State Board of Dentistry—Fictitious Names; Doc. No. 16A-466

Order

On April 4, 1997, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Dentistry (Board). On April 25, 1997, the Board submitted an amended regulation to incorporate technical revisions suggested by the House Professional Licensure Committee. This rulemaking would amend 49 Pa. Code §§ 33.3 and 33.302 to be consistent with the amendments to Act 113 of 1996 (Act 113). The authority for this regulation is 63 P. S. § 122(g.1). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The existing regulation provides that the Board will charge a fee to review a dental facility fictitious name application and approve or disapprove the application based upon the Board's judgment on whether the names are false, misleading or deceptive. Act 113 added section 3(g.1) (63 P. S. § 122(g.1)) to the Dental Law which provides the Board with the power and duty "to receive and record all filings of the names and fictitious names of providers of dental services but shall not make determinations or judgments as to the appropriateness of such names." Accordingly, the Board is changing the name of the fee in § 33.3 from "Dental facility name application" fee to "Fictitious name registration" fee. The fee of \$35 is not proposed to be amended. The Board is proposing amendments to § 33.202 to delete several provisions for

approval or disapproval of applications and to replace the word "application" with "registration."

The Board believes public comment is not necessary because the new provisions of Act 113 repeal the approval provisions in the Board's regulations. The Board stated that all persons affected by the proposed amendments were notified of the Board's intention to modify the regulations before the final-omitted regulation was filed.

The Senate Consumer Protection and Professional Licensure unanimously approved this proposed regulation on April 15, 1997. The House Professional Licensure Committee approved this proposed regulation on April 23, 1997, but recommended technical revisions to the Board. The Board responded to the House Professional Licensure Committee's recommendations by submitting a revised final-omitted regulation on April 25, 1997, incorporating the technical revisions. The Pennsylvania Dental Association submitted a letter, dated April 20, 1997, stating no objection to the proposed amendments to the regulation.

Approximately 100 dentists apply each year to use fictitious names. The Board does not believe this proposed regulation will adversely affect anyone. The Board believes the proposed change is a benefit because dentists will no longer have to wait for the Board's approval to use or advertise under fictitious names.

We have reviewed this regulation and find it to be in the public interest. While the Board has made the changes necessary to reflect the registration requirements of Act 113, it will continue to charge a \$35 fee, even though the fee will be for registration of a fictitious name rather than the existing application and review process. This shift in duties should reduce the amount of work involved in processing fictitious name filings. The Board has requested a review of the fee through the Department of State's Bureau of Professional and Occupational Affairs' revenue office to determine whether the fee can be reduced. Although we believe it would have been appropriate for this rulemaking to include a change in the fee along with the other amendments, we strongly encourage the Board to file a change in the fee as soon as possible to better reflect the cost of the reduced procedures associated with registration of a fictitious name.

Therefore, It Is Ordered That:

1. Regulation No. 16A-466 from the State Board of Dentistry, as submitted to the Commission on April 4, 1997, and amended April 25, 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—Dissenting; John F. Mizner

Public meeting held
May 1, 1997

Environmental Quality Board—Hazardous Waste Management; Doc. No. 7-297

Order

On July 24, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking would amend 25 Pa. Code Chapters 261, 262, 264, 265 and 266. Under sections 105, 401—403 and 501 of the Solid Waste Management Act, the EQB has the statutory authority to adopt rules and regulations concerning the storage, treatment, disposal and transporta-

tion of hazardous waste as are necessary to protect the public's health, safety and welfare, as well as protect the environmental resources of the Commonwealth. The proposed regulation was published in the *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on April 1, 1997.

The EQB proposes to amend the existing hazardous waste regulations by adding a universal waste rule that is essentially identical to the Environmental Protection Agency (EPA) universal waste rule. The EPA promulgated its universal waste rule at 40 CFR Part 273 because it concluded that the existing regulatory structure is not appropriate for certain widely generated wastes referred to as "universal wastes." Universal wastes include nickel cadmium and other types of batteries, pesticides and mercury-containing thermostats. The universal waste rule is a set of simplified management standards for the collection and transportation of universal wastes.

Universal wastes share the following common characteristics:

- They may be generated in a variety of settings other than industrial settings;
- They may be generated by a large community which imposes program implementation difficulties; and
- They may be present in significant volumes in non-hazardous waste management systems.

The universal waste rule is designed to accomplish three general goals. The first goal is to encourage resource conservation, while ensuring adequate protection of human health and the environment. The second goal is to improve implementation of the current hazardous waste regulatory program. The third goal is to provide incentives for individuals and organizations to collect the unregulated portions of these universal waste streams and manage them using the same systems developed for the regulated portion, thereby removing universal wastes from the municipal waste stream.

On the proposed rulemaking, the EQB received letters from Bethlehem Apparatus Company, Inc. (Bethlehem), SmithKline Beecham and an association of companies called Specialty Steel Industry of Pennsylvania (SSIPA). Bethlehem and SmithKline Beecham did not comment directly on provisions in the regulation, but rather responded to the EQB's request for comments and supporting documentation concerning the inclusion of fluorescent tubes, as well as other wastes or waste categories, under the universal waste rule on final publication. SSIPA commented that fluorescent tubes should be included under the universal waste rule and commented on a concern with shipping papers and labeling of universal wastes.

The EQB believes the full hazardous waste regulations have inhibited the creation of systems to collect and transport universal wastes. The universal waste rule will make management standards less complex and less costly. The EQB believes Pennsylvania will benefit from the universal waste rule because the rule will prevent pollution by facilitating the proper disposal or recycling of wastes under the program.

The EQB lacks the data to estimate costs related to this regulation. However, since the EQB's proposed regulation is essentially equivalent to the EPA's universal waste rule, the EQB expects cost reductions similar to EPA's analysis that indicates management costs for generators of universal wastes should be reduced by 50%

when compared to management under full Subtitle C RCRA standards. Comments on the proposed rulemaking advocated adding wastes to the universal waste program which supports the theory that costs will be reduced.

The Department of Environmental Protection (DEP) intends to provide assistance with compliance with the universal waste rule. DEP plans to prepare fact sheets to help explain how the universal waste rule works. DEP also intends to work with industry groups to develop workshops to explain how individuals can use the universal waste rule to establish collection systems to recycle or properly dispose of universal wastes.

SSIPA commented on the final-form rulemaking regarding their concern with shipping papers and labeling of universal wastes. Bethlehem submitted comments concerning the process to add additional universal wastes, but subsequently withdrew their comments. SSIPA's comments on the final-form rulemaking reiterated its concern that the regulation remains unclear on the proper shipping name for a universal waste. We have reviewed the EQB's position and SSIPA's concern. Since the regulation requires labeling as a universal waste in addition to US DOT labeling, we believe the EQB is correct that contents of a package will be labeled as a waste. Since we believe the regulation is clear, we consider this issue to be resolved.

We have reviewed this regulation and find it to be in the public interest. The main issue in our Comments concerned the EQB's proposed petition process to add additional universal wastes. The EQB proposed a process which would have allowed DEP to amend the regulation by other than a regulation, thereby circumventing the legislative and public scrutiny afforded by the regulatory review process. In our Comments, we strongly recommended that the EQB delete the proposed petition process in its entirety in the final-form regulation. Instead we recommended that the EQB use rulemakings to add additional wastes to the universal waste rule.

In Subchapter P, the EQB's final-form regulation indicates that parties may petition the DEP for a regulatory amendment to add additional universal wastes. However, in order to understand the full obligation required to petition DEP to add an additional universal waste, the petitioner will need to meet the specific requirements of Subchapter P of Chapter 266 and Chapter 23 *Environmental Quality Board Policy for Processing Petitions—Statement of Policy*. One important difference between Subchapter P and Chapter 23, is that Subchapter P does not directly require the petitioner to provide proposed regulatory language, whereas Chapter 23 does. Therefore, we believe the final-form regulation would be clearer if Subchapter P referenced Chapter 23. DEP stated at our Public Meeting that this was an oversight due to their familiarity with the use of Chapter 23 and agreed that a cross reference would be helpful. DEP assured the Commission that successful petitions under Subchapter P would be processed as rulemakings under Chapter 23. With the public assurance from DEP that they will process successful petitions into rulemakings and that DEP will make this point clear upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*, we consider this issue to be resolved.

Therefore, It Is Ordered That:

1. Regulation No. 7-297 from the Environmental Quality Board, as submitted to the Commission on April 1, 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. 97-793. Filed for public inspection May 16, 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.

Reg. No.	Agency/Title	Received
16A-377	State Board of Physical Therapy Athletic Trainers; Class A & B Certification	5/2/97
16A-543	State Board of Pharmacy Facsimile Machines	5/2/97
57-155	Pennsylvania Public Utility Com- mission Interexchange Telecommunication Carriers	5/5/97
57-172	Pennsylvania Public Utility Com- mission Meter Tests	5/5/97
7-299	Environmental Quality Board Corrections to Drainage Lists	5/6/97
7-294	Environmental Quality Board Administration of Sewage Facil- ities, Planning Program and Stan- dards for Sewage Disposal Facil- ities (Act 149)	5/6/97

JOHN MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 97-794. Filed for public inspection May 16, 1997, 9:00 a.m.]

INSURANCE DEPARTMENT

Application For An Insurance Premium Finance Company License

Mountain Top Premium Finance, Inc. has applied for a license to operate as an insurance premium finance company in Pennsylvania. The filing was made under the requirements set forth under the Insurance Premium Finance Company Act (40 P. S. §§ 3301—3314). Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the comment is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Insur-

ance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, or by fax to (717) 787-8557.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-795. Filed for public inspection May 16, 1997, 9:00 a.m.]

Application for Voluntary Dissolution

United Fidelity & Surety Company, a domestic stock casualty insurance company, has submitted an application for approval of the voluntarily dissolution of its charter. The filing was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 et seq. Persons wishing to comment on the grounds of public or private interest concerning the dissolution, are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Licensing Specialist, Company Licensing Division, Room 1311 Strawberry Square, Harrisburg, PA 17120, or by fax to (717) 787-8557.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-796. Filed for public inspection May 16, 1997, 9:00 a.m.]

Old Guard Insurance Group; Rate Revision for Homeowners

On May 2, 1997, the Insurance Department received from Old Guard Insurance Group a filing of rates for Homeowners Insurance.

The company requests an overall 6.2% increase amounting to \$810,000 increase annually, to be effective June 15, 1997.

Unless formal administrative action is taken prior to July 1, 1997, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Rick Pawelski, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-797. Filed for public inspection May 16, 1997, 9:00 a.m.]

Pennsylvania Professional Liability Joint Underwriting Association

On April 30, 1997, the Insurance Department received from the Pennsylvania Professional Liability Joint Underwriting Association (JUA) a filing requesting that its currently approved rules and rates remain in effect for health care providers.

Unless formal administrative action is taken prior to June 29, 1997, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objection to Julie Cheung, Insurance Department, Bureau of Rate and Policy Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-798. Filed for public inspection May 16, 1997, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

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

Appeal of Hanawalt, Susan; file no. 97-188-01659; Allstate Insurance Company; doc. no. P97-05-003; June 17, 1997, at 4 p.m.;

Appeal of Weyant, David B.; file no. 97-308-70697; State Farm Mutual Automobile Insurance Co.; doc. no. PI 97-05-004; June 23, 1997, at 1 p.m.

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

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

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

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

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-799. Filed for public inspection May 16, 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 hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Guinan, Margot; file no. 97-124-01468; Prudential Property and Casualty Insurance; doc. no. P97-05-006; June 23, 1997, at 2 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

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

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

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-800. Filed for public inspection May 16, 1997, 9:00 a.m.]

Travelers Indemnity Company; Rate Revision for Homeowners

On May 2, 1997, the Insurance Department received from Travelers Indemnity Company a filing of rates for Homeowners Insurance.

The company requests an overall 4.1% increase amounting to \$2,705,000 increase annually, to be effective August 22, 1997, for new business and February 9, 1997, for renewals.

Unless formal administrative action is taken prior to July 1, 1997, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Rick Pawelski, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 97-801. Filed for public inspection May 16, 1997, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution #CB-97-062, Dated March 26, 1997. The Commonwealth of Pennsylvania entered into an interest arbitration award with the Fraternal Order of Police, Lodge #85, Capitol/Airport Police; the arbitration award encompasses approximately 92 employes in the nonsupervisory unit.

Resolution #CB-97-065, Dated March 26, 1997. The Commonwealth of Pennsylvania entered into an interest arbitration award with the American Federation of State, County, and Municipal Employees, AFL-CIO, Game Commission Act 111 bargaining unit; the arbitration award encompasses approximately 195 employes in a nonsupervisory unit certified by the Pennsylvania Labor Relations Board, PF-R-92-122-E.

Resolution #CB-97-092, Dated, March 26, 1997. The Commonwealth of Pennsylvania entered into a Collective Bargaining Agreement with the Pennsylvania State Education Association, National Education Association, Local Association at Hiram G. Andrews Center; the Collective Bargaining Agreement encompasses approximately 34 employes in the nonsupervisory unit, certified by the Pennsylvania Labor Relations Board, on August 2, 1991, more specifically referred to as PERA-R-91-196-C.

Governor's Office

Manual M210.3—Index of Issuances—Revision No. 1, dated April 8, 1997.

Manual M590.2—Digest of Commonwealth Employee Classification Arbitration Cases—Revision No. 6, dated April 3, 1997.

Management Directive No. 305.11—Depositing Currency and Coin, amended April 21, 1997.

Management Directive No. 310.23—Commonwealth Purchasing Card Program—Revision No. 1, dated April 21, 1997.

Management Directive No. 315.28—Taxability of State-Provided Parking—Revision No. 1, dated March 24, 1997.

Management Directive No. 515.21—Commonwealth School to Work Program—dated April 21, 1997.

Management Directive No. 520.7—Development and Validation of Classification Standards, amended April 3, 1997.

Management Directive No. 525.13—Maintenance of Weighted Salaries, amended March 26, 1997.

Administrative Circular No. 97-12—Closing Instruction No. 2, 1996-97 Fiscal Year; Preclosing at May 30, 1997, dated April 4, 1997.

Administrative Circular No. 97-13—Distribution of the 1997 Governor's Annual Work Force Report, dated April 11, 1997.

Administrative Circular No. 97-14—Prohibition and Restriction of Smoking in State Buildings, dated April 18, 1997.

Administrative Circular No. 97-15—Availability of State Surplus Real Property for Transfer to Commonwealth Agencies—Union County, dated April 21, 1997.

GARY R. HOFFMAN,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 97-802. Filed for public inspection May 16, 1997, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine and Spirits Shoppe # 0223, 544 North Avenue, Pittsburgh, PA 15209-2349.

Lease Expiration Date: June 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,800 net useable square feet of new or existing retail commercial space serving the Millvale area. Good loading facilities and off-street parking required.

Proposals due: June 6, 1997 at 12 noon

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

Washington County, Wine and Spirits Shoppe # 6303, 654 McKean Avenue, Donora, PA 15033-1003.

Lease Expiration Date: April 30, 1998

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

Proposals due: June 6, 1997 at 12 noon

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

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 97-803. Filed for public inspection May 16, 1997, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Railroad With Hearing

A-00112116. Department of Transportation and the Bessemer and Lake Erie Railroad. An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code, for approval of replacing the S. R. 4017 structure (AAR 051-982P) over a single track of the Bessemer and Lake Erie Railroad in Sugar Grove Township, Mercer County, and the allocation of costs and expenses incident thereto.

A public hearing on this application will be held Thursday, June 26, 1997, at 10 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interests may appear and be heard if they so desire.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 97-804. Filed for public inspection May 16, 1997, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before June 9, 1997 as set forth at 52 Pa. Code § 3.381 (relating to the applications for the transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

A-00097618, Folder 2, Am-A. H.E. Rohrer, Inc., t/d/ b/a Rohrer Bus Service (P. O. Box 100, Duncannon, Perry County, PA 17020), a corporation of the Commonwealth of Pennsylvania—persons and their baggage on schedule between points in the township of Derry, Dauphin County, over the following routes: inter alia, beginning in the township of Derry, Dauphin County, at the Best Western Motel, Sipe Avenue; thence over Sipe Avenue to its intersection with U.S. Highway Route 422; thence over U.S. Highway Route 422 to its intersection with University Drive; thence over University Drive to its intersection with U.S. Highway Route 322; thence over U.S. Highway Route 322 to its intersection with Pennsylvania Highway Route 39; thence over Pennsylvania Highway Route 39 and Airport Road to its intersection with an unnamed road designated as the entrance to The Hotel Hershey; thence over the unnamed road to its intersection with Hotel Road; thence over Hotel Road to The Hotel Hershey and return over the same route in the reverse direction: *So as to permit* the transportation of (1) persons and hand baggage, on a scheduled route between Selinsgrove, Snyder County and Sunbury, Northumberland County via Hummels Wharf, Rolling Green Park, Shamokin Dam, Snyder County. *Additional Rights:* beginning at the intersection of Third and Market Streets in the city of Sunbury, Northumberland County, thence east on Market Street to Hass Avenue, thence south on Hass Avenue to East end of Susquehanna Silk Mills and returning via same route to place of beginning; beginning at the intersection of Third and Market Streets in the city of Sunbury, Northumberland County, thence east on Market Street to Tenth Street, thence south on Tenth Street to Lenker Avenue, thence east on Lenker Avenue to West end on Susquehanna Silk Mills. *Additional Right:* to operate service as an extension of its present authorized service in the city of Sunbury, over the following route: beginning at the intersection of Third and Market Streets in the city of Sunbury, thence over streets in the said city to the H. D. Bob Shirt Factory, and return. (2) persons from points in the certificate holder's presently certificated route south of Penn Street in the city of Sunbury, Northumberland County, to the plant of the Westinghouse Electric and Manufacturing Company in the said city, and vice versa; beginning at Market Street, thence via Front Street, Julia Street and Susquehanna Avenue to the said plant and returning via Front Street; provided that the right is granted to issue transfers with the S. & N. Transit Co. at the Public Square in the city of Sunbury for transportation to and from said plant. (3) persons on schedule, over the following alternate route in the city of Sunbury, Northumberland County; beginning at the intersection of Front and Bainbridge Streets, thence via Bainbridge Street to Second Street, thence via Second Street to Market Street; beginning at the intersection of Front and Walnut Streets, thence via Walnut Street to Lenker Avenue; beginning at the intersection of Front and Chestnut Streets, thence via Chestnut Street to Woolverton Street, thence via Woolverton Street to Tenth Street, thence via Tenth Street to Penn Street, thence via Penn Street to Lenker Avenue, thence via Lenker Avenue to Miller Street, thence via Miller Street to the plant of the Susquehanna Silk Mill Company; beginning at the intersection of Walnut Street and Fourth Street, thence via Fourth Street to Market Street; beginning at the intersection of Market Street and Woolverton Street,

thence via Woolverton Street to Tenth Street; Right (3) subject to the following condition: that the rights, powers and privileges herein granted shall include the right to render through service between points on the above-described alternate routes and points on the certificate holder's presently certificated routes without the change of buses. (4) persons over an alternate route: beginning at the intersection of Highway Route 11 and the western end of the Bainbridge Street Bridge, thence continuing on Highway Route 11 as relocated, to its intersection with Old Highway Route 11 at the north end of the bridge crossing Penn's Creek, Right (4) subject to the following condition: that the right herein granted shall include the right to render through service between points on the alternate route and points on the applicant's presently certificated route between the borough of Selinsgrove, Snyder County and the city of Sunbury, Northumberland County. (5) persons and hand baggage over the following routes: *Alternate Route*: beginning at the intersection of Market Street and Mill Street in the borough of Selinsgrove, thence on Mill Street, Orange Street and Pine Street to the terminal at Market Street, thence continuing on Market Street, Mill Street, Orange Street and U.S. Highway Route 522 to its intersection with U.S. Highway Route 11 (15), thence returning on U.S. Highway Route 522 to Orange Street, thence on Orange Street and Pine Street to the terminal at Market Street; *Spur Routes (in either direction)*: beginning at the intersection of Market and Pine Streets, thence on Pine Street to Susquehanna University; beginning at the intersection of Pine and High Streets, thence on High Street and Bough Street to an alley at Groce's Silk Mill, thence via said alley, Sassafras Street and High Street to Pine Street, the place of beginning; beginning at the intersection of Market and Pine Streets, thence on Market Street and Township Road 393 to the Selinsgrove Fairgrounds. (6) persons employed at the Selinsgrove State School in the borough of Selinsgrove, Snyder County, from the boroughs of Montandon and Milton, Northumberland County, Lewisburg and Mifflinburg, Union County, Middleburg and Beavertown, Snyder County, and the villages of Kratzerville, Kreamer and Kantz, Snyder County, to the said school, and vice versa; which is to be a transfer of the scheduled bus rights held by B. K. W. Coach Line, under the certificate issued at A-00033484, Folder 2 and Folder 16, subject to the same limitations and conditions. *Attorney*: Anthony J. Foschi, P. O. Box 88, Harrisburg, PA 17108.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.

A-00102219, F. 1, Am-C. Suburban Transit Network, Inc., t/d/b/a Transnet (Union Meeting Corporate Center, 980 Harvest Drive, Suite 100, Blue Bell, Montgomery County, PA 19422-1955), a corporation of the Commonwealth of Pennsylvania—inter alia, persons, in paratransit service, between points in the county of Montgomery; subject to the following conditions: *that the service herein authorized is limited to the transportation of vehicles having a seating capacity of not less than 10 nor more than 15 persons, including the driver; that the service herein authorized is limited to the transportation for which advance reservations are made in a vehicle not reserved for individual use; that no right, power or privilege is granted to provide scheduled route service as defined in 52 PA Code § 29.14; call or demand service as defined in 52 PA Code § 29.15 or group and party service*

as defined in 52 PA Code § 29.16: *So as to permit the elimination of the restrictive condition in the above cited authority which reads as follows: that the service herein authorized is limited to the transportation of vehicles having a seating capacity of not less than 10 nor more than 15 persons, including the driver. Application for temporary authority has been filed at A-00102219, F. 1, AM-C, seeking the right cited above. Attorney: Barnett Satinsky, 2000 Market Street, 10th Floor, Philadelphia, PA 19103-3291.*

A-00113064, F. 3, Am-A. C.R.W. & W., Inc., t/d/b/a Youghiogheny Cab, (124 South Seventh Street, Conellsville, Fayette County, PA 15425) a corporation of the Commonwealth of Pennsylvania—persons, in paratransit service, between points in the county of Fayette, and from points in said county, to points in the counties of Allegheny, Westmoreland, Greene, Washington, Somerset and Beaver, and return; subject to the following conditions: that no right, power or privilege is granted to transport persons originating at points in the boroughs of Belle Vernon, Fayette City and Perryopolis, and the townships of Perry and Washington, Fayette County, except that persons may be transported from points in the specified boroughs and townships if those persons have been transported to said points from other points in Fayette County by the applicant; that service herein authorized is limited to transportation in vehicles having a seating capacity of not more than 21 persons, including the driver; and that no right power or privilege is granted to provide transportation in vehicles equipped with dome lights or taxi meters: *So as to permit the transportation of employees, their baggage and equipment, in paratransit service, for CSX Transportation, Inc., between points in Pennsylvania, excluding service between points in the county of Allegheny. Attorney: David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15129-3427.*

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

A-00113934. Vicki Jo Shaffer (Star Route, Box 4A, Timblin, Jefferson County, PA 15778)—persons upon call or demand in the counties of Jefferson, Indiana, Clarion and Armstrong.

A-00113930. Carl Martin, t/d/b/a Indiana Limousine Service (1310 GI Road, Apollo, Armstrong County, PA 15613)—persons, in limousine service, between points in the county of Indiana, and from points in said county, to points in Pennsylvania, and return. *Attorney: John E. Fullerton, Box 9500, Harrisburg, PA 17108.*

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

A-00113936. Marathon Moving & Storage, Imc., t/d/b/a Butler Moving and Storage (404 Court Street, Binghamton, Broome County, NY 13904), a corporation of the State of New York—(1) household goods in use, between points in the county of Susquehanna, and from points in the said county to points in Pennsylvania, and vice versa; and (2) property, except household goods in use, between points in Pennsylvania; which is to be a transfer of all of the rights issued to Brian C. Hinkley, under the certificate issued at A-00109681, subject to the same limitations and conditions. *Attorney: David Brown, P. O. Box 300, Endicott, NY 13761-0300.*

Property, Excluding Household Goods in Use

Notice is given that the following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before June 2, 1997.

- A-00112640, F. 2 Paul I Sweigart, t/d/b/a Paul I. Sweigart 145 North Crest Acres, Lebanon, PA 17046
- A-00113657, F. 2 Jenks, Inc., t/d/b/a Georgia P. Carroll Moving 42 Ridge Drive, Pittsburgh, PA 15235; David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219-1427
- A-00113948 Ryan S. Paskel, t/d/b/a J & Z Hauling 29 Timothy Drive, Mertztown, PA 19539
- A-00113949 Walter A. Tylutke, t/d/b/a Walter A. Tylutke Trucking & Excavating 15 Wood Street, Pittston Township, PA 18641
- A-00113950 G.S. Edwards, Inc. R. R. 1, Box 210, Orangeville, PA 17859
- A-00113951 Donald G. Peters 31 Willow Street, Lenhartsville, PA 19534; A. Joseph Antanavage, 64 North 4th Street, Hamburg, PA 19526
- A-00113952 Sheila A. Campbell & Thomas Swenglish, Copartners R. D. 1, Box 593, Uniontown, PA 15401; Vincent J. Roskovensky, II, 9 Court Street, Uniontown, PA 15401
- A-00113953 Dennis D. Findish, t/d/b/a Dennis D. Findish Excavating P. O. Box 83, Latrobe, PA 19650; Ronald Chicka, 12 East Otterman Street, Greensburg, PA 15601
- A-00113954 Roderick D. Fry, t/d/b/a Rod Fry Trucking, HC 64, Box 49, Trout Run, PA 17771
- A-00113955 Brian K. Hock, Sr., t/d/b/a B & H Enterprises 2416 Ninth Street, Bethlehem, PA 18017
- A-00113956 Enviro Trans, Inc. P. O. Box 409, Americus, GA 31709
- A-00112957 Earl J. Rearick Rt. 2, Box 114F, Kittanning, PA 16201
- A-00113958 Youngblood Paving, Inc. Route 18, Box 2143, Wampum, PA 16157; Myron R. Sainovich, 983 Third Street, Beaver, PA 15009
- A-00113959 Jan E. Rinehimer R. R. 2, Box 100-D, Wapwallopen, PA 18660
- A-00113960 Harry W. Reigle, Sr. R. R. 1, Box 881, Paxinos, PA 17860
- A-00113961 C.S. Verbryck, Inc. 44 Redfield Street, Tunkhannock, PA 18657; Dave Posatko, P. O. Box 56, Tunkhannock, PA 18657
- A-00113962 William H. Reppert, Jr. 2552 East Scenic Drive, Bath, PA 18014
- A-00113963 American Courier Plus, Ltd 2253 Forest Hills Drive, Harrisburg, PA 17112; Thomas J. Sniscak, P. O. Box 1778, Harrisburg, PA 17105

- A-00113942 Trinity Excavating, Inc. Box 377 F. Trinity Road, R.D. #28, York, PA 17404; David H. Radcliff, 3905 North Front Street, Harrisburg, PA 17110
- A-00113943 Primrose Transportation, Inc. P. O. Box 134, Shippenville, PA 16254
- A-00113944 Cole's Trucking, Inc. R. R. 1, Box 616, Warren Center, PA 18851
- A-00113945 Alan Carlson, & Steven Jacks, Copartners, t/d/b/a Carlson Mining R. D. 6, Box 483, New Castle, PA 16101; John A. Pillar, Pillar, Mulroy & Ferber, 1106 Frick Building, Pittsburgh, PA 15219
- A-00112280, F. 3 Priority Dispatch and Transport, Inc. P. O. Box 10261, Erie, PA 16514-0261
- A-00113946 R.M. Kurtz Enterprises, Inc., 255 Durlach Road, Ephrata, PA 17522
JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 97-805. Filed for public inspection May 16, 1997, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

June 11, 1997	Lucille Jute (Purchase of Maternity Leave) Michael J. Ciliberti (Purchase of Service—U. S. Govt.)	1 p.m. 2:30 p.m.
June 25, 1997	Erma Robinson (Multiple Service) Edward J. Kaczmarek, Jr. (Return of Withdrawn Contributions)	1 p.m. 2:30 p.m.

Persons with a disability who wish to attend the above-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general

rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JAMES A. PERRY,
Secretary

[Pa.B. Doc. No. 97-806. Filed for public inspection May 16, 1997, 9:00 a.m.]

TURNPIKE COMMISSION

Request for Bids

The Turnpike Commission is requesting a sealed bid for: Flexible, Roll-Up, Reflecting, MPT Signs. Open Date: June 3, 1997 at 11 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Department, (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 97-807. Filed for public inspection May 16, 1997, 9:00 a.m.]
