

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Notice of Commission Meeting and Public Hearing

The Delaware River Basin Commission will hold a public hearing on Wednesday, September 24, 1997. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1:30 p.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

An informal conference among the Commissioners and staff will be held at 9:30 a.m. at the same location and will open with a presentation and discussion of the results of the Commission's recently completed *Delaware River Basin Commission Survey to Assess its Management of the Basin's Water Resources*. The survey results are also available by calling (609) 883-9500 ext. 215 and leaving your name and address, or may be downloaded from the Commission's web site at: <http://www.state.nj.us/drbc/drbc.htm>. The conference will also include a presentation on the New Jersey State Development and Redevelopment Plan's cross-acceptance process and a discussion of depletive water use above Commission reservoirs.

The subjects of the hearing will be as follows:

*Applications for Approval of the Following Projects Pursuant to Article 10.3, Article 11 and/or Section 3.8 of the Compact:*

1. *Town of Middletown-Arkville Water District D-86-77 CP RENEWAL* 2. An application for the renewal of a groundwater withdrawal project to supply up to 4.5 million gallons (mg)/30 days of water to the applicant's distribution system from Well Nos. 3 and 4. Commission approval on August 12, 1992 was limited to 5 years. The applicant requests that the total withdrawal from all wells remain limited to 4.5 mg/30 days. The project is located in the Town of Middletown, Delaware County, NY.

2. *Playtex Family Products Corporation D-90-106 RENEWAL*. An application for the renewal of a groundwater withdrawal project to supply up to 12 mg/30 days of water to the applicant's product processing facility from Well Nos. 1-NE and 2-SE. Commission approval on May 20, 1992 was limited to 5 years. The applicant requests that the total withdrawal from all wells remain limited to 12 mg/30 days. The project is located in the City of Dover, Kent County, DE.

3. *Montague Water Company D-91-75 CP RENEWAL*. An application for the renewal of a groundwater withdrawal project to supply up to 8.0 mg/30 days of water to the applicant's distribution system from Well Nos. 1 through 5. Commission approval on March 25, 1992 was limited to 5 years. The applicant requests that the total

withdrawal from all wells remain limited to 8.0 mg/30 days. The project is located in Montague Township, Sussex County, NJ.

4. *Hewlett-Packard Company D-97-15 (D)*. An application for the discharge of wastewater resulting from a ground water remediation project. An average 0.144 million gallons per day (mgd) of contaminated ground water will be treated and discharged to an unnamed tributary of Egypt Run, a tributary of East Branch White Clay Creek, in New Garden Township, Chester County, PA. Five recovery wells will collect groundwater for treatment for removal of volatile organic compounds via an air stripper and filtration units. The project will serve only the site of the applicant's former electronic instrumentation operations located at Route 41 and Starr Road in New Garden Township.

5. *Hewlett-Packard Company D-97-15 (G)*. An application for approval of a groundwater withdrawal project to withdraw up to 2.27 mg/30 days of water as part of the applicant's groundwater remediation system from new Well Nos. MW-32, MW-33, MW-34, MW-37, RW-4, RW-5, P-2, P-3 and P-4; and to limit the withdrawal from all remediation wells to 4.43 mg/30 days. The project is located in New Garden Township, Chester County, PA.

6. *The Upper Hanover Authority D-97-17 CP*. An application for approval of a groundwater withdrawal project to supply up to 4.5 mg/30 days of water to the applicant's distribution system from new Well No. RH-3, and to retain the existing withdrawal limit from all wells of 22.4 mg/30 days. The project is located in Upper Hanover Township, Montgomery County and Hereford Township, Berks County, in the Southeastern Pennsylvania Ground Water Protected Area.

7. *Township of Worcester D-97-22 CP*. An application to expand the applicant's Berwick Place sewage treatment plant (STP) average monthly capacity from 0.06 mgd to 0.15 mgd. The STP will continue to provide tertiary treatment to serve residential development in a portion of Worcester Township and discharge via the existing outfall to an unnamed tributary of Skippack Creek. The STP is located just south of Germantown Pike and east of East Mount Kirk Avenue in Worcester Township, Montgomery County, PA.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500 ext. 221 concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary at (609) 883-9500 ext. 203 prior to the hearing.

ANNE M. ZAMONSKI,  
Acting Secretary

[Pa.B. Doc. No. 97-1502. Filed for public inspection September 19, 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 September 9, 1997.

### BANKING INSTITUTIONS

#### New Charters

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-4-97	Premier Interim Bank Doylestown Bucks County	Doylestown	Approved

Subject institution will be utilized to merge with Premier Bank, Doylestown, and the surviving institution will be acquired by Premier Bancorp, Inc., a bank holding company in organization.

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-4-97	Penncore Phantom Savings Bank, Newtown, and Commonwealth Savings Bank, Newtown Surviving Institution—Penncore Phantom Savings Bank, Newtown	Newtown	Approved Effective 9-8-97

Subject merger will be used to facilitate the acquisition of Commonwealth State Bank, Newtown, by ML Bancorp, Inc., Villanova.

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-5-97	Mid Penn Bank Millersburg Dauphin County	Mobile branch to be operated at various locations throughout Dauphin and Cumberland Counties	Approved
9-8-97	The York Bank and Trust Company York York County	Weis Market 1800 Roosevelt Ave. York York County	Filed

#### Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-8-97	Summit Bank Bethlehem Northampton County	<i>To:</i> Laneco Store Stefko Boulevard Shopping Center 1880 Stefko Blvd. Bethlehem Northampton County  <i>From:</i> Stefko Boulevard Shopping Center 1816 Stefko Blvd. Bethlehem Northampton County	Approved

### SAVINGS ASSOCIATIONS

No activity.

### CREDIT UNIONS

#### New Charters

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-2-97	Trident Credit Union Philadelphia Philadelphia County	2325 Brown Street Philadelphia Philadelphia County	Commenced Operations

**Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-2-97	Acco York Federal Credit Union York York County		
	<i>To:</i>		
	Acco and Associates Credit Union York York County	York	Application Withdrawn

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

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-1503. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of October 1997

The Department of Banking of the Commonwealth of Pennsylvania (Department), 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 October is 9 1/4%.

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 an individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. 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 or the United States Treasury. The latest yield rate on long-term government securities is 6.64 to which was added 2.50 percentage points for a total of 9.14 that by law is rounded off to the nearest quarter at 9 1/4%.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-1504. Filed for public inspection September 19, 1997, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

**Keystone Recreation, Park and Conservation Fund; Community Grant Program; Rails-to-Trails Grant Program; Rivers Conservation Grant Program**

The Department of Conservation and Natural Resources (DCNR) has announced an open application pe-

riod for funding of acquisition, development, planning, implementation and technical assistance projects from the Keystone Recreation, Park and Conservation (Keystone) Fund. These Keystone grants will be administered by DCNR's Bureau of Recreation and Conservation under their Community Grant Program, Rails-to-Trails Grant Program and Rivers Conservation Grant Program.

The Keystone Fund was established by passage of the Keystone Recreation, Park and Conservation Fund Act (Act 1993-50) signed on July 2, 1993. On November 2, 1993 the voters of the Commonwealth overwhelmingly approved a public referendum incurring bond indebtedness by the Commonwealth in the amount of \$50 million to provide for the funding of nature preserves and wildlife habitats and for improvements to and expansion of State parks, community parks and recreation facilities, historic sites, zoos and public libraries. The Keystone Fund is currently supported by a 15% allocation from the State Realty Transfer Tax revenues. Approximately \$9 million will be available in this round of funding under the Community Grant Program and \$1 million each in the Rails-to-Trails and Rivers Conservation grant programs.

An announcement of this open application period, fact sheet, and information on how to obtain the application forms have been sent to Commonwealth municipalities, rails-to-trails organizations and rivers conservation organizations. A municipality or organization that has not received the announcement package may request the information from the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation, 555 Forum Building, Harrisburg, PA 17120, (717) 783-2656. The deadline for submission of completed grant applications to DCNR is 5 p.m. on November 25, 1997. No submissions will be accepted by FAX.

Local government officials, organizations or individuals seeking additional information about these Keystone programs may contact the Bureau of Recreation and Conservation at the above address and telephone number.

Persons with a disability who wish to submit an application for Keystone funding and require assistance should contact Darrel Siesholtz at the above number to discuss how DCNR may best accommodate their needs. TTY or TDD users call (800) 654-5984.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 97-1505. Filed for public inspection September 19, 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 (Department) 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 his 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 Field Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Field 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 Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program Managers will make a final determination regarding the proposed permit. 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 Field 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 proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**PA 0051161.** Sewage, **Southco, Inc.**, 210 North Brinton Lake Road, Concordville, PA 19331.

This application is for renewal of an NPDES permit to discharge treated sewage from Southco, wastewater treatment plant in Concord Township, **Delaware County**. This is an existing discharge to the West Branch of Chester Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 13,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

*Other Conditions:*

The EPA waiver is in effect.

**PA 0013323, Amendment No. 2.** Industrial waste, **Boeing Defense & Space Group, Helicopter Division**, P. O. Box 16858, Philadelphia, PA 19142-0858.

This application is for amendment of an NPDES permit to discharge stormwater from the facility in Ridley Township, **Delaware County**. This is an existing discharge to Darby Creek.

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

The proposed effluent limits for stormwater Outfall 024 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			monitor/report
Suspended Solids			monitor/report
Oil and Grease			monitor/report
Chemical Oxygen Demand			monitor/report
pH			monitor/report
Total Kjeldahl Nitrogen			monitor/report
Total Phosphorus			monitor/report
Iron Dissolved			monitor/report

*Other Conditions:*

1. Chemical additives approval.

The EPA waiver is in effect.

**PA 0054704.** Sewage, **Tri-County Respite**, 7 Maple Street, Quakertown, PA 18951.

This application is for renewal of an NPDES permit to discharge treated sewage from Rockridge Personal Care Home in East Rockhill Township, **Bucks County**. This is an existing discharge to unnamed tributary to Tohickon Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of .0077 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Phosphorus (as P)	0.5	1.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Total Residual Chlorine		
(Years 1 and 2)	1.0	1.5
(Years 3, 4 and 5)	0.05	0.12
Oil and Grease	15	30

The EPA waiver is in effect.

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

**PA 0070220.** Sewerage, **Alfred A. Cas and Marie E. Cas, t/a Nis Hollow Estates**, 400 South Best Avenue, Route 145, Walnutport, PA 18088.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary to Lehigh River in Mahoning Township, **Carbon County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Northampton Municipal Water Supply on Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of .018 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Dissolved Oxygen	minimum of 5 mg/l at all times	

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine (1st Month through 24th Month) (25th Month through Expiration Date)	monitor and report 1.2	2.8
The EPA waiver is in effect.		

**PA 0043877.** Sewerage, **Greater Pottsville Area Sewer Authority**, (West End STP), P. O. Box 1163, Pottsville, PA 17901-7163.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into the West Branch of the Schuylkill River in Pottsville City, **Schuylkill County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Pottstown Water Authority on the Schuylkill River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.50 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times		
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine 1st Month—24th Month 25th Month—Expiration	monitor and report 1.0		2.0

Point sources 002 through 005 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit. The permittee shall develop and submit a plan of action and an implementation schedule as provided for in the permit.

This permit is also subject to the following Part C Special Conditions: Pretreatment Operating and Reporting Requirements and Combined Sewer Overflows.

The EPA waiver is in effect.

**PA 0061204.** Sewerage, **Summit Management and Utilities, Inc.**, c/o W. Jack Kalins, President, P. O. Box 592, Lake Harmony, PA 18624.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary of Shingle Mill Run in Kidder Township, **Carbon County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Hazleton Water Authority on the Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.1678 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31) (11-1 to 4-30)	10.0 20.0	20.0 40.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N (5-1 to 10-31) (11-1 to 4-30)	3.0 9.0	6.0 18.0
Phosphorous as "P"	1.0	2.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times	

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine (Months 1 through 36) (Months 37 through 60)	monitor and report 0.2	0.4

The EPA waiver is in effect.

**PA 0041424.** Sewerage, **Pocmont Hotels Corporation**, Bushkill, PA 18324.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary to Bushkill Creek in Lehman Township, **Pike County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Stroudsburg/East Stroudsburg Intake on the Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of .049 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	30	60
NH <sub>3</sub> -N (5-1 to 10-31) (11-1 to 4-30)	2 6	4 12
Phosphorous as "P"	.5	1
Dissolved Oxygen	a minimum of 7 mg/l at all times	
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine (1st Month through 24th Month) (25th Month through Expiration Date)	monitor and report 1.2	2.8

The EPA waiver is in effect.

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

**PA 0009164.** SIC: 3312, Industrial waste, **Standard Steel, Division of Freedom Forge Corporation**, 500 North Walnut Street, Burnham, PA 17009.

This application is for the amendment of an NPDES permit for an existing discharge of treated industrial waste to Kishacoquillas Creek, in Burnham Borough, **Mifflin County**.

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

The proposed effluent limits for Outfalls 002, 003, 005, and Monitoring Point 401 for a flow of 8.65 mgd from the industrial waste treatment facility are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		monitor and report	
pH	6.0—9.0 s. u. at all times		
Net Suspended Solids	15	30	37
Net Oil and Grease	10	20	25

The proposed cumulative effluent limits for Outfalls 002, 003, 004 and 005 are:

<i>Temperature</i>	<i>Period</i>	<i>Allowable Heat Rejection Rate (10<sup>6</sup>BTU/Day)</i>
	January	2,155
	February	1,958
	March	5,483
	April	6,244
	May	4,566
	June	1,343
	July	1,613
	August	1,958
	September	1,969
	October	1,880
	November	1,790
	December	1,611

The proposed effluent limits for Monitoring Point 402 from the groundwater remediation treatment facility are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		monitor and report	
pH	6.0—9.0 s. u.	at all times	
Total Chromium		monitor and report	
Hexavalent Chromium	0.30	0.60	0.75
Vinyl Chloride		monitor and report	
Trichloroethylene		monitor and report	

Stormwater language has been included in this permit.

The EPA waiver is not in effect.

**PA 0084611.** SIC: 6514, Sewage, **Hollis McKinney Mobile Home Park (Noss Village)**, R. D. 10, Box 18414, York, PA 17404.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to unnamed tributary to Codorus Creek, in North Codorus 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Wrightsville Water Company located on 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 001 for a design flow of .1 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	10.0
Total Residual Chlorine (Interim)		shall be monitored
Total Residual Chlorine (Final)	<0.1	0.2
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0—9.0 inclusive	
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	

The EPA waiver is in effect.

**PA 0020818.** SIC: 4952, Sewage, **Glen Rock Sewer Authority**, P. O. Box 116, Glen Rock, PA 17327.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to South Branch Codorus Creek, in Glen Rock Borough, **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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was York Water Company located in York Township, York County approximately 17 miles downstream. The discharge is not expected to impact any potable water supply.



The proposed interim effluent limits for Outfall 001 for a design flow of 0.3 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	6.0		12
(11-1 to 4-30)	monitor and report		monitor and report
Total Phosphorus	2.0		4.0
Total Residual Chlorine		monitor and report	
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		

The proposed final effluent limits for Outfall 001 for the design flow of 0.6 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	1.0		12
(11-1 to 4-30)	3.0		monitor and report
Total Phosphorus	2.0		4.0
Total Residual Chlorine	<0.1		0.2
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		

The EPA waiver is in effect.

**PA 0085111.** SIC: 4941, Industrial waste, **Altoona City Authority**, Tipton Water Plant, 20 Greenwood Road, Altoona, PA 16002.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Tipton Run, in Antis Township, **Blair County**.

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

The proposed effluent limits for Outfall 001 for a design flow of .028 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	from 6.0—9.0 inclusive		
Total Aluminum	XXX	0.84	2.1

The EPA waiver is in effect.

**PA 0087521.** SIC: 4222, Industrial waste, **High Associates, Ltd.**, 1853 William Penn Highway, Lancaster, PA 17605.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to a drainage swale to an unnamed tributary of Little Muddy Creek, in East Cocalico Township, **Lancaster County**.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature		110°F as a daily average	
pH		6—9	

The EPA waiver is in effect.

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

**PA 0002062.** Industrial waste, SIC: 4911, **GPU Generation, Inc.**, 1001 Broad Street, Johnstown, PA 15907.

This application is for amendment of an NPDES permit to discharge treated process water, sewage cooling water, untreated cooling water and stormwater from the Keystone Generating Station in Plumcreek Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Crooked and Plum Creeks, classified as a warm water and trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Cadogan Township W. W., located at Post Office, Cadogan, PA 16212, 26.5 miles below the discharge point.

*Outfall 303:* existing discharge, design flow of 0.04 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>			25		50
Suspended Solids			30		60
Total Residual Chlorine			2.4		4.2
pH	not less than 6.0 nor greater than 9.0				

*Outfall 004:* existing discharge from permit effective date through October 30, 2000.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Aluminum			monitor and report		
Total Iron			monitor and report		
Manganese			monitor and report		
Total Suspended Solids			monitor and report		
Sulfate			monitor and report		
pH	monitor and report				

*Outfall 004:* existing discharge from October 31, 2000 through expiration.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Aluminum			monitor and report		
Total Iron			3.5		7.0
Manganese			2.0		4.0
Total Suspended Solids			35.0		70.0
Sulfate			monitor and report		
pH	not less than 6.0 nor greater than 9.0				

*Outfall 005:* existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of uncontaminated stormwater runoff.					

*Outfall 007:* existing stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
This discharge shall consist solely of uncontaminated stormwater runoff.					

*Outfall 008:* existing discharge.

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

NOTICES

<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>
Total Suspended Solids			monitor and report		
Sulfate			monitor and report		
Barium			monitor and report		
Arsenic			monitor and report		
pH			monitor and report		

*Outfall 009:* existing discharge.

<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>

This discharge shall consist solely of uncontaminated stormwater runoff.

The EPA waiver is not in effect.

**PA 0014311.** Industrial waste, SIC: 3316, **Republic Engineered Steels, Inc.**, 2633 8th Street NE, P. O. Box 24700, Canton, OH 44701-4700.

This is for revocation and reissuance of an NPDES permit to discharge treated process stormwater from Republic Engineered Steels, Inc., Beaver Falls, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Walnut Bottom 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 Beaver Falls Municipal Authority, located at Beaver Falls, 0.75 mile below the discharge point.

*Outfall 101:* existing discharge, design flow of 0.0064 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>
TSS	5.51	12.84	30	70	88
Oil and Grease	monitor and report		15		30
Lead	0.002	0.004	0.021	0.042	0.053
Zinc	0.037	0.11	0.2	0.6	0.75
pH	not less than 6.0 nor greater than 9.0				

*Outfall 001:* existing discharge to Walnut Bottom Run.

<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>

This discharge shall consist solely of those sources previously monitored at IMP-101, groundwater and stormwater.

*Outfall 002:* existing discharge

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

Temperature 110°F  
 This discharge shall consist solely of uncontaminated stormwater runoff and uncontaminated groundwater infiltration and the emergency overflow discharge from the noncontact cooling water system for the plant air compressors. The temperature and pH monitoring are applicable in the event that noncontact cooling water is discharged.  
 pH not less than 6.0 nor greater than 9.0

*Outfalls 003 and 006:* Stormwater runoff and groundwater infiltration discharges to Walnut Bottom Run and Beaver Falls storm sewer system.

<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>
Chromium					monitor and report
Nickel					monitor and report
Lead					monitor and report
Zinc					monitor and report

*Outfall 005:* Existing discharge from effective date through October 31, 1997.

<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>
Chromium					monitor and report
Nickel					monitor and report
Lead					monitor and report
Zinc					monitor and report
Oil and Grease					monitor and report

*Outfall 005:* New discharge from November 1, 1997 through permit expiration.

<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>
This discharge shall consist solely of uncontaminated stormwater runoff and uncontaminated groundwater infiltration.					

*Outfalls 004, 007, 008, 009, 010 and 011:* existing discharges.

<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>
These discharges shall consist solely of uncontaminated stormwater runoff and uncontaminated groundwater infiltration.					

*Other Conditions:* Stormwater condition, sludge management condition and condition to ameliorate stormwater and groundwater infiltration into Outfall 005.

The EPA waiver is in effect.

**PA 0033332A1.** Industrial waste, SIC: 3261, **Eljer Industries (Eljer Plumbingware)**, 1301 Eljer Way, Ford City, PA 16226.

This application is for amendment of an NPDES permit to discharge treated process water and untreated cooling water stormwater from the Ford City plant in Ford City Borough, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, of the Allegheny 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 Cadogan Township Waterworks, located at River Mile 39.3, 3.00 miles below the discharge point.

*Outfall 008A:* existing discharge, design flow of 0.007 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	60	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

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

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

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

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

<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>
Suspended Solids	6.0	12.7	13.7	28.8	
Oil and Grease	4.1	6.2	9.4	14.0	
Copper	0.24	0.45	0.54	1.0	1.35
Cyanide	0.03	0.07	0.07	0.16	0.175
Lead	0.05	0.1	0.11	0.23	0.275
Chromium	0.03	0.06	0.06	0.14	0.15
Nickel	0.03	0.05	0.07	0.11	0.17
Fluoride	2.2	5.0	5.08	11.5	12.7
Ammonia	4.1	9.3			
Total Iron	0.14	0.3	0.31	0.61	0.8
pH	not less than 7.5 nor greater than 10				

The EPA waiver is not in effect.

**PA 0039721.** Sewage, **Rostraver Township Sewage Authority**, P. O. Box 976, R. D. 4, Port Royal Road, Belle Vernon, PA 15012.

This application is for renewal of an NPDES permit to discharge treated sewage from Rehoboth Valley Industrial District STP in Rostraver Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as tributary of Speers 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 Charleroi Borough Authority Water Works.

*Outfall 001:* existing discharge, design flow of .075 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.2	3.3		4.4
(11-1 to 4-30)	4.5	6.8		9.0
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	0.17			0.4
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0097942.** Sewage, **Dunlap, Inc.**, P. O. Box 2092, Uniontown, PA 15401.

This application is for renewal of an NPDES permit to discharge treated sewage from the Arctic Cove Restaurant Site Sewage Treatment Plant in North Union Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Redstone 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 Newell Municipal Authority located on the Monongahela River at approximately river mile 51.

*Outfall 001:* new discharge, design flow of 0.001475 mgd.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0102245.** Sewage, **Venango Human Services Center, Inc.**, P. O. Box 231, Franklin, PA 16323.

This application is for a renewal of an NPDES permit to discharge unnamed tributary to the Allegheny River in Cranberry Township, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton and RMI 90 which is 32.87 miles below point of discharge.

The proposed discharge limits for Outfall 001, based on a design flow of 0.06300 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.5	3.5
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0102156.** Industrial waste, **GAF Building Materials Corporation**, P. O. Box 1128, Erie, PA 16512.

This application is for the issuance of an industrial waste NPDES permit to discharge untreated, noncontact cooling water and stormwater to the City of Erie storm sewer that discharges to Presque Isle Bay at the foot of Sassafras Street and within the confines of Presque Isle Bay in the City of Erie, **Erie County**.

The receiving water is classified for warm water fishery, aquatic life, water supply and recreation. There is no potable water supply affected by this discharge.

*Outfall 001* (consists of stormwater runoff and boiler blowdown); *Outfall 002* (consists of stormwater runoff)

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report only	
Oil and Grease	15	30
pH	6.0—9.0 standard units at all times	

*Outfall 003* (noncontact cooling water and stormwater)

The proposed effluent limits, based on average design flow of 0.238 mgd, are:

<i>Parameter</i>	<i>Effluent Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report		
Total Suspended Solids	21	31	42
Oil and Grease	15		30
pH	6.0—9.0 standard units at all times		

*Outfall 004* consists of roof drain stormwater only.

The EPA waiver is in effect.

**PA 0090514.** Sewage, **E. J. Gulick Mobile Home Park**, 123 Beatty Drive, Saxonburg, PA 16056.

This application is for renewal of an NPDES permit to discharge treated sewage to the unnamed tributary to Buffalo Creek in Winfield Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: high quality—trout stocked fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply considered during the evaluation is Clearview Water Company on the Allegheny River located in Natrona Heights, approximately 11 miles below point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of .00525 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	20	40
(11-1 to 4-30)	25	50
TSS	30	60
Ammonia Nitrogen		
(5-1 to 10-31)	4.5	9.0
(11-1 to 4-30)	13.5	27.0
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	5,000/100 ml as a geometric average	
Total Residual Chlorine		
(Interim)	XX	XX
(Final)	.4	.9
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0104442—Amendment No. 1.** Sewage, **Breakneck Creek Regional Authority**, 1166 Mars-Evans City Road, Mars, PA 16046.

This application is for a DEP initiated major amendment of an NPDES Permit to discharge treated sewage to the Breakneck Creek in Adams Township, **Butler County**. This is a major discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Zelienople Municipal Waterworks on Connoquenessing Creek located at Zelienople, approximately 10 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after chlorination), based on a design flow of 2.0 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
CBOD <sub>5</sub>			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
TSS	30	45	60
Phosphorus as P			
(4-1 to 10-31)	2		4
Ammonia-Nitrogen			
(5-1 to 10-31)	1.5		3
(11-4 to 4-30)	4.5		9
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		
*Total Residual Chlorine			
(Final)	0.3		1.0
Nitrate-Nitrite		monitor and report	
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	6.0—9.0 at all times		

The EPA waiver is not in effect.

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

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

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

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Operations indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the name, address and telephone number of the writer and a brief statement to inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

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

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

*Southcentral Regional Office: Water Management Program, One Ararat Boulevard, Harrisburg, PA 17110, (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 0039748	US Army Corp. of Eng. R. D. 1, Box 222 Hesston, PA 16647	Huntingdon Penn Township	Raystown Lake	TRC
PA 0081566	York Haven Sewer Auth. P. O. Box 394 York Haven, PA 17370	York York Haven Borough	Conewago Creek	TRC
PA 0085146	Penn Twp.—NE R. R. 1, Box 6 Hesston, PA 16647-9324	Huntingdon Penn Twp.	Crooked Creek	TRC
PA 0085154	Penn Twp.—Hesston R. R. 1, Box 6 Hesston, PA 16647-9324	Huntingdon Penn Twp.	Crooked Creek	TRC
PA 0031348	Moselem Development Co. 345 Penn St. Reading, PA 19603-0582	Berks Richmond Twp.	Moselem Creek	TRC
PA 0085227	Clarence and Linda Baker 9950 Pine Road Orrstown, PA 17244	Franklin Letterkenny Township	UNT to Conodoguinet Creek	TRC

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

#### **Applications under the Pennsylvania Clean Streams Law**

#### **(Part II Permits)**

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest or protests. Each commenter will be notified in writing of the time and place if a hearing or conference concerning the plan,

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

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

#### **Applications received for industrial waste and sewerage 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, (717) 657-4590.*



**A. 3197403.** Sewage, submitted by **Mapleton Area Joint Municipal Authority**, P. O. Box 415, Mapleton Depot, PA 17052-0415 in Mapleton Borough/Union Township, **Huntingdon County** to construct a new wastewater collection system, two pumping stations, and 100,000 gpd wastewater treatment facility for disposal needs of the Borough of Mapleton and portions of Union Township (Birdville area) was received in the Southcentral Regional Office on August 25, 1997.

**A. 5097401.** Sewage, submitted by **Edna J. Bishop**, Route 2, Box 67, Loysville, PA 17047-9626 in Southwest Madison Township, **Perry County** to construct a single family residence sewage treatment plant was received in the Southcentral Region on August 22, 1997.

**A. 2197412.** Sewage, submitted by **Justin R. Carpenter**, 70 Pearl Lane, Carlisle, PA 17013 in Upper Frankford Township, **Cumberland County** to construct a single family sewage treatment plant was received in the Southcentral Region on August 25, 1997.

**A. 2197413.** Sewage, submitted by **Silver Springs Township Authority**, 6475 Carlisle Pike, Mechanicsburg, PA 17055 in Silver Springs Township, **Cumberland County** to construct the Bent Creek Phase 1 and 2 sanitary sewers was received in the Southcentral Region on September 2, 1997.

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

**A. 0497404.** Sewerage, **Richard H. Hanewald**, 624 Franklin Belmar Road, Franklin, PA 16323-1026. Application for the construction and operation of a single residence sewage treatment plant located in the Borough of Big Beaver, **Beaver County** to serve the Hanewald residence.

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

**WQM Permit No. 4397412.** Sewage, **City of Farrell**, 500 Roemer Boulevard, Farrell, PA 16121. This project is for the construction, upgrade and expansion of the existing water pollution control plant in Farrell, **Mercer County**.

**WQM Permit No. 4397411.** Sewage, **Hemlock Mobile Home Park**, R. D. 6, Box 504, New Castle, PA 16101. This project is for the construction and operation of a wastewater treatment plant to serve 67 units at the Hemlock Mobile Home Park in Wolf Creek Township, **Mercer County**.

**WQM Permit No. 6297407.** Sewage, **Tidioute Trading Post**, R. D. 1, Box 97-1A, Tidioute, PA 16351. This project is for the construction and operation of a sewage treatment facility to replace a malfunctioning system in Limestone Township, **Warren County**.

#### INDIVIDUAL PERMITS

##### (PAS)

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

erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

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

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

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

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

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

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

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

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

*Indiana County Conservation District, District Manager, 251 Rt. 286N, Indiana, PA 15701, (412) 463-7702.*

**NPDES Permit PAS103116.** Stormwater. **Heritage Oaks LP**, 1 Highpoint Place, Indiana, PA 15701 has applied to discharge stormwater from a construction activity located in White Township, **Indiana County**, to McCarthy Run.

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

**NPDES Permit PAS10T095.** Stormwater. **Gambone Brothers Development Company**, P. O. Box 287, Fairview Village, PA 19409 has applied to discharge stormwater from a construction activity located in Upper Merion Township, **Montgomery County**, to Frog Run.

**NPDES Permit PAS10T094.** Stormwater. **S T M Inc.**, P. O. Box 280, Spring House, PA 19477 has applied to

discharge stormwater from a construction activity located in Horsham Township, **Montgomery County**, to UNT to Little Neshaminy Creek.

*Wayne County Conservation District, District Manager, 470 Sunrise Avenue, Honesdale, PA 18431, (717) 253-0930.*

**NPDES Permit PAS107414.** Stormwater. **Swinick Realty**, 617 Shirley Lane, Dunmore, PA 18512 has applied to discharge stormwater from a construction activity located in Salem Township, **Wayne County**, to the west branch of the Wallenpaupack Creek.

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

**NPDES Permit PAS10W066.** Stormwater. **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106 has applied to discharge stormwater from a construction activity located in Nottingham and Carroll Townships, **Washington County**, to Pigeon Creek and Dry Run.

## SAFE DRINKING WATER

### Applications received 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, (717) 826-2511.*

**1397502.** Public water supply. **Chestnut Ridge Mobile Home Park**, Richard F. Beers, 175 Church Drive, Palmerton, PA 18071. This proposal involves a well house, well source, hypochlorinator, a basement finished water contact/storage reservoir, submersible service pump and hydropneumatic tanks.

*Engineer: Spotts, Stevens & McCoy, Inc., Amy L. Kunkel, P. E.*

**4097505.** Public water supply. **Sisters of Mercy**, Harry O'Neal, P. O. Box 369, Dallas, PA 18612. This proposal involves the disconnection of the Mercy Center from the college water system and the development of an independent water system. A new well source, hypochlorinator, and storage/contact tank. It is located in Dallas Township, **Luzerne County**.

*Engineer: Christopher P. McCue, P. E., Borton-Lawson Engineering.*

**5297502.** Public water supply. **Saw Creek Estates**, John Briggs, Director, PP&E, P. O. Box 447, Bushkill, PA. This proposal involves construction of water storage tanks, pump stations, transmission/distribution lines and a new supply well. It is located in Lehman Township, **Pike County**.

*Engineer: Samuel D'Alessandro, RKR Hess Associates.*

**5497504.** Public water supply. **Tamaqua Area Water Authority**, Joseph R. Lopez, Chairperson, 320 East Broad Street, Tamaqua, PA 18252. This proposal involves an application for the construction of two 0.5 million gallon steel storage tank and connecting mains for the Tamaqua Area Water Authority. These tanks are referred to as the Tide tanks. It is located in Tamaqua Borough, **Schuylkill County**.

*Engineer: Dale Glatfelter, Gannett Fleming.*

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

**A. 3697507.** Public water supply. **Locust Woods Mobile Home Park**, East Cocalico Township, **Lancaster County**. (Responsible Official: Ray E. Bomberger, 286 S. Reading Road, Ephrata, PA 17522-1837), use of a new well which will replace an existing well that is no longer producing water. *Design Engineer: John G. Fuehrer, II, Fuehrer Associates, Ltd., 345 West Main St., P. O. Box 541, Ephrata, PA 17522-0541.*

**A. 3697506.** Public water supply. **Borough of Adamstown**, Adamstown Borough, **Lancaster County**, (Responsible Official: Edward Stoudt—Borough Council President, 98 Lancaster Avenue, P. O. Box 546, Adamstown, PA 19501), installation of soda ash and aeration for pH control. *Design Engineer: Michael S. Moulds, P. E., RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603.*

**A. 0697503.** Public water supply. **Flying Hills Water Company**, Cumru Township, **Berks County**, (Responsible Official: Wayne S. Frost, Flying Hills Water Company, Ten Village Center Drive, Reading, PA 19607), corrosion control including caustic soda addition and sodium hypochlorite disinfection. *Design Engineer: Edward K. Fugikawa, E. Kuser, Inc., 150 Grings Hill Road, Sinking Springs, PA 19608.*

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

**A. 1097506.** Public water supply. **Lake Arthur Estates**, 2925 New Castle Road, Portersville, PA 16051. This proposal involves the installation of a new filtration system, tankage and piping in Muddy Creek Township, **Butler County**.

### HAZARDOUS SITES CLEAN-UP

Under the act of October 18, 1988

#### Proposed Consent Decree

#### In the matter of: Paoli Railyards, Paoli, Chester County, PA

The Department of Environmental Protection (Department), under the authority of the Pennsylvania Hazardous Sites Cleanup Act and the Federal Comprehensive Environmental Response, Compensation and Liability Act, hereby gives notice that it has entered into a proposed Consent Decree with the Fish and Boat Commission, the United States Environmental Protection Agency (EPA), and the Southeastern Pennsylvania Transportation Authority (SEPTA), the National Railroad Passenger Corporation (AMTRAK), and the Consolidated Railroad Company (CONRAIL) (collectively Rail Companies) relating to the cleanup of the Paoli Railyards National Priority List (NPL) Superfund Site in Paoli, Chester County, PA. The proposed Consent Decree has been lodged with the Federal District Court for the Eastern District of Pennsylvania pending completion of the public notice requirements set forth by statute.

The Paoli Railyards NPL Site consists of approximately 25 acres in Paoli, Chester County, PA which is and has been owned and operated as a Railyard and Carshop servicing the Rail Companies. The Site also includes certain neighboring properties and the streambeds of portions of the Little Valley Creek watershed. Contamination at the Site consists primarily of polychlorinated biphenols (PCBs) which have been released on and around the Site as well as certain fuel oil contamination within the Railyard Property.

The EPA and the Department have concurred on the appropriate remedial response for the Site as documented

in an EPA Record of Decision (ROD) dated July 21, 1992 for the Site. The remedial action consists of (1) the excavation of PCB contaminated soils and sediments from the Railyard Property, affected neighboring properties and portions of the Little Valley Creek watershed to levels set forth in the ROD; and (2) treatment through permanent construction of a containment facility on the Railyard Property. The remedial response will also consist of the demolition of the Carshop on the Railyard Property and the implementation of a pump and treatment system for groundwaters contaminated with fuel oil from the Railyard.

Under the proposed Consent Decree, the Rail Companies will construct and implement all portions of the remedial action which will take place on the Railyard Property and will reimburse both the Commonwealth and Federal governments for response costs incurred and natural resource damages associated with the Site.

This Notice is being provided under Section 1113 of HSCA. The Department will provide for a 60-day public comment period on the proposed Consent Decree from the date of publication of this Notice. The Proposed Consent Decree may be examined from 8 a.m. to 4 p.m. in the Department's Southeast Field Office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428. Interested persons may contact Thomas Sheehan at (610) 832-6149 or Anderson Lee Hartzell at (610) 832-6300 during normal business hours. Persons may submit written comments to Thomas Sheehan at the above address. The Department will provide a response to all significant written comments received during the public comment period, and the proposed Consent Decree authorizes the Department to withhold or withdraw its consent in the event that the Department determines, based on comments received during the public comment period, that the Consent Decree is inappropriate, improper or not in the public interest.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDICATION

Under Act 2, 1995

##### Preamble 1

#### Acknowledgment of Notices of Intent to Remediate submitted 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 (Department) 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's 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 has received the following Notices of Intent to Remediate:

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

**Hannes Property**, Buckingham Township, **Bucks County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., 4050 Skyron Dr., Suite A1, Sky Run II, Doylestown, PA 18901, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX and petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard.

**AutoNation USA Corp.**, Plymouth Township, **Montgomery County**. Edward L. Balsavage, P.E., Earth Engineering, Inc., 5010 Ritter Rd., Suite 116, Mechanicsburg, PA 17055, has submitted a Notice of Intent to Remediate groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet background standards.

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

**Pennsylvania Power & Light Company (PP&L)**—Retired Madison Avenue Substation, City of Bethlehem, **Northampton County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate concerning the remediation of site soils suspected of being contaminated with PCBs (polychlorinated biphenyls). The applicant proposes to remediate the site to meet the Statewide human health standard.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDICATION

Under Act 2, 1995

##### Preamble 2

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

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use a site-specific standard or who intend to

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, a municipality may request that the person identified, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

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

**Lebanon Seaboard Corporation**, South Lebanon Township, **Lebanon County**. Lebanon Chemical Corporation, d.b.a Lebanon Seaboard Corporation, 1600 East Cumberland Street, P. O. Box 180, Lebanon, PA 17042 has submitted a Notice of Intent to Remediate site soils contaminated with pesticides and groundwater contaminated with pesticides, solvents and BTEX. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on August 30, 1997.

Progress Park Lots 9, 10 and 12, City of Lebanon, **Lebanon County**. **County of Lebanon Housing and Redevelopment Authority**, 303 Chestnut Street, Lebanon, PA has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet the Special Industrial Area standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on September 4, 1997.

## SOLID AND HAZARDOUS WASTE

### BENEFICIAL USE DETERMINATIONS

**Applications for the determination of applicability 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 residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

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

**WMGR038NE002. Tirenergy Wind Gap Plant**, Tirenergy Corporation, 918 Clover Hill Road, Wynnewood, PA 19096. An application for the Determination of Applicability for General Permit #WMGR038 to operate a tire pyrolysis plant, located in Wind Gap Borough, **Northampton County**, to process waste tires. The application was received in the Regional Office on April 25, 1997.

### RESIDUAL WASTE PROCESSING FACILITIES

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

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

**WMGR025SE991. NutraSoils Inc.**, 324 East Baltimore Pike, Avondale, PA 19311. Facility is located in London Grove Township, **Chester County**. Application received for a Determination of Applicability prior to conduction operations authorized under General Permit WMGR025 for Residual Waste Composting. Specifically, the applicant desires to conduct a commercial spent mushroom substrate composting operation. Application received in the Southeast Regional Office on August 29, 1997.

### General Permit WMGR056: Used Oil Filter Transfer

The Department of Environmental Protection, Bureau of Land Recycling and Waste Management, proposes to authorize under General Permit WMGR056, the operation of transfer facilities for the processing of used oil filters prior to beneficial use. The approved processing is limited to collection, bulking and storage of used oil filters generated by individuals through the maintenance of their personal vehicles. This Statewide general permit will only apply to facilities operating as transfer facilities that collect used oil under permit-by-rule (25 Pa. Code § 287.102(d)).

Under the terms and conditions of the general permit, persons who are approved to collect, bulk and store used oil filters generated by individuals through the maintenance of their personal vehicles at transfer facilities that collect used oil under permit-by-rule (25 Pa. Code § 287.102(d)) are required to visually inspect incoming filters; meet specified minimal storage requirements; and keep records of the destination facility where the used oil filters are beneficially used or otherwise prepared for beneficial use.

Persons requesting approval to operate under the terms of the general permit will be required to register with the Department's Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning. The following minimum information will be required in order to register:

- a. Name, address and telephone number of registrant.
- b. Name, address and telephone number of contact person.
- c. Location of transfer facility.
- d. Statement that registrant will operate under terms of permit.
- e. Proof of notification to host municipality and county.
- f. Description of used oil filter collection, storage and beneficial use.
- g. Compliance history of registrant.

Comments concerning the proposed General Permit should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend additional conditions or revision to the proposed permit.

#### 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.**

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

**PAD #002395887. Horsehead Resource Development Co., Inc.**, 401 Delaware Avenue, Palmerton, PA 18071. An application for a Recycling Permit for this hazardous waste facility, located in Palmerton Borough, **Carbon County**. The application was received in the Regional Office on June 23, 1997 and was found to be administratively complete on August 22, 1997.

**PAD #002395887. Horsehead Resource Development Co., Inc.**, 401 Delaware Avenue, Palmerton, PA 18071. A modification to the Part B application for the acceptance of additional feed material at this hazardous waste facility, located in Palmerton Borough, **Carbon County**. The application was received in the Regional Office on June 23, 1997 and was found to be administratively complete on August 25, 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.**

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

**A. 301626 (Major Modification). White Pines Landfill, White Pines Corporation** (R. R. 1, Box 69, Millville, PA 17846). Application for major permit modification to existing residual waste landfill located in Pine Township, **Columbia County**, received in the regional office on September 2, 1997.

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

**Unpermitted. BNZ Materials, Inc.**, 191 Front Street, Zelenople, PA 16063, located in the Borough of Zelenople, **Butler County**.

A Closure Plan to close two residual waste disposal impoundments on BNZ materials property in Zelenople was determined to be administratively complete in the Regional Office on August 26, 1997.

**Permit No. 101397. Superior Greentree Landfill**, 635 Toby Road, Kersey, PA 15846, located in Fox Township, **Elk County**.

An application to change ownership of the Greentree Landfill from The Homestead Land Corporation (A former Browning-Ferris Industries of Pennsylvania Subsidiary) to Superior Greentree Landfill, A Superior Services of Wisconsin Subsidiary, and to perform liquid waste solidification and disposal was determined to be administratively complete in the Regional Office on August 25, 1997.

#### AIR POLLUTION OPERATING PERMITS

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

25 Pa. Code § 129.1

**Operating Permit applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

*Northeast Regional Office, Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**13-0005: Consolidated Cigar Corporation** (McAdoo-Tresckow Road, McAdoo, PA 18237) for two boilers and 5 casting lines in Banks Township, **Carbon County**.

**54-0013: J. E. Morgan Knitting Mills** (P. O. Box 390, R. D. 2, Tamaqua, PA 18252) for three boilers/textile dryers/printers in Rush Township, **Schuylkill County**.

*Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587.*

**28-318-033: Grove North America, Antrim Facility** (P. O. Box 21, Shady Grove, PA 17256) for two paint spray booths and drying oven in Antrim Township, **Franklin County**.

**28-318-035: Jerr-Dan Corporation** (1080 Hykes Road, Greencastle, PA 17225) for the construction of two paint booths with overspray controlled by water wash located in Route 11, State Line, in Antrim Township, **Franklin County**.

**07-318-007: Consolidated Rail Corporation** (Room 318, General Office Building, 200 4th Avenue, Juniata, Altoona, PA 16602-6702) for the locomotive engine paint spray booth controlled by dry filters in Logan Township, **Blair County**.

**36-310-013D: Compass Quarries** (McIlvaine Road, P. O. Box 85, Route 1, Paradise, PA 17562) for a Diester 7 × 20 triple deck vibrating screen in Paradise Township, **Lancaster County**.

**67-303-011A: Highway Materials, Inc.** (1750 Walton Road, Blue Ball, PA 19422) for the construction of a baghouse in Hellam Township, **York County**.

*Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.*

**OP-65-00657: Tresco Paving Corporation** (P. O. Box 14004, Pittsburgh, PA 15239) for an asphalt concrete plant at its facility located in Salem Township, **Westmoreland County**.

**OP-04-00412: Luria Brothers** (P. O. Box N, Koppel, PA 16136) for a scrap metal recycling operation at its Koppel Plant located in Big Beaver Borough, **Beaver County**.

**OP-56-00145: Berlin Brothers Valley School District** (1025 East Main Street, Berlin, PA 15530) for school boilers at its elementary school located in Berlin Borough, **Somerset County**.

**OP-65-00053: Dura-Bond Steel Corporation** (P. O. Box 518, Export, PA 15632) for a protective steel coating operation at its Export Plant located in Export Borough, **Westmoreland County**.

**OP-63-00035: Monongahela Iron & Metal Company, Inc.** (P. O. Box 250, Monongahela, PA 15063) for a copper reclaim incinerator at its facility located in Monongahela, **Washington County**.

**OP-11-00252: C & C Smith Lumber Company, Inc.** (1515 New Germany Road, Summerhill, PA 15958) for a wood pallet manufacturing operation at its Wood Pallets Plant located in Croyle Township, **Cambria County**.

**OP-11-00279: Forest Lawn Memorial Park, Inc.** (1530 Frankstown Road, Johnstown, PA 15902) for a human crematory at its facility located in Conemaugh Township, **Cambria County**.

**OP-63-00426: Trinity Area School District** (Park Avenue, Business Office, Washington, PA 15301) for a heater and boilers at its high school located in Washington City, **Washington County**.

**OP-04-00700: Mansell Industrial Services** (1755 Pennsylvania Avenue, Monaca, PA 15061) for a material handling/drying process at its Industry Plant located in Industry Borough, **Beaver County**.

**PA-65-882A: CSM Industries, Inc.** (R. R. 6, Box 21, Center Drive, Building D, Latrobe, PA 15650) for an electroplating operation at its Latrobe Facility located in Unity Township, **Westmoreland County**.

**OP-65-00783: Alon Surface Technologies** (P. O. Box 231, Tarentum, PA 15084) for a natural gas fired furnace, a material handling system, a particulate trap, a jet venturi scrubber, and a dust collection unit in Allegheny Township, **Westmoreland County**. Maximum allowable annual emissions (after control) are established at less than 15 tons of NOx.

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

**PA-63-110B: Corning Consumer Products Company** (100 Eighth Street, Charleroi, PA 15022) for Glass

Melting Tank 56 at its Charleroi Plant located in Charleroi Borough, **Washington County**.

**PA-65-078A: Hempfield Foundries Company** (P. O. Box 69, Greensburg, PA 15601) for dust collectors on the sand reclamation and shotblast operation at its facility located in Southwest Greensburg Borough, **Westmoreland County**.

**PA-63-110A: Corning Consumer Products Company** (100 Eighth Street, Charleroi, PA 15022) for a dust collector on the mixhouse at its facility located in Charleroi Borough, **Washington County**.

**PA-26-119A: Anchor Glass Acquisition Corporation** (P. O. Box 30182, Tampa, FL 33182) for a baghouse on the metal grinding process at its Plant #5 located in South Connellsville Borough, **Fayette County**.

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

**10-313-046. Mine Safety Appliances Co.** (1420 Mars Evans City Rd., Evans City, PA 16033) for the operation of an abatement system in Forward Township, **Butler County**.

**24-322-001. Homestand Land Corporation, Greentree Landfill** (635 Toby Rd., Kersey, PA 15846) for the operation of a landfill gas collection system in Fox Township, **Elk County**.

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

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Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to title V operating permits).

Copies of the Title V application, proposed permit and other relevant information are available for public inspection and additional information may be obtained by contacting the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of scheduled public hearings at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, Attn: Michael Salko, (717) 826-2531.*

**40-00019: Pope & Talbot Inc.** (901 Sathers Drive, P. O. Box 6000, Pittston, PA 18640) (Pittston Plant) located in Pittston Township, **Luzerne County**. The

facility's major source of emissions include Flexographic Printing which primarily emit volatile organic compounds (VOCs).

**13-00004: Vic's Time** (450 Delaware Avenue, Palmerton, PA 18071) located in Palmerton Borough, **Carbon County**. The facility's major sources of emissions include surface coating process (spray booths), comfort heat and drying oven, which primarily emit volatile organic compounds (VOCs).

**48-00034: Lafayette College** (Easton Campus, Easton, PA 18042-1768) located in the City of Easton, **Northampton County**. The facility's major sources of emissions include boilers and emergency generators which primarily emit nitrogen oxides (NOx).

**39-00001: Lucent Technologies** (555 Union Boulevard, Allentown, PA 18103-1229) located in the City of Allentown, **Lehigh County**. The facility's major sources of emissions include boilers and emergency generators which primarily emit nitrogen oxides (NOx) and manufacturing areas which primarily emit volatile organic compounds (VOCs).

*Southcentral Regional Office: Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, Attn: Kanubhai L. Patel, (717) 657-4587.*

**21-05026: Carlisle SynTec, Inc.** (P. O. Box 7000, Carlisle, PA 17013) located in Carlisle, **Cumberland County**. The facility's major sources of emissions include several mixing systems which primarily emit volatile organic compounds.

**36-5061: Lancaster Malleable Casting Company** (1170 Lititz Avenue, Lancaster, PA 17602) located in Manheim Township, **Lancaster County**. The facility's major operations include sand handling, melting, pouring/cooling/knockout, annealing, grinding/cleaning, finishing and core making which primarily emit carbon monoxide (CO) and sulfur oxides (SOx).

**36-5066: U. S. Lock & Hardware Company** (P. O. Box 60, Columbia, PA 17512) located in Columbia Borough, **Lancaster County**. The facility's major operations include core and mold manufacturing, melting, pouring, shakeout, casting cleaning and sand handling which primarily emit carbon monoxide emissions.

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Attn: Mark Wayner, (412) 442-4161.*

**TV-65-00181: Chestnut Ridge Foam, Inc.** (P. O. Box 781, Route 981 North, Latrobe, PA 15650) for their Latrobe Facility located in Latrobe Borough, **Westmoreland County**. The facility's major sources of emissions include a dip line, lamination line, Ross Line, glue tables, urethane line, Boiler #1 (11.7 MMBtu/hr.), Boiler #2 (10.0 MMBtu/hr.), 12 box dryers (3.6 MMBtu/hr.) and two heaters (3.0 MMBtu/hr.) which emits major quantities of VOCs.

**TV-03-00180: Consolidated Natural Gas Transmission Corporation** (625 Liberty Avenue, Pittsburgh, PA 15222) for their South Bend Compressor Station located in South Bend Township, **Armstrong County**. The facility's major sources of emissions include 11 internal combustion engines and other combustion sources as well as several storage tanks. The South Bend Compressor Station is a major source of oxides of nitrogen and volatile organic compounds.

**TV-26-00413: Texas Eastern Transmission Corporation** (P. O. Box 1642, Houston, TX 77251-1642) for

their Uniontown Station located in North Union Township, **Fayette County**. The facility's major sources include various compressor engines, generators and turbines which emit major quantities of NOx.

**TV-56-00257: Pennsylvania Department of Corrections**, Commonwealth of Pennsylvania (PDC 2520 Lisburn Road, Camp Hill, PA 17011) for their SCI—Laurel Highlands Correctional Facility in Somerset Township, **Somerset County**. The facility's major sources of emissions include three Riley type R1 14 WW coal-fired boilers rated at 550 HP, and six emergency diesel generators (12-225 kw) which emit major quantities of SOx and particulate.

**TV-65-00852: Consolidated Natural Gas Transmission Corporation** (625 Liberty Avenue, Pittsburgh, PA 15222) for their Jeannette Compressor Station located in Penn Township, **Westmoreland County**. The facility's major sources of emissions include seven internal combustion engines and other combustion sources as well as several storage tanks. The Jeannette Compressor Station is a major source of oxides of nitrogen and volatile organic compounds.

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#### **Notice of Intent to Revise Municipal Solid Waste (MSW) Landfill Operating Permit**

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Under section 111(d) of the 1990 Clean Air Act Amendments, the United States Environmental Protection Agency (EPA) promulgated Emission Guidelines (EG) for existing MSW landfills to control the emission of landfill gases. (See 61 FR 9905, March 12, 1996). An MSW landfill is considered an existing MSW landfill if the facility began construction, modification or reconstruction before May 30, 1991; or received waste on or after November 8, 1987, or has additional capacity available for the future deposition of waste control of landfill gases from existing landfills using best demonstrated technology.

The Commonwealth's State Plan for implementing the EG was submitted to the EPA on July 1, 1997. In accordance with the section 111(d) plan, the Department of Environmental Protection (Department) will enforce the requirements of the EG through the issuance of Federally Enforceable State Operating Permits (FESOPS) to designated MSW landfills. Therefore, in accordance with the plan, the operating permit issued to the landfills identified, will be revised to incorporate the requirements of the EG. This revised permit will serve as the enforcement mechanism for the EG requirements.

Copies of the proposed permit amendments and other relevant information are available for public inspection and additional information may be obtained by contacting the Regional Office.

Interested persons may submit written comments, suggestions or objections concerning the proposed permit amendments to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of scheduled public hearings at least 30



days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, Attn: James Parette, (717) 826-2531.*

**35-0009: Empire Sanitary Landfill, Inc.** (P. O. Box 28, Taylor, PA 18517) located in Taylor Borough, **Lackawanna County**. These facilities have been identified as emitters of Non-Methane Organic Compounds (NMOC) at levels equal to or exceeding the Emission Guidelines (EG) thresholds.

#### PLAN APPROVALS

#### Plan Approval applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

*Southeast Regional Office, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**09-320-029A:** Modification of a silk screen printing press by **Klearfold, Inc.** (364 Valley Road, Warrington, PA 18976) in Warrington Township, **Bucks County**.

**PA-46-0124:** Construction of a chemical manufacturing process by **Montgomery Chemical** (901 Conshohocken Road, Conshohocken, PA 19428) in Plymouth Township, **Montgomery County**.

**PA-46-0005C:** Amendment of a previous application for a Natural Gas/Oil Fired Gas Turbine by **Merck & Co., Inc.** (P. O. Box 4, Sumneytown Pike, West Point, PA 19486) in Upper Gwynedd Township, **Montgomery County**.

**46-312-024GP:** Construction of a Gas and #2 Oil Fired Combustion Unit by **Knoll, Inc.** (1235 Water Street, East Greenville, PA 18041) in East Greenville Borough, **Montgomery County**.

**46-301-252A:** Installation of an incinerator by **T-Thermal Inc.** (900 Brook Road, Conshohocken, PA 19428) in Plymouth Township, **Montgomery County**.

**PA-46-0025B:** Construction of a hydrogenation reactor train by **Lonza, Inc.** (900 River Road, Conshohocken, PA 19428) in Upper Merion Township, **Montgomery County**.

**PA-09-0007:** Construction of a landfill gas flare by **G.R.O.W.S., Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) in Falls Township, **Bucks County**.

**PA-09-0024:** Amendment to a previous application for a landfill by **Tullytown Resource Recovery Facility** (200 Bordentown Road, Tullytown, PA 19007) in Tullytown Borough, **Bucks County**.

**PA-09-0046:** Construction of a rotogravure and flexographic operation by **RJM Manufacturing, Inc.** (250 Canal Road, Fairless Hills, PA 19030) in Falls Township, **Bucks County**.

**PA-09-0046A:** Construction of a Surface Coater, Line #3 by **RJM Manufacturing, Inc.** (250 Canal Road, Fairless Hills, PA 19030) in Falls Township, **Bucks County**.

**46-399-111A:** Modification of a Glatt 15 fluidized bed processor by **McNeil Consumer Products Co.** (7050 Camp Hill Road, Fort Washington, PA 19034) in Whitmarsh Township, **Montgomery County**.

**46-327-018:** Construction of a new vapor degreaser by **Superior Tube Company** (3900 Germantown Pike, Collegeville, PA 19426) in Lower Providence Township, **Montgomery County**.

**PA-15-0016B:** Modification of a coil coating line by **Worthington Steel Co.** (45 North, Morehall Road, Malvern, PA 19355) in East Whiteland Township, **Chester County**.

**23-318-040:** Construction of a paint spray booth by **Community Light & Sound, Inc.** (333 East Fifth Street, Chester, PA 19013) in City of Chester, **Delaware County**.

**09-318-076:** Construction of a paint spray booth by **Legendary Cars, Inc.** (2065 Bunnell Road, Warrington, PA 18976) in Warrington Township, **Bucks County**.

**PA-15-0066:** Construction of a mushroom compost dryer by **Nutra-Soil, Inc.** (P. O. Box 485, Toughkenamon, PA 19374) in London Grove Township, **Chester County**.

**09-318-077:** Construction of surface coating spray booths by **Hi-Line Storage Systems** (P. O. Box 217, Perkasia, PA 18944) in East Rockhill Township, **Bucks County**.

**09-320-051:** Modification of a flexographic printing press by **Superpac, Inc.** (P. O. Box 189, Southampton, PA 18966) in Upper Southampton Township, **Bucks County**.

*Northeast Regional Office, Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**40-318-032B:** Construction of Litho Lines (C4 and C5) with catalytic oxidizer by **Continental White Cap Company** (Valmont Industrial Park, West Hazleton, PA 18201) in Hazle Township, **Luzerne County**.

**48-301-043:** Construction of a crematory with secondary burner by the **George G. Bensing Funeral Home, Inc.** (2165 Community Drive, Bath, PA 18014) in Moore Township, **Northampton County**.

*Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587.*

**06-1007J:** Construction of an electric slag remelt furnace by **Carpenter Technology Corporation** (P. O. Box 14662, Reading, PA 19612-4662) controlled by lime injection and a fabric collector in Reading, **Berks County**.

**21-323-014:** Construction of a hard chrome plating operation by **L. B. Smith, Inc.** (2001 State Road, Camp Hill, PA 17011) in Lower Allen Township, **Cumberland County**. This source is subject to 40 CFR Part 63, Subpart N, National Emission Standards for Hazardous Air Pollutants.

**36-304-091:** Construction of a fabric filter to control the emissions from an iron foundry operation by **Donsco, Inc., Mt. Joy Plant** (P. O. Box 20, Wrightsville, PA 17368) in Mt. Joy Borough, **Lancaster County**.

**67-320-022B:** Modification of an existing offset printing press controlled by a catalytic oxidizer in Building #5 by **Fry Communications, Inc.** (800 West Church Road, Mechanicsburg, PA 17055) in Manchester Township, **York County**.

**06-319-103C:** Construction of two battery formation operations controlled by five wet scrubbers at the **East Penn Mfg. Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536-0147) in Richmond Township, **Berks County**.

**22-322-001B:** Construction of a landfill gas extraction system by **Dauphin Meadows, Inc.** (Route 209, Millersburg, PA 17061) located in Upper Paxton and Washington Townships, **Dauphin County**. The source is



subject to 40 CFR 60, Subpart WWW, Standards of Performance for New Stationary Sources.

**67-309-106:** Installation of a replacement kiln feed system controlled by a fabric filter by the **J. E. Baker Company** (320 North Baker Road, York, PA 17404) in West Manchester Township, **York County**.

*Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.*

**PA-56-026A: New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) for an asphalt batch plant at its Somerset Facility located in Somerset Township, **Somerset County**.

**PA-26-288A: Commercial Stone Company, Inc.** (2200 Springfield Pike, Connellsville, PA 15425) for a tertiary crush/screen circuit at its Springfield Pike Quarry located in Connellsville Township, **Fayette County**.

**PA-03-190A: 5 Rubber Corporation** (1655 Orr Avenue, Kittanning, PA 16201) for a surface coating process at its Kittanning Plant located in Kittanning Borough, **Armstrong County**.

**PA-04-699A: National Gypsum Company** (2001 Rexford Road, Charlotte, NC 28211) for Imp Mills #1—4 at its Shippingport Plant located in Shippingport Borough, **Beaver County**.

**PA-04-699B: National Gypsum Company** (2001 Rexford Road, Charlotte, NC 28211) for a board dryer at its Shippingport Plant located in Shippingport Borough, **Beaver County**.

**PA-04-699C: National Gypsum Company** (2001 Rexford Road, Charlotte, NC 28211) for a stucco handling process at its Shippingport Plant located in Shippingport Borough, **Beaver County**.

**PA-04-699D: National Gypsum Company** (2001 Rexford Road, Charlotte, NC 28211) for 2 Jet Belt conveyors at its Shippingport Plant located in Shippingport Borough, **Beaver County**.

**PA-56-266A: CoBon Synfuel #1, L.L.C.** (1145 East South Union Avenue, Midvale, UT 84047) for a coal agglomeration process at its Shade Township Facility located in Shade Township, **Somerset County**.

**65-313-009B: Raven Industries, Inc.** (Center Drive, R. R. 6, Box 18A, Latrobe, PA 15650) for modification of the toner filling/cleaning equipment at its Latrobe Plant located in Unity Township, **Westmoreland County**.

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

**PA-33-156A:** The Department received a plan approval application for construction of a compressor engine and dehydration still by **National Fuel Gas Supply Corp.** (P. O. Box 2081, Erie, PA 16512) at the Reynoldsville Station, **Jefferson County**.

**PA-61-020A:** The Department received a plan approval application for reactivation of the #2 earth burner furnace (used to regenerate bauxite) and wet scrubber control system by **Astor Corp.**, Petrowax Refining Division (P. O. Box 3367, Smethport, PA 16749) at the Emlenton Plant located in Hill Street Borough, **Venango County**.

**PA-61-193A:** The Department received a plan approval application for construction of 2 compressor engines and

dehydration still by **National Fuel Gas Supply Corp.** (P. O. Box 2081, Erie, PA 16512) at the Henderson Station, **Venango County**.

**PA-61-188A:** The Department received a plan approval application for installation of a natural gas compressor and a natural gas liquids extraction plant by **National Fuel Gas Supply Corp.**, Van Compressor Station (P. O. Box 2081, Erie, PA 16512) in Cranberry Township, **Venango County**.

**PA-20-194A:** The Department received a plan approval application for replacement of three existing roof exhausts with one new centrifugal exhauster rated at 5600 ACFM by **Lord Corp.** (P. O. Box 556, South St., Saegertown, PA 16433) in Saegertown Borough, **Crawford County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

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

*Southeast Regional Office, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**OP-46-0030A: Lockheed Martin Corp.** (230 East Mall Boulevard, King of Prussia, PA 19406) on November 22, 1995, for the approval of Synthetic Minor VOC/NOx RACT located in Upper Merion Township, **Montgomery County**.

**OP-09-0024: Tullytown Resource Recovery Facility** (200 Bordertown Road, Tullytown, PA 19007) on July 15, 1994, for the approval of Facility NOx RACT located in Tullytown Borough, **Bucks County**.

*Southwest Regional Office, Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.*

**03-000-180: CNG Transmission Corporation** (445 West Main Street, P. O. Box 2450, Clarksburg, WV 26302) for IC Engines at their South Bend Station located in South Bend Township, **Armstrong County**.

#### MINING

#### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the 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 (Department). 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 the 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 will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The 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*

**11850102.** Permit Renewal. **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), commencement, operation and restoration of bituminous strip mine in Gallitzin and Logan Townships, **Cambria and Blair Counties**, affecting 225.0 acres, receiving stream unnamed tributaries to Little Laurel Run. Application received September 2, 1997.

**11920108.** Permit Renewal. **K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), commencement, operation and restoration of bituminous strip mine in Chest Township, **Cambria County**, affecting 103.0 acres, receiving stream discharge to an unnamed tributary to Chest Creek and an unnamed tributary to Rock Run. Application received September 4, 1997.

*Permit Revisions Received*

**32930105-10. P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Revision to add 15.2 acres

through an insignificant boundary correction on a bituminous surface mining site located in Banks Township, **Indiana County**, affecting 86.7 acres. Road variance within 100 feet of S. R. 1048 beginning at a point 1,900 feet east of the intersection of S. R. 1048 and S. R. 1050, thence continuing easterly 100 feet along the southern side to S. R. 1048. Receiving streams unnamed tributaries to Cush Creek and unnamed tributary to South Branch Bear Run. Application received July 2, 1997.

**32940106. Larry and Warren Weaver** (R. D. 1, Box 169, Smicksburg, PA 16256). Permit revision to allow auger mining on the Lower Freeport and Upper Kittanning coal seams located in Rayne Township, **Indiana County**, affecting 46.0 acres. Receiving streams two unnamed tributaries to Little Mahoning Creek. Application received July 7, 1997.

**11960108-02. Laurel Land Development, Inc.** (P. O. Box 629, Carrolltown, PA 15722). Revision to add 12.1 acres for support use/haulroad access, only on a bituminous surface mining site located in Blacklick Township, **Cambria County**, affecting 66.2 acres. Receiving streams Coalpit Run and South Branch Blacklick Creek. Application received July 14, 1997.

**32803010-04. Kent Coal Mining Company** (P. O. Box 729, Indiana, PA 15701). Revision to add 1.0 acre through an insignificant boundary correction on a bituminous surface mining site located in Blacklick Township, **Indiana County**, affecting 89.9 acres. Road variance within 100 feet of the south side of S. R. 3031 beginning 0.5 mile south of the intersection of S. R. 3031 and S. R. 286, and continuing easterly for a distance of 250 feet. Stream variance and a Chapter 105 encroachment permit waiver to conduct coal mining activities within 100 feet of an unnamed tributary to Aultmans Run located on the south side of S. R. 3031 beginning 0.5 mile from the intersection of said road and S. R. 286 and extending easterly for a distance of 250 feet. Receiving streams unnamed tributary to Aultmans Run. Application received August 5, 1997.

**Consolidation Coal Company.** The Bureau of Deep Mine Safety has received a request for variance from Consolidation Coal Company. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (412) 439-7469.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (act) (52 P. S. §§ 701—702) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 268(b) requires that shelter holes be provided on the clearance side along designated travelingways that are also used as haulage entries, other than belt conveyor haulage entries. The shelter holes shall be spaced not more than 80 feet apart.

*Summary of the request:* Consolidation Coal Company requests to increase shelter hole spacing in the track

haulage entry in Mains Development to intervals up to 150 feet at the Dilworth Mine.

**DLR Coal Company.** The Bureau of Deep Mine Safety has received a request for variance from DLR Coal Company. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (412) 439-7469.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (act), (52 P. S. §§ 701—702) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242 (c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

*Summary of the request:* DLR Coal Company requests a variance to allow for the common ventilation of belt conveyor entries with other entries.

## 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 Protection (Department).

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

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

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

**E48-262.** Encroachment. **Columbia Gas Transmission Corporation**, 525 Highlands Boulevard, Suite 100, Coatesville, PA 19320. To repair and maintain a 54 mile long section of 14-inch natural gas transmission pipeline, known as Pipeline 1278, involving numerous wetland and stream crossings through **Northampton, Monroe and Pike Counties**. The proposed work will be confined to the existing right-of-way and include the installation of a cathodic protection system and replacement of short sections of deteriorated pipeline identified during recent internal inspections. The project begins in Lower Mount Bethel Township, Northampton County (Bangor, PA-NJ Quadrangle N: 5.4 inches; W: 12.9 inches) and ends in Westfall Township, Pike County (Port Jervis North, NY-PA Quadrangle N: 5.9 inches; W: 16.5 inches) (Philadelphia District, Army Corps of Engineers).

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

**E05-251.** Encroachment. **Frank Stahlman**, R. D. 1, Box 165, Hyndman, PA 15545. To maintain a relocated stream channel of an unnamed tributary to Wolf Camp Run located along the north side of T-368 about 2.5 miles northwest of Madley Village (Buffalo Mills, PA Quadrangle N: 7.63 inches; W: 11.5 inches) in Londonderry Township, **Bedford County**.

**E06-499.** Encroachment. **Mary Murtagh**, 235 Treichler Road, Alburtis, PA 18011. To construct a temporary road crossing across the channel of a tributary to Perkiomen Creek at a point approximately 1,500 feet downstream of Treichler Road (Manatawny, PA Quadrangle N: 11.5 inches; W: 3.4 inches) in District Township, **Berks County**.

**E06-500.** Encroachment. **Formula Motorsports Partners, I, LP**, Richard Muller, 3151 Bittersweet Road, Suite 100, Center Valley, PA 18034. To relocate approximately 270 feet of a tributary to Hay Creek and to place fill in approximately 0.98 acre of wetlands at a point upstream of Route 10 (Morgantown, PA Quadrangle N: 11.5 inches; W: 2.4 inches) in New Morgan Borough, **Berks County**. The permittee will construct 0.98 acre of replacement wetlands.

**E07-283.** Encroachment. **Appleton Paper Mill**, Dan Hershberger, 100 Paper Mill Rd., Roaring Spring, PA 15673. To construct and maintain a 10-foot 1-inch high, 16-foot 7-inch wide, 40-foot long corrugated metal pipe arch extension to an existing 140-foot long stream enclosure for the purpose of providing safe access to kiln area in an industrial facility located at the Appleton Paper Mill (Roaring Spring, PA Quadrangle N: 15.8 inches; W: 4.3 inches) in Roaring Spring Borough, **Blair County**.

**E22-372.** Encroachment. **Dauphin Meadows, Inc.**, Mark Harlacher, Rt. 209, R. D. 1, Millersburg, PA 17061. To place fill in 0.19 acre of wetlands adjacent to a tributary to Wiconisco Creek at a point at the Dauphin Meadows Landfill (Millersburg, PA Quadrangle N: 9.4

inches; W: 0.25 inch) in Upper Paxton Township, **Dauphin County**. The permittee will reconstruct 0.6 acre of replacement wetlands.

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

**E18-237.** Encroachment. **Chapman Township Supervisors**, P. O. Box 485, North Bend, PA 17760. To construct and maintain a 6-inch pipe as an intake structure approximately 12 feet into Young Womans Creek, 6 inches below the stream bed surrounded by R-3 rock and a single lane access road from the northern edge of Old Route 120 to the creek. The project is located approximately 1,000 feet southeast of North Bend off Old Route 120 (Renovo East, PA Quadrangle N: 17.9 inches; W: 10.1 inches) in Chapman Township, **Clinton County**. Estimated stream disturbance is 15 feet with no wetland impact; stream classification is High Quality—Cold Water Fishery.

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

**E10-269.** Encroachment. **James Dlubak, Dlubak Glass Company**, 1600 Saxonburg Road, Natrona Heights, PA 15065. To construct and maintain a 10-inch PVC gravity sanitary sewer line, for service to a single residence and future subdivision, across a tributary to Little Bull Creek (TSF). This crossing will be placed with one foot of cover between the top of the utility line and the lowest point of the streambed, and the line will be encased in concrete. The project is located on the east side of Ekastown Road (S. R. 2009) across a tributary to Little Bull Creek approximately 5,600 feet northwest of the intersection of Ekastown Road (S. R. 2009 and Millerstown Road S. R. 1028). (Freeport, PA Quadrangle N: 9.8 inches; W: 16.0 inches) located in Buffalo Township, **Butler County**.

**E10-270.** Encroachment. **Adams Township**, 170 Hutchman Road, Mars, PA 16046. To remove the existing structure and to construct and maintain a CON/SPAN concrete arch bridge with a span of 28 feet and a rise of 11 feet on Brickyard Road (T-391) across Breakneck Creek (WWF). This project will also include approximately 30 linear feet of dumped rock streambank stabilization adjacent to the southwest bridge abutment. The project is located on Brickyard Road (T-391) across Breakneck Creek approximately 150 feet east of the intersection of Mars/Valencia Road (S. R. 3015) and Brickyard Road (T-391). (Mars, PA Quadrangle N: 12.6 inches; W: 1.2 inches) located in Adams Township, **Butler County**.

**E16-100.** Encroachment. **Paint Township Supervisors**, P. O. Box 128, Shippenville, PA 16254. To remove the existing structure and to construct and maintain a precast reinforced concrete box culvert having a span of 19 feet and an underclearance of 9.06 feet on T-578 (Steiner Road) across Step Creek (CWF). The project is located on T-578 (Steiner Road) across Step Creek approximately 7,600 feet northeast of the intersection of T-578 (Steiner Road) and S. R. 0066 (Lucinda, PA Quadrangle N: 6.2 inches; W: 16.3 inches) located in Paint Township, **Clarion County**.

**E20-448.** Encroachment. **Titusville Area School District**, 221 North Washington Street, Titusville, PA 16345. To remove two existing buildings and to construct and maintain a new middle school building, athletic field and play ground within the floodplain of Oil Creek and the floodplain and floodway of Church Run just west of

Brown Street (Titusville South, PA Quadrangle N: 22.6 inches; W: 5.7 inches) located in the City of Titusville, **Crawford County**.

**E24-201.** Encroachment. **Spring Creek Township Supervisors**, William Tell, R. R. 2, Box 179, Ridgway, PA 15853. To rehabilitate and maintain the following three existing structures on T-307 (Spring Creek Road) east of the Borough of Ridgway associated with the repaving of T-307 located in Spring Creek Township, **Elk County**.

**E25-470A.** Encroachment. **Millcreek Mall Corporation**, The Cafaro Company, 2445 Belmont Avenue, P. O. Box 2186, Youngstown, OH 44504-0186. To amend existing Permit No. E25-470 (as amended November 28, 1994) to authorize the construction and maintenance of 10.7 acres of replacement wetlands located within the Conneaut Creek (WWF, MF) watershed. The replacement wetlands will be located east of S. R. 0215 and S. R. 3002 (West Cherry Hill Road) at Kidders Corner (East Springfield, PA Quadrangle N: 7.9 inches; W: 2.8 inches) located in Springfield Township, **Erie County**.

**E25-557.** Encroachment. **Donald Hobbs**, P. O. Box 703, 13080 Cambridge Road, Edinboro, PA 16412. To construct and maintain a 100-foot long concrete block wall with a height of approximately 9 feet and associated rock riprap bank protection along the left bank of Conneauttee Creek behind the Hobbs Hardware Store along S. R. 99 south of Edinboro (Cambridge Springs, PA Quadrangle N: 21.0 inches; W: 17.0 inches) located in Washington Township, **Erie County**.

**E33-184.** Encroachment. **PA Department of Transportation**, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To remove the existing structure and to construct and maintain a prestressed adjacent box beam bridge with a clear span of 53.84 feet, with an average underclearance of 8.5 feet on an 80 degree skew across Five Mile Run (CWF, trout stocked). The project is located on S. R. 3039 across Five Mile Run approximately 1,200 feet northwest of the intersection of S. R. 3039 and Swamp Run Road. (Brookville, PA Quadrangle N: 3.45 inches; W: 10.8 inches) located in Knox, Rose, and Pine Creek Townships, **Jefferson 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, (717) 787-8568.*

**D46-323.** Dam. **Meadowview Homes Inc.** (1120 N. Bethlehem Pike, P. O. Box 180, Springhouse, PA 19477). To construct, operate and maintain a stormwater detention dam across a Tributary to Stony Creek (TSF) impacting approximately 0.81 acre of wetlands (PFO/PSS) (Lansdale, PA Quadrangle N: 9.9 inches; W: 8.0 inches) in Upper Gwynedd Township, **Montgomery County**. This dam is being proposed to provide stormwater management for the proposed Sunnybrooke residential subdivision.

## ENVIRONMENTAL ASSESSMENT

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


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

**EA05-002C0.** Environmental Assessment. **Henry G. Hall, Jr.** (R. D. 1, Box 334, Hopewell, PA 16650). To construct and maintain a nonjurisdictional dam across a Tributary to Yellow Creek (HQ-CWF) impacting a de minimis area of wetlands (PEM) equal to 0.05 acre for the purpose of recreation located approximately 2,000 feet west of the intersection of T-528 and T-530 (Everett East, PA Quadrangle N: 22.1 inches; W: 10.9 inches) in Hopewell Township, **Bedford County**.

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## ACTIONS

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


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[National Pollution Discharge Elimination System Program (NPDES)]

**DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**
**(Part I Permits)**

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

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

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


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

**NPDES Permit No. PA-0052426.** Sewerage, **Allied Utility Services, Inc.**, P. O. Box 1488, Skippack, PA 19474 is authorized to discharge from a facility located in North Whitehall Township, **Lehigh County** to an Unnamed Tributary to Coplay Creek.

**NPDES Permit No. PA-0070246.** Sewerage, **Parkland School District**, 1210 Spring House Road, Allentown, PA 18104 is authorized to discharge from a facility (Kernsville Elementary) located in North Whitehall Township, **Lehigh County** to Jordan Creek.

**NPDES Permit No. PA-0046396.** Sewage, **Butler Township Municipal Authority**, P. O. Box 150, St. Johns, PA 18247 is authorized to discharge from a facility (Drums STP) located in Butler Township, **Luzerne County** to Little Nescopeck Creek.

**NPDES Permit No. PA-0046388.** Sewage, **Butler Township Municipal Authority**, P. O. Box 150, St. Johns, PA 18247 is authorized to discharge from a facility (St. John's STP) located in Butler Township, **Luzerne County** to Nescopeck Creek.

**NPDES Permit No. PA-0070289.** Sewerage, **Karl K. Kramer** (Pine Brook II, A Limited Partnership), R. R. 1, P. O. Box 218, Orwigsburg, PA 17961 is authorized to discharge from a facility located in West Brunswick Township, **Schuylkill County** to Pine Creek.

**NPDES Permit No. PA-0061379.** Industrial waste, **Nicholson Borough Authority**, R. R. 2, Nicholson, PA 18446 is authorized to discharge from a facility located in Nicholson Borough, **Wyoming County** to Horton Creek.

**NPDES Permit No. PA-0060551.** Sewerage, **Rivercrest Public Service Corporation**, 1120 S. Washington Avenue, Scranton, PA 18505 is authorized to discharge from a facility located in Tunkhannock Township, **Wyoming County** to North Branch Susquehanna County.

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

**NPDES Permit No. PA0035301.** Sewerage, **Upper Dauphin Area School District**, 5668 State Route 209, Lykens, PA 17048 is authorized to discharge from a facility located in Washington Township, to the receiving waters named Wiconisco Creek.

**NPDES Permit No. PA0020214.** Sewerage, **Borough of Mount Union**, Nine West Market Street, Mount Union, PA 17066 is authorized to discharge from a facility located in Mount Union Borough, **Huntingdon County** to the receiving waters named Juniata River.

**NPDES Permit No. PA0110442.** Sewerage, **Carl E. Dallmeyer Family Ltd. Partnership**, 4775 North Sherman Street Extension, Mount Wolf, PA 17347 is authorized to discharge from a facility located in Bedford Township, **Bedford County** to the receiving waters named Brush Run.

**NPDES Permit No. PA0070424.** Sewerage, **Caernarvon Township Municipal Authority**, P. O. Box 291, Morgantown, PA 19543 is authorized to discharge from a facility located in Caernarvon Township, **Berks County** to the receiving waters named Conestoga River.

**NPDES Permit No. PA0082864.** Sewerage, **Jesus Ministries, Inc.**, R. R. 1, Box 58B, Shirleysburg, PA 17260 is authorized to discharge from a facility located in Cromwell Township, **Huntingdon County** to the receiving waters named Brown's Gap Run.

**NPDES Permit No. PA0082198.** Sewerage, **Peters Township Board of Supervisors**, 5000 Steele Avenue, P. O. Box 88, Lemasters, PA 17231 is authorized to discharge from a facility located in Peters Township,

**Franklin County** to the receiving waters of an unnamed tributary to Conococheague Creek.

**NPDES Permit No. PA0043257.** Sewerage, **New Freedom Borough Authority**, 150 East Main Street, New Freedom, PA 17349 is authorized to discharge from a facility located in Railroad Borough, **York County** to the receiving waters named South Branch Codorus Creek.

**NPDES Permit No. PA0085235.** Sewerage, **Post Office Inn Corporation**, R. D. 1, Box 1636, Mohnton, PA 19540 is authorized to discharge from a facility located in Robeson Township, **Berks County** to an unnamed tributary of Allegheny Creek.

**NPDES Permit No. PA0082317.** Sewerage, **Chesapeake Estates of Grantville**, 585 Martin Road, Gettysburg, PA 17325 is authorized to discharge from a facility located in East Hanover Township, **Dauphin County** to the receiving waters named Bow Creek.

**NPDES Permit No. PA0083470.** Sewerage, **Paradise Township Sewer Authority**, 196 Blackhorse Road, Paradise, PA 17562 is authorized to discharge from a facility located in Paradise Township, **Lancaster County** to the receiving waters named Pequea Creek.

**NPDES Permit No. PA0081833.** Sewerage, **S. K. Part II, Limited**, 6085 Delta Road, Delta, PA 17314 is authorized to discharge from a facility located in Peach Bottom Township, **York County** to the receiving waters named Scott Creek.

**NPDES Permit No. PAG043576.** Sewerage/SFSTF, **Mr. and Mrs. Dennis McClure**, R. R. 1, Box 358, Petersburg, PA 16669 is authorized to discharge from a facility located in Jackson Township, **Huntingdon County** to the receiving waters named Standing Stone Creek.

**NPDES Permit No. PA0087530.** Sewerage/SFSTF, **Paul McAnulty**, 3651 Waggoners Gap Road, Carlisle, PA 17013 is authorized to discharge from a facility located in North Middletown Township, **Cumberland County** to the receiving waters of an unnamed tributary to Conodoguinet Creek.

**NPDES Permit No. PA043574.** Sewerage/SFSTF, **Todd Gorsuch**, 714 North Spring Street, Everett, PA 15537 is authorized to discharge from a facility located in West Providence Township, **Bedford County** to the receiving waters of an unnamed tributary to Clear Creek.

**NPDES Permit No. PAG043577.** Sewerage/SFSTF, **Amanda and Robert Alt**, R. R. 3, Box 229-C, Bedford, PA 15522 is authorized to discharge from a facility located in Cumberland Valley Township, **Bedford County** to the receiving waters of an unnamed tributary to Oster Run.

**NPDES Permit No. PAG043570.** Sewerage/SFSTF, **Susquehanna Resources**, P. O. Box 3711, York, PA 17402 is authorized to discharge from a facility located in Hellam Township, **York County** to the receiving waters named Susquehanna River.

**NPDES Permit No. PA0087696.** Sewerage, **Frank T. Peraro**, Box 278, King of Prussia, PA 19406 is authorized to discharge from a facility located in East Hanover Township, **Dauphin County** to the receiving waters of an unnamed tributary of Manada Creek.

**NPDES Permit No. PAG043568.** Sewerage/SFSTF, **John and Mildred Zimmerman**, R. D. 7, Box 1388, Harrisburg, PA 17112 is authorized to discharge from a facility located in East Hanover Township, **Dauphin County** to the receiving waters named Manada Creek.

**NPDES Permit No. PAG053505.** Groundwater cleanup, **Sun Company, Inc.**, Twin Oaks Terminal, 4041 Market Street, Aston, PA 19014 is authorized to discharge from a facility located in Ephrata Borough, **Lancaster County** to the receiving waters named Cocalico Creek.

**NPDES Permit No. PAG053512.** Groundwater cleanup, **Exxon Company, USA**, Lionfield Building, Suite 200, 140 South Village Avenue, Exton, PA 19341 is authorized to discharge from a facility located in Birdsboro Borough, **Berks County** to the receiving waters named Hay Creek.

**NPDES Permit No. PAG053503.** Groundwater cleanup, **Sun Company, Inc.**, Twin Oaks Terminal, 4041 Market Street, Aston, PA 19014 is authorized to discharge from a facility located in Manheim Borough, **Lancaster County** to the receiving waters named Chickies Creek.

**NPDES Permit No. PA0087432.** Groundwater cleanup, **Electric Motor & Supply, Inc.**, 1000 5th Street, P. O. Box 152, Altoona, PA 16603 is authorized to discharge from a facility located in East Petersburg Township, **Lancaster County** to the receiving waters named Little Conestoga Creek.

**NPDES Permit No. PA0011363.** Industrial waste, **NGK Metals Corporation**, P. O. Box 13367 is authorized to discharge from a facility located in Muhlenberg Township, **Berks County** to the receiving waters named Laurel Run.

**NPDES Permit No. PA0084301.** Industrial waste, **Lancaster Malleable Castings Company**, 1170 Lititz Avenue, Lancaster, PA 17601 is authorized to discharge from a facility located in Lancaster City, **Lancaster County** to the receiving waters of an unnamed tributary to the Little Conestoga Creek.

**NPDES Permit No. PA0087645.** Industrial waste, **Black Diamond Energy, Inc.**, P. O. Box 500, Ellerslie, MD 21529 is authorized to discharge from a facility located in Greenfield Township, **Blair County** to the receiving waters named Beaverdam Creek.

**NPDES Permit No. PA0083046.** Industrial waste, **Easco Hand Tools, Inc.**, 805 Estelle Drive, Lancaster, PA 17604 is authorized to discharge from a facility located in West Hempfield Township, **Lancaster County** to the receiving waters of an unnamed tributary of the West Branch Little Conestoga Creek.

**NPDES Permit No. PA0035092.** Industrial waste, **Tyson Foods, Inc.**, P. O. Box 1156, New Holland, PA 17557 is authorized to discharge from a facility located in Earl Township, **Lancaster County** to the receiving waters named Mill Creek.

**NPDES Permit No. PA0085103.** Industrial waste, **Dorma Doors Controls**, Dorma Drive, Reamstown, PA 17567 is authorized to discharge from a facility located in East Cocalico Township, **Lancaster County** to the receiving waters of an unnamed tributary to Stony Run.

**NPDES Permit No. PA0043541.** Industrial waste, **The Pfaltzgraff Company**, Bowman Road, Thomasville, PA 17364 is authorized to discharge from a facility located in Jackson Township, **York County** to the receiving waters named Honey Run.

**NPDES Permit No. PA0010251.** Industrial waste, **Safety & Environmental Management Office**, Headquarters Carlisle Barracks, 330 Engineer Avenue, ATZE-DPW-SE, Carlisle, PA 17013-5020 is authorized to discharge from a facility located in North Middletown

Township, **Cumberland County** to the receiving waters of an unnamed tributary to Letort Spring Run.

**NPDES Permit No. PA0009920.** Industrial waste, **GPU Nuclear, Inc.**, Route 441 South, P. O. Box 480, Middletown, PA 17057-0480 is authorized to discharge from a facility located in Londonderry Township, **Dauphin County** to the receiving waters named Susquehanna River.

**NPDES Permit No. PA0010367.** Industrial waste, **Consolidated Rail Corporation**, General Office Building, 200 Fourth Avenue, Altoona, PA 16601-6702 is authorized to discharge from a facility located in Hollidaysburg Borough, **Blair County** to the receiving waters named Beaverdam Branch.

**NPDES Permit No. PA0080322.** Industrial waste, **Greater Lebanon Refuse Authority**, 1610 Russell Road, Lebanon, PA 17046 is authorized to discharge from a facility located in North Lebanon Township, **Lebanon County** to the receiving waters of an unnamed tributary of Swatara Creek.

**NPDES Permit No. PA0009253.** Industrial waste, **United Defense, L. P.**, Wolf's Church Road, York, PA 17405-1512 is authorized to discharge from a facility located in West Manchester Township, **York County** to the receiving waters named Codorus Creek.

**NPDES Permit No. PA0082538.** Industrial waste, **Altoona City Authority**, 20 Greenwood Road, Altoona, PA 16602 is authorized to discharge from a facility located in Logan Township, **Blair County** to the receiving waters named Burgoon Run.

**NPDES Permit No. PA0087483.** Industrial waste, **Elizabethtown Borough**, 600 South Hanover Street, Elizabethtown, PA 17022 is authorized to discharge from a facility located in West Cornwall Township, **Lebanon County** to the receiving waters of an unnamed tributary of Conewago Creek.

#### Part II Permits Issued

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

**Permit No. 3197402.** Sewerage, **Mr. and Mrs. Dennis McClure**, R. R. 1, Box 358, Petersburg, PA 16669. The construction of single family sewage treatment facilities in Jackson Township, **Huntingdon County**.

**Permit No. 2197405.** Sewerage, **Paul McAnulty**, 3651 Waggoners Gap Road, Carlisle, PA 17013. The construction of single family sewage treatment facilities in North Middletown Township, **Cumberland County**.

**Permit No. 0597404.** Sewerage, **Todd Gorsuch**, 714 North Spring Street, Everett, PA 15537. The construction of single family sewage treatment facilities in West Providence Township, **Bedford County**.

**Permit No. 6797404.** Sewerage, **Susquehanna Resources**, P. O. Box 3711, York, PA 17402. The construction of single family treatment facilities in Hellam Township, **York County**.

**Permit No. 2297404.** Sewerage, **John and Mildred Zimmerman**, R. D. 7, Box 1388, Harrisburg, PA 17112. The construction of single family treatment facilities in East Hanover Township, **Dauphin County**.

**Permit No. 2197402.** Sewerage, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland,

PA 17070. The construction of single family treatment facilities in Lower Allen Township, **Cumberland County**.

**Permit No. 0197402.** Sewerage, **Gettysburg Municipal Authority**, 601 East Middle Street, P. O. Box 3307, Gettysburg, PA 17325-3307. The construction of sewers and appurtenances and pump station in Gettysburg Borough, **Adams County**.

**Permit No. 3697404.** Sewerage, **Leacock Township Sewer Authority**, P. O. Box 558, Intercourse, PA 17534. The construction of sewers and appurtenances and pump station in Leacock Township, **Lancaster County**.

**Permit No. 3697405.** Sewerage, **Lancaster Municipal Authority**, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17603. The modification of pump station in Lancaster Township, **Lancaster County**.

**Permit No. 0697406.** Sewerage, **Douglass Township Supervisors**, 1068 Douglass Drive, R. D. 2, Box 503, Boyerstown, PA 19512-9440. The construction of sewers and appurtenances and pump station in Douglass Township, **Berks County**.

**Permit No. 2297403.** Sewerage, **Frank Peraro**, Box 278, King of Prussia, PA 19406. The construction of sewage treatment facilities and outfall and headwall in East Hanover Township, **Dauphin County**.

**Permit No. 2871402-97-1. Minor Amendment.** Sewerage, **Mont Alto Sewer Authority**, P. O. Box 430, Mont Alto, PA 17237. The construction of sludge storage tank and reed beds in Mont Alto Borough, **Franklin County**.

**Permit No. 4497201.** Industrial, **Standard Steel**, 500 North Walnut Street, Burnham, PA 17009. This permit is for a skimmer pit in Burnham Borough, **Mifflin County**.

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

**NPDES Permit No. PA0030333.** Sewage, **Shenango Valley Commercial Institute, Inc.**, R. D. 1, Box 1149, Schoolhouse Road, Pulaski, PA 16143-9719 is authorized to discharge from a facility located in Pulaski Township, **Lawrence County** to an unnamed tributary to Deer Creek.

**NPDES Permit No. PA0034720.** Sewage, **Lakeview Manor Mobile Home Park**, 53 Madison Road, Wellesley, MA 02181 is authorized to discharge from a facility located in Union Township, **Crawford County** to Kebort Run.

**NPDES Permit No. PA0222364.** Sewage, **Tidioute Trading Post**, R. D. 1, Box 97-1A, Tidioute, PA 16351 is authorized to discharge from a facility located in Limestone Township, **Warren County** to the Allegheny River.

**NPDES Permit No. PA0210404.** Sewage, **Melvin J. Wachob**, R. D. 1, Box 77, Wilcox, PA 15870 is authorized to discharge from a facility located in Jones Township, **Elk County** to Unnamed Tributary to the East Branch Clarion River.

#### 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, Second Floor, Rachel Carson State



Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by an 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 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.

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

**PAS-10-0412.** Individual NPDES. **Chestnut Ridge Area Joint Authority**, R. D. 1, Box A 320, New Paris, PA 15554. To implement an Erosion and Sedimentation Control Plan for construction of 23 miles of sanitary sewer line on 80 acres in East St. Clair, West St. Clair and King Townships, **Bedford County**. The project is located starting from a point 2,700 feet upstream of US 220 bridge over Dunning Creek in Cessna to Reynoldsdale, thence to Alumbank and then again from Reynoldsdale to Osterburg, thence to Imler (Bedford, PA Quadrangle N: 18.8 inches; W: 16.3 inches). Drainage will be to Dunning Creek, Bobs Creek, Scrubgrass Creek, Barefoot Run and their respective tributaries.

**PAS-10-0414.** Individual NPDES. **Bob Foor Manufactured Home Development**, P. O. Box 396, Bedford, PA 15522. To implement an Erosion and Sedimentation Control Plan for the Bob Foor Manufactured Home Development (Mobile Home) on 75.7 acres in Bedford Township, **Bedford County**. The project is located in Chalybeate about 1,000 feet north of the Chalybeate and Valley Roads intersection (Everett West, PA Quadrangle N: 5.94 inches; W: 15.83 inches). Drainage will be to an unnamed tributary to Dunning Creek.

**PAS-10-3501.** Individual NPDES. **Republic Development Corporation**, P. O. Box 36, Mexico, PA 17056. To implement an Erosion and Sedimentation Control Plan for the Vantage Hills residential subdivision on 56.15 acres in Milford Township, **Juniata County**. The project

is located west of the Conrail Railroad and south of Route 35 (Mifflintown, PA Quadrangle N: 10.5 inches; W: 4.5 inches). Drainage will be to the Juniata River and a tributary to East Licking Creek.

**PAS-10-H062.** Individual NPDES. **Smith Land & Improvement Corp.**, 2001 State Street, Camp Hill, PA 17011. To implement an Erosion and Sedimentation Control Plan for a development of a business park called Upper Allen Business Park on 191.17 acres in Upper Allen Township, **Cumberland County**. The project is located immediately north of Interchange 17 of I-76 (Lemoyne, PA Quadrangle N: 13.8 inches; W: 14.3 inches). Drainage will be to Cedar Run.

#### INDIVIDUAL PERMITS (PAR)

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#### APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

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The following parties have submitted Notices of Intent (NOIs) for Coverage under (1) General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania. The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection approves the following coverages under the specified 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, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

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#### *List of NPDES and/or other 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
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
PAG-8	General Permit For Beneficial Use of Non-Exceptional Sewage Sludge By Land Application to Agricultural Land, Forest, A Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site



<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>
Warren City Warren County	PAR808312	Crossett, Inc. P. O. Box 946 201 S. Carver Street Warren, PA 16365	Allegheny River	DEP Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Bradford Township McKean County	PAR808314	Crossett, Inc. P. O. Box 946 Warren, PA 16365	Rutherford Run	DEP Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Jamestown Borough Mercer County	PAR158301	Jamestown Paint Company 108 Main Street P. O. Box 157 Jamestown, PA 16134	Shenango River	DEP Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Wesleyville Borough Erie County	PAR708303	Joseph McCormick Construction Co., Inc. P. O. Box 176 Erie, PA 16512	Four Mile Creek	DEP Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Ellwood City Borough Lawrence County	PAR118301	Emess Lighting, Inc. 1 Early Street Ellwood City, PA 16117	Connoquenessing Creek and Unnamed Tributary to Connoquenessing Creek	DEP Water Management Northwest Region 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Berks County Richmond Township	PAG043567	Richard Youse Box 85 Virginville, PA 19564	UNT to Maiden Creek	DEP Southcentral Region Office One Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590
Dauphin County East Hanover Township	PAG043583	Marlin and Kathy Martz R. D. 7, Box 1382 Harrisburg, PA 17112	UNT to Manada Creek	DEP Southcentral Region Office One Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590
Cumberland County Upper Frankford Township	PAG043582	Justin R. Carpenter 70 Pearl Lane Carlisle, PA 17013	UNT to Conodoguinot Creek	DEP Southcentral Region Office One Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590
Cumberland County Lurgan Township	PAG053513	Exxon Company USA 2567 University Avenue Suite 5008 Morgantown, WV 26505	Tributary of Newburg Run	DEP Southcentral Region Office One Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590
Allegheny County City of Pittsburgh	PAG086101	Allegheny County Sanitary Authority 3300 Preble Avenue Pittsburgh, PA 15233-1092		Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<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>
Shupp's Grove Antique Market Marilyn and Carl Gehman P. O. Box 892 Adamstown, PA 19051	PAG-09-3506	Shupp's Grove Antique Market Marilyn and Carl Gehman P. O. Box 892 Adamstown, PA 19051		DEP Southcentral Regional Office One Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590
Bauman's Septic Service Randy Bauman 1676 Laudermilch Road Palmyra, PA 17078	PAG-09-3507	Bauman's Septic Service Randy Bauman 1676 Laudermilch Road Palmyra, PA 17078		DEP Southcentral Regional Office One Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590

## 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, (717) 826-2511.*

**Permit No. 6496505. Hollister Heights Mobile Home Park**, Edward Fieramosca, R. R. 5, Box 5417, Moscow, PA 18444. This proposal involves the modification and permitting of an existing system serving Hollister Heights Mobile Home Park, Salem Township, **Wayne County**.

*Permit to Operate: August 15, 1997.*

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### Under Act 2, 1995

#### Preamble 3

The following final report was 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, contact the Environmental Cleanup Program in the Department's 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 Steve Curcio at (814) 332-6816. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

*Northwest Regional Office: Craig Lobins, Acting Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.*

**Housing Authority of the City of Meadville**, 611/613 Terrace Street, Meadville, PA, **Crawford County**, has submitted a Final Report to Remediate soil. The site has been found to be contaminated with lead. The applicant proposes to remediate the site to meet the Statewide health standard.

## SOLID AND HAZARDOUS WASTE

### RESIDUAL WASTE PROCESSING FACILITIES

**Approval of determination of applicability 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 residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

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

**General Permit Determination of Applicability No. WMGR019D002A. R. H. Sheppard Company, Inc.**, 101 Philadelphia Street, Hanover, PA 17331 under permit WMGR019 issued to PA Foundrymen's Association for the beneficial use of waste foundry sand as a roadway construction material, ingredient or component in concrete or asphalt products. Determination of applicability was approved by Central Office on September 3, 1997.

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

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

**Permit ID No. 101556. Vinland Enterprises, Inc.**, Construction and Demolition Waste Landfill, 120 Mossie Boulevard, PA State Route 48, North Versailles, PA 15137, North Versailles Township, **Allegheny County**. Construction/demolition waste landfill permit voided on September 2, 1997 as required by 25 Pa. Code § 271.211(e).

**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 solid waste processing or disposal area or site.**

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

**Permit I. D. #101358. East Penn Transfer Facility,** East Penn Sanitation, Inc., P. O. Box 268, Nazareth, PA 18064. A permit renewal for the operation of this municipal waste transfer station, located in Lower Nazareth Township, **Northampton County**. The permit was issued in the Regional Office on August 29, 1997.

**Permit I. D. #101590. Beach Lake Transfer Station** (Formerly known as Grand Central Sanitation, Inc. Transfer Facility), Grand Central Sanitation, Inc., 1963 Pen Argyl Road, Pen Argyl, PA 18072. A Minor Permit Modification for the following changes: a revised transfer building design, a modification of the site erosion and sedimentation controls and a facility name change for this municipal waste transfer facility, located in Berlin Township, **Wayne County**. The issuance of this amendment does not eliminate the necessity to comply with all other applicable Federal, State or local requirements at this permitted site. A permit was issued by the Regional Office on August 19, 1997.

*Southcentral Regional Office: Regional Solid Waste Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4588.*

**Permit No. PAD003026903. GE Lancaster Facility—Upper Quarry and Lower Lagoon Areas, General Electric Company,** (640 Freedom Business Center, King of Prussia, PA 19406). Application for post closure care for the GE Lancaster Facility—Upper Quarry and Lower Lagoon Areas in City of Lancaster, **Lancaster County**. Permit issued in the Regional Office August 29, 1997.

**Permit No. 300870. Buck Company, Buck Company, Inc.** (897 Lancaster Pike, Quarryville, PA 17566). Application for modification for repermitting of a residual waste landfill in Providence Township, **Lancaster County**. Permit issued in the Regional Office August 29, 1997.

**Closure Plan approved under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) for closure of a residual waste landfill.**

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

**Permit No. 300781. Lancaster Malleable Casting Company** (1170 Lititz Avenue, Lancaster, PA 17601). Application for closure of a residual waste landfill site in East Hempfield Township, **Lancaster County**. Permit issued in the Regional Office August 29, 1997.

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

**Permit No. 300904. International Paper Lock Haven Mill Residual Waste Landfill, International Paper Company** (South Highland Street, P. O. Box 268, Lock Haven, PA 17745). Permit for the repermitting of a

Class III residual waste landfill located in Castanea Township, **Clinton County**, issued in the regional office on September 3, 1997.

**AIR POLLUTION**

**Operating Permits**

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

**25 Pa. Code § 129.1**

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

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

**GP25-970: Cost Effective Coatings** (P. O. Box 70, North East, PA 16428) for a Burn Off Oven in Northeast Township, **Erie County**.

**10-307-051: Armco, Inc.** (P. O. Box 832, Rte. 8 South, Butler, PA 16003) for the operation of anneal and pickle lines, storage tanks and distribution system in Butler Township, **Butler County**.

**42-309-017: Pittsburgh Corning Corp.** (P. O. Box 39, Port Allegheny, PA 16743) for the operation of a glass crushing, grinding and dispensing system in Port Allegheny, **McKean County**.

**43-302-019. International Timber & Veneer LC** (Jackson Commerce Park, Mercer, PA 16137) for the operation of a wood fired boiler in Jackson Township, **Mercer County**.

**61-399-007C. A. G. Industries, Inc.** (P. O. Box 1107, Oil City, PA 16301) for the operation of tanks and scrubber at Oil City, **Venango County**.

**OP-10-021A: INDPSEC Chemical Corp.** (133 Main St., Petrolia, PA 16050) for the reactivation of the #5 coal fired boiler in Petrolia, **Butler County**.

**PLAN APPROVALS**

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

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

**25-327-004: Spectrum Control, Inc.** (8061 Avonia Rd., Fairview, PA 16415) for the operation of open top vapor degreasers in Fairview, **Erie County**.

**25-327-005: Spectrum Control, Inc.** (6000 W. Ridge Rd., Erie, PA 16506) for the operation of vapor degreasers and above zero chiller in Erie, **Erie County**.

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

*Northeast Regional Office, Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**35-318-079: Scranton Army Ammunition Plant** (156 Cedar Avenue, Scranton, PA 18505) on September 2, 1997, for the installation of a paint booth with panel filters located in the City of Scranton, **Lackawanna County**.

*Southcentral Regional Office: Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587.*

**21-2013A: Fry Communications, Inc.** (800 West Church Road, Mechanicsburg, PA 17055) on August 27, 1997, for the installation of a four-unit, quadruple web nonheatset press at their Building #2 located in Mechanicsburg Borough, **Cumberland County**.

**21-2013B: Fry Communications, Inc.** (800 West Church Road, Mechanicsburg, PA 17055) on August 27, 1997, for the installation of a six-unit sheetfed, nonheatset press at their Building #1 located in Mechanicsburg Borough, **Cumberland County**.

**21-3006: Ralston Purina Company** (Checkerboard Square-2B, St. Louis, MO 63164) on August 22, 1997, for the construction of a pet food production facility controlled by fabric collectors at their Mechanicsburg Plant in Hampden Township, **Cumberland County**.

**36-304-090: Donsco, Inc.** (P. O. Box 2001, Wrightsville, PA 17368-0400) on September 2, 1997, for the construction of a sand tank blowing operation controlled by a fabric filter at their Mount Joy Plant in Mount Joy Borough, **Lancaster County**.

**34-03001: West Allegheny Biomass Energy Corp.** (327 Winding Way, King of Prussia, PA 19406) on August 29, 1997, for the installation of a woodfired turbine-generator located at Routes T384 and LR34047, in Fermanagh Township, **Juniata County**.

**38-323-007: Bressler Metal Works** (1500 Chestnut Street, Lebanon, PA 17042) on September 2, 1997, for the construction of a sand blasting operation controlled by a fabric filter in Lebanon, **Lebanon County**.

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

**PA-25-955A: Foam Fabricators, Inc.** (6550 West 26th St., Erie, PA 16506) on August 19, 1997, for the installation of pre-expanders for a polystyrene fabrication process at Fairview Township, **Erie County**.

## MINING

### APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY ACTIONS

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

**56920107.** Permit Renewal. **Laura D. Coal, Inc.** (P. O. Box 188, Jennerstown, PA 15547), commencement, operation and restoration of a bituminous strip mine, valid for reclamation, only in Jenner Township, **Somerset County**, affecting 36.6 acres, receiving stream unnamed tributaries to Quemahoning Creek. Application received August 14, 1997. Permit issued August 27, 1997.

**56870105.** Permit Renewal. **Potochar & Potochar Coal Company** (R. D. 1, Hooversville, PA 15936), commencement, operation and restoration of a bituminous strip mine, valid for reclamation only in Shade Township, **Somerset County**, receiving stream unnamed tributary to Stony Creek, unnamed tributary to Hinson Run and Hinson Run. Application received August 28, 1997. Permit issued August 29, 1997.

**56870105.** Permit Renewal. **Potochar & Potochar Coal Company** (R. D. 1, Hooversville, PA 15936), commencement, operation and restoration of a bituminous strip-auger mine, valid for reclamation only in Shade Township, **Somerset County**, affecting 111 acres, receiving stream unnamed tributary to Stony Creek, unnamed tributary to Hinson Run and Hinson Run. Application received August 28, 1997. Permit issued September 29, 1997.

**56920102.** Permit Renewal. **PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), commencement, operation and restoration of a bituminous strip mine in Shade Township, **Somerset County**, affecting 70.4 acres, receiving stream Coal Run and Clear Run. Application received February 14, 1997. Permit issued September 2, 1997.

#### McMurray District Office

**32840701. Tanoma Coal Company, Inc.** (R. R. 1, Box 594, Marion Center, PA 15759-9400), to revise the permit for the Tanoma Refuse Area #2 in Rayne Township, **Indiana County** to add 45 permit acres, no additional discharge. Permit issued September 2, 1997.

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

**54901302R. E & E Fuels** (Box 322, Hegins, PA 17938), renewal of an existing anthracite deep mine operation in Hegins Township, **Schuylkill County** affecting 5.0 acres, receiving stream west branch Rausch Creek. Renewal issued September 5, 1997.

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

#### Permit Revisions Issued

**56910103-04. Barbuschak Excavating** (R. D. 3, Box 286B, Stoystown, PA 15563). Surface Mining Permit boundary revision to add 2.6 acres of abandoned spoils to an existing bituminous strip mine located in Shade Township, **Somerset County**. This is for continued mining of 1.7 acres of the Middle Kittanning coal seam and 0.9 acre of the Upper Kittanning coal seam resulting in the reclamation of 2.6 acres of Abandoned Mine Lands. Total SMP acres goes from 17.2 to 19.8. Receiving streams are unnamed tributary to Miller Run and Miller Run. Application received April 18, 1997. Permit revision issued September 3, 1997.

**05773002. Dash Coal Company, Inc.** (R. D. 2, Box 55A, Dunbar, PA 15431). Surface Mining Permit boundary revision to add 31.1 acres of abandoned spoils to an existing bituminous strip mine located in Broadtop Township, **Bedford County**. Of this 31.1 acres, 6.1 acres are for additional mining of the Speer Coal cropline beneath abandoned spoils. The remainder (25.0 acres) are for the potential reclamation of abandoned spoils, only. Total SMP acres goes from 223.0 to 254.1. Receiving streams are Shreves Run and Six Mile Run and unnamed tributaries to Shreves Run and Six Mile Run. Application received August 16, 1996. Revision issued September 2, 1997.

*Small Noncoal Applications Issued*

**4-01569-56970801-01. Shaffer Brothers Coal Company, Inc.** (Jay Street, Windber, PA 15963), in Paint Township, **Somerset County**, receiving stream Paint Creek, tributary to Seese Run. Application received June 17, 1997. Permit issued August 28, 1997.

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

*Noncoal Permits Issued*

**38870301C3. TARMAC America** (P. O. Box 468, Hanover, PA 17331), renewal of NPDES Permit #PA0595543 in Annville, North Annville, South Annville and North Londonderry Townships, **Lebanon County** receiving stream Killinger and Quittaphilla Creeks. Correction issued September 5, 1997.

**36820301C2. Haines & Kibblehouse, Inc.**, (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474), renewal of NPDES Permit #PA0612171 in Brecknock Township, **Lancaster County** receiving stream unnamed tributary to Black Creek. Correction issued September 5, 1997.

*General Small Noncoal Authorizations Granted*

**28970803. Daniel B. Timmons** (13000 Mountain Road, Orrstown, PA 17244), commencement, operation and restoration of a small bluestone quarry operation in Letterkenny Township, **Franklin County** affecting 2.0 acres, receiving stream none. Authorization granted September 4, 1997.

**Maple Creek Mining, Inc.** The Bureau of Deep Mine Safety has approved a request for variance from Maple Creek Mining, Inc. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (412) 439-7469.

*Summary of the Request:* Maple Creek Mining has requested a variance to allow for the common ventilation of belt conveyor entries with other entries at the Maple Creek Mine.

*Summary of the Decision:* The basis for the Bureau's determination for approval can be summarized in the following statements:

1. The area covered by the variance was previously a double track haulage. By installing the belt in "C" track entry, additional needed intakes and return entries have been provided. Also, the belt is totally isolated from the adjacent track/trolley entry.
2. The main intake entries are pressurized, and the main source of ventilation to the working sections.
3. An early warning fire detection system is provided.

The proposed system will minimize the amount of air on the belt entryway necessary for effective ventilation and will still enable the belt entryway to act as an

escapeway from the face to the main air current. The entryway being ventilated in common with the belt entryway is neutral and will not contain potential fire sources.

**ABANDONED MINE RECLAMATION**

*Bond Forfeiture Contracts Awarded:*

**BF 391-101.1.** North Union Township, **Fayette County**, PA. Abandoned Mine Land Water Reclamation Project, **Hopwood Construction Company, Inc.**, North Union Township, Fayette County, PA. **Gralan Corporation**, Amount: \$101,077.11, Date of Award: June 16, 1997.

**BF 384-101.1.** Somerset Township, **Washington County**, PA. Abandoned Mine Land Reclamation Project, **Penn Sherman Corporation**, Somerset Township, Washington County, PA. **Casselman Enterprises, Inc.**, Amount: \$162,012.00, Date of Award: June 25, 1997.

**BF 399-101.1.** Saltlick Township, **Fayette County**, PA. Abandoned Mine Land Reclamation Project, **William K. Tedesco**, Saltlick Township, Fayette County, PA. **Utilities Forestry Services, Inc.**, Amount: \$95,874.50, Date of Award: June 25, 1997.

**BF 393-101.1.** Conemaugh Township, **Indiana County**, PA. Abandoned Mine Land Reclamation Project, **Thomas A. Fello Coal Company**, Conemaugh Township, Indiana County, PA. **Commonwealth Stone A Business Trust**, Amount: \$21,080.00, Date of Award: June 30, 1997.

**BF-408-101.1.** Sandy Township, **Clearfield County**, PA. Abandoned Mine Land Reclamation Project, **Blake Becker**, Sandy Township, Clearfield County, PA. **Morgan's Excavating**, Amount: \$189,395.00, Date of Award: July 1, 1997.

**BF 394-101.1.** Limestone Township, **Clarion County**, PA. Abandoned Mine Land Reclamation Project, **R.E.M. Coal Company, Inc.** Limestone Township, Clarion County. **E. M. Brown**, Amount: \$363,767.00, Date of Award: March 17, 1997.

**BF 354-102.1.** Beccaria Township, **Clearfield County**, PA. Abandoned Mine Land Water Supply Project, **Glen-dale Contracting Company**, Beccaria Township, Clearfield County, PA. **Saupp's Excavating & General Contracting**, Amount: \$79,074.44, Date of Award: June 4, 1997.

**BF 409-101.1.** Kittanning Township, **Armstrong County**, PA. Abandoned Mine Land Reclamation Project, **Daybrook Coal Company**, Kittanning Township, Armstrong County, PA. **J & J Snyder, Inc.**, Amount: \$13,027.40, Date of Award: July 1, 1997.

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

**ENCROACHMENTS**

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)).

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing

Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 1 (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 Projects do not include 401 Certification, unless specifically stated in the description.)

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

**E19-167.** Encroachment. **Benton Area School District**, R. R. 2, Box 8, Benton, PA 17814. To construct and maintain a 18,625 square foot school building addition in the floodfringe of Fishing Creek plus excavation, to allow for additional storage capacity, in the floodway of Fishing Creek located approximately 2,500 feet east on First St. from SR 487 (Benton, PA Quadrangle N: 16.1 inches; W: 3.3 inches) in the Borough of Benton, **Columbia County**. This permit was issued under section 105.13(e) Small Projects.

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

**E03-342R.** Encroachment. **Robert P. Vincler**, 445 Fort Pitt Boulevard, Ste. 100, Pittsburgh, PA 15219. To dredge and maintain 200 L. F. of the channel of Crooked Creek for the purpose of allowing access of property owners to their existing private docks. Total volume of silt and debris to be dredged is 1,000 cubic yards. The project is located at a point approximately 1.9 miles from the confluence of said stream with the Allegheny River (Leechburg, PA Quadrangle N: 21.8 inches; W: 6.2 inches) in Bethel Township, **Armstrong County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E03-363.** Encroachment. **Armstrong County Commissioners**, Administration Building, 450 Market Street, Kittanning, PA 16201. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 102.0 feet and an underclearance of 7.5 feet across Pine Run for the purpose of improving transportation safety. The project is located on T-771 Station 4+51.75 (Distant, PA Quadrangle N: 15.5 inches; W: 0.9 inch) in Redbank Township, **Armstrong County**.

**E03-364.** Encroachment. **PA Department of Transportation**, P. O. Box 429, Indiana, PA 15701. To remove the existing bridges and to construct and maintain three single span, prestressed concrete spread box beam bridges over Garretts Run (WWF). Bridge No. 1 having a normal span of 46.0 feet and an underclearance of 8.7 feet; Bridge No. 2 having a normal span of 50.0 feet and an underclearance of 9.1 feet; and Bridge No. 3 having a

normal span of 36.0 feet and an underclearance of 9.8 feet. During construction, temporary stream diversions will be maintained in the stream channel. The project is located along SR 2025 between 1,000 feet and 2,000 feet southeast of its intersection with SR 0066 (SR 2025, Section 155) (Kittanning, PA Quadrangle, Bridge No. 1 N: 7.2 inches; W: 1.7 inches, Bridge No. 2 N: 7.4 inches; W: 1.7 inches, Bridge No. 3 N: 7.6 inches; W: 1.8 inches) in Manor Township, **Armstrong County**.

**E30-180.** Encroachment. **PA Department of Transportation**, P. O. Box 459, Uniontown PA 15401. To remove the existing structures and to construct and maintain two box culverts in Garner Run. Culvert #1 will be a single cell reinforced concrete box culvert having a normal span of 14.0 feet and an effective underclearance of 4.9 feet (invert depressed 1 foot below streambed) located on SR 0018, Section K00, Station 265+06.05 (Holbrook, PA Quadrangle N: 12.4 inches; W: 12.1 inches). Culvert #2 will be a single cell reinforced concrete box culvert having a normal span of 18.0 feet and an effective underclearance of 7.2 feet (invert depressed 1 foot below streambed) located on SR 0018, Section K01, Station 252+91.69 (Holbrook, PA Quadrangle N: 13.0 inches; W: 12.2 inches). This permit also authorizes the placement and maintenance of fill in a de minimis area of wetlands less than or equal to 0.05 acre, the relocation and maintenance of 63.0 feet of Garner Run downstream from Culvert #1 and the placement and maintenance of rock riprap bank protection along 25.0 feet of Garner Run upstream from Culvert #2 for the purpose of widening SR 0018. The project is located just north of the Village of White Cottage in Jackson Township, **Greene County**.

**E56-277.** Encroachment. **Summit Township**, P. O. Box 27, Meyersdale, PA 15552. To construct and maintain two 6.0-foot RCP culverts in Miller Run with the invert of one culvert depressed 6 inches below the stream bed for the purpose of accessing proposed businesses located off SR 219 across from Meyersdale High School (Meyersdale, PA Quadrangle N: 8.25 inches; W: 5.4 inches) in Summit Township, **Somerset County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E63-428.** Encroachment. **PA Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove the existing dual bridges and to construct and maintain new dual three-span bridges having clear spans of 80.5 feet, 83.0 feet and 52.5 feet with an underclearance of 36.5 feet across Tenmile Creek (TSF) and to extend and maintain the existing retaining wall on the left bank of said stream for a distance of 35.0 feet downstream. The project is located on I-79 near the Marianna Exit approximately 1.3 miles north of the Greene County—Washington County boundary line (Amity, PA Quadrangle N: 3.2 inches; W: 7.1 inches) in Amwell Township, **Washington County**. This permit also authorizes the construction and maintenance of a temporary causeway and stream diversion structures. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E63-431.** Encroachment. **Washington County Commissioners**, 701 Courthouse Square, Washington, PA 15301. To construct and maintain a bridge (Wyt Sprowls Bridge) having a span of 43.0 feet with an underclearance of 9.5 feet across Templeton Fork located on the east side of T-414 approximately 500 feet east from the intersection of T-410 and T-414 (Claysville, PA Quadrangle N: 7.0 inches; W: 4.0 inches) in East Finley Township, **Washing-**

**ton County.** This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E65-669.** Encroachment. **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To construct and maintain the following structures on two unnamed tributaries to Wilson Run as part of a service plaza parking area expansion and rehabilitation: a 22-foot extension to the existing 42-inch RCCP on the deceleration ramp station, 13+07.5; a 52-foot extension to the existing 7-foot × 10-foot CMP arch on the truck ramp, Station 24+50; to install and maintain approximately 110 L. F. of riprap to the north of the 7-foot × 10-foot culvert; and a 30-foot extension to the existing 60-inch RCCP on the acceleration lane. The project is located at the New Station Service Plaza (Mt. Pleasant, PA Quadrangle N: 14.7 inches; W: 9.1 inches) in Hempfield Township, **Westmoreland County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

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

**E20-446.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain a prestressed concrete spread box beam bridge having two 49.16-foot clear spans and an average underclearance of 10.35 feet on a 60 degree skew across Conneaut Creek on S. R. 0198, Segment 0160, Offset 0258 approximately 700 feet west of S. R. 18 (Conneautville, PA Quadrangle N: 1.4 inches; W: 16.5 inches) located in Conneautville Borough, **Crawford County**.

**E25-552.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To install concrete streambed paving 1-foot below the existing streambed, rock riprap scour protection and to maintain the existing bridge having a clear span of 20 feet and an underclearance of 7 feet across a tributary to West Branch French Creek on S. R. 0089, Segment 0410, Offset 0000 approximately 0.5 mile south of S. R. 430 at Colts Station (Wattsburg, PA Quadrangle N: 20.3 inches; W: 10.0 inches) located in Greenfield Township, **Erie County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E42-248.** Encroachment. **Foster Township Supervisors**, 1158 East Main Street, Bradford, PA 16701. To realign Foster Brook to protect the existing sanitary sewer line and manhole located north of S. R. 0346 approximately 4,800 feet west of S. R. 0646 on property known as the Lander Estates (Derrick City, PA Quadrangle N: 17.7 inches; W: 11.6 inches) located in Foster Township, **McKean County**. Work includes excavation of new 135-foot long channel, backfilling of the original 400-foot long channel, installation of approximately 60 feet of rock riprap bank stabilization and removal of two gravel bars totaling 100 feet. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E43-260.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To install concrete streambed paving 1-foot below the existing streambed, rock riprap scour protection and to maintain the existing bridge having a clear span of 18 feet and an underclearance of 6.5 feet across Pine Run on S. R. 0062, Segment 0050, Offset 0814 approximately

1,500 feet west of S. R. 518 (Sharon East, PA Quadrangle N: 19.3 inches; W: 16.6 inches) located in the City of Sharon, **Mercer County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E43-261.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain a prestressed concrete spread box beam bridge having a clear, normal span of 37 feet and an underclearance of 8.26 feet across McCullough Run on S. R. 3018, Segment 0030, Offset 0000 approximately 100 feet west of S. R. 0846 (Sharpsville, PA Quadrangle N: 4.1 inches; W: 16.2 inches) located in South Pymatuning Township, **Mercer County**.

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## SPECIAL NOTICES

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### Plan Revision Approval Under the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) approved a revision to the Centre County Municipal Waste Management Plan on December 20, 1996. There were no additional conditions.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, 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.

The plan revision is a public document and may be viewed at the Office of the Centre County Solid Waste Authority, 253 Transfer Road, Bellefonte, PA, or at the Office of the Centre County Commissioners, Willowbank Office Building, 420 Holmes Street, Bellefonte, PA, or at the Northcentral Regional Office, 208 West Third Street, Williamsport, PA.

Questions concerning this approval should be directed to Sally Lohman, Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472; or Ronald Sommers, Regional Planning and Recycling Coordinator, Bureau of Land Recycling and Waste Management, Northcentral Regional Office, 208 West Third Street, Williamsport, PA 18711, or Ted Onufrak, Centre County Solid Waste Authority, 253 Transfer Road, Bellefonte, PA.

### Plan Revision Approval Under the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) approved a revision to the Mercer County Municipal Waste Management Plan on August 13, 1997.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, 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.

The plan revision is a public document and may be viewed at the Office of the Mercer County Commissioners, Mercer County Courthouse, 103 Courthouse, Mercer, PA, or at the Department of Environmental Protection Northwest Regional Office, 230 Chestnut Street, Meadville, PA.

Questions concerning this approval should be directed to Sally Lohman, Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472; or Guy McUmbler, Regional Planning and Recycling Coordinator, Bureau of Land Recycling and Waste Management, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

**Special Notice**

The Department of Environmental Protection (Department) has made a preliminary determination to approve revision of Air Quality Plan Approval No. 24-306-003 to increase the NOx emission limits for Willamette Industries, Inc., Penntech Papers' Recovery Boiler from 110 ppm(v), dry corrected to 8% oxygen, 100.7 lbs/hr (30-day rolling average), and 440.9 tons/year, to 120 ppm(v) dry corrected to 8% oxygen, 140.0 lbs/hr (30-day rolling average), and 613.2 tons/year.

Willamette Industries, Inc., Penntech Papers (Willamette) located at 100 Center Street, Johnsonburg, PA 15845, has filed a request with DEP, Air Quality Program, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, for revision of the Recovery Boiler NOx emission limit defined in Plan Approval No. 24-306-003. The revision will be an increase in the NOx emission limit from 110 ppm(v) dry corrected to 8% oxygen, 100.7 lbs/hr (30-day rolling average), and 440.9 tons/yr, to 120 ppm(v) dry corrected to 8% oxygen, 140.0 lb/hr (30-day rolling average), and 613.2 tons/yr.

Based on 2 years of operation experience, Willamette has determined that the throughput and recovery of pulping chemicals per ton of pulp produced is greater than the preconstruction assumed production rate upon which all production and process equipment emission estimates were based. The practical upper limit on pro-

duction has been determined to be 700 Bone Dry Tons of Pulp (BDTP) vs. 630 BDTP. The increased capacity requires that the Recovery Boiler fire Black Liquor Solids (BLS) at 2.8 million lbs/day; an increase of 0.6 million lbs BLS/day. An increase in the NOx emission limit is necessary to accommodate the increased production demand. Equipment will not be modified.

At the time when Plan Approval No. 24-306-003 was issued, combustion control was determined to be the best available control technology (BACT), for NOx emission reduction for a recovery boiler firing 80% solids black liquor. A review of BACT/LAER/RACT clearing house entries indicates that combustion control continues to be BACT for NOx emission reduction from recovery boilers.

The increase in production is not a "Major Modification" as defined in 40 CFR 52.21(b)(2)(I). In accordance with 40 CFR 52.21(b)(2)(iii)(f), an increase in production rate will not be defined as a "Physical Change"; for Major Modification requirements.

Conditions will be imposed in the revised Plan Approval under the authority granted to the Department by Section 6.1 of the Air Pollution Control Act and 25 Pa. Code § 127.12(b). Such conditions are deemed necessary to insure compliance with the following regulations:

- 40 CFR Part 51—Stack Height Regulations
- 40 CFR Part 52—Prevention of Significant Deterioration
- 40 CFR Part 60—Standards of Performance for New Stationary Sources
- 35 P. S. § 4005—Air Pollution Control Act
- 25 Pa. Code Ch. 122—Adoption of 40 CFR Part 60
- 25 Pa. Code Ch. 123—Standards for Contaminants
- 25 Pa. Code Ch. 127—Construction, Modification, Reactivation and Operation of Sources
- 25 Pa. Code Ch. 137—Air Pollution Episodes
- 25 Pa. Code Ch. 141—GEP Stack Height

The operation of the Recovery Boiler at the increased production rate and the incorporation of the higher emission limit will result in a significant increase in only NOx emissions. The revised increment consumption, as determined through modeling studies based on a 120 ppm(v) emission limit, is as follows:

*NOx Increment Consumption:*

<i>Averaging Time</i>	<i>Allowable PSD Increment (µg/m³)</i>	<i>Maximum Recovery Boiler Increment (µg/m³)</i>	<i>Maximum Facility and Nearby Source Increment (µg/m³)</i>	<i>Percent of Increment</i>
Annual	25	7.14	10.17	40.68

Additional required impact analysis has shown that no adverse impact on visibility in any nearby Class I area will occur.

The revised Plan Approval would include the following amended condition:

- The NOx (oxides of nitrogen) emissions shall not exceed 120 ppm(v) dry corrected to 8% oxygen, 140.0 lbs/hr (30-day rolling average), and 613.2 tons/year.

*General Requirements:*

The Recovery Boiler is subject to 40 CFR Part 60, Subpart BB. When fired with natural gas (annual capacity factor exceeding 10%), the Recovery Boiler is also subject to 40 CFR Part 60, Subpart Db. The source shall comply with all applicable requirements of these Subparts. 40 CFR 60.4 requires submission of copies of all

requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to:

Director, Air, Toxics and Radiation Division, US EPA, Region III, 841 Chestnut Street, Philadelphia, PA 19107.

The Department will consider any written comments received within 30 days of the publication of this notice. Persons may oppose this preliminary determination by filing a written notice with the Department of Environmental Protection, Air Quality Control Program, 230 Chestnut Street, Meadville, PA 16335, Attn: Robert Huston.

Each comment shall include the following:

1. Name, address and telephone number of the person submitting the comment.



2. Identification of the proposed revision to Plan Approval No. 24-306-003.

3. Concise statement regarding the relevancy of the information or objections to issuance of the revised Plan Approval.

If sufficient public interest is generated, the Department, prior to issuance of the revised plan approval, may in its discretion, hold a public hearing or fact-finding conference, at which time persons may appear and give testimony. If it is decided to hold a public hearing, then a notice to this effect shall be published in the local newspaper giving the place and time of the hearing.

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

All the pertinent documents are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling Robert Huston at (814) 382-6940.

[Pa.B. Doc. No. 97-1506. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "June 1997 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will be adding its revised documents to the Web throughout 1997.

#### *Ordering Paper Copies of DEP Technical Guidance*

Persons can order a bound 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.

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*

Here is the current list of recent changes. 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 in general should call Jonathan Brightbill at (717) 783-8727.

#### *Final Technical Guidance—New Guidance*

DEP ID: 012-4180-001 Title: Policy for the Acceptance of Community Environmental Projects in Lieu of a Portion of Civil Penalty Payments Description: Department will follow a Department-wide policy of considering, in appropriate situations, performance of a Community En-

vironmental Project (CEP) when determining the amount of civil penalty it will accept as a settlement. Effective Date: September 1, 1997 Page Length: 6 pages Location: Vol 01, Tab 08 Contact: Alexis Hunt at (717) 787-4449

DEP ID: 150-2302-001 Title: Critical Elements for Certification of Drinking Water Laboratories for Chemistry. Description: Establishes minimum analytical criteria that laboratories must meet in order to obtain and maintain certification. Effective Date: October 1, 1997 Page Length: 28 pages Location: Vol 03, Tab 01 Contact: Ted Lyter at (717) 783-7150

DEP ID: 150-2302-002 Title: Critical Elements for Certification of Drinking Water Laboratories for Microbiology. Description: Establishes minimum analytical criteria that laboratories must meet in order to obtain and maintain certification. Effective Date: October 1, 1997 Page Length: 28 pages Location: Vol 03, Tab 02 Contact: Ted Lyter at (717) 783-7150

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-1507. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Citizens Advisory Council to the Department of Environmental Protection; Change in Meeting Date and Location

The Citizens Advisory Council (CAC) to the Department of Environmental Protection has changed its October 20 meeting, formerly scheduled to be held in Harrisburg, to October 6 and 7, 1997, at the Ramada Inn, Exit 10 of the Pennsylvania Turnpike, Somerset, PA. The meeting will begin at 7 p.m. on October 6 and continue through the afternoon on October 7.

The purpose of the meeting is for the CAC to hear comments and testimony from citizens and groups from Bedford, Blair, Cambria, Fayette, Indiana, Somerset and Westmoreland counties on environmental issues facing the region and the work of the Department.

Questions concerning the meeting or agenda items can be directed to Sue Wilson at (717) 787-4527. Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Stephanie Mioff directly at (717) 787-4527 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

BRIAN J. HILL,  
*Chairperson*

[Pa.B. Doc. No. 97-1508. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Cleanup Standards Scientific Advisory Board; Meeting Notice

The Cleanup Standards Scientific Advisory Board has scheduled its next meeting for September 23, 1997. The meeting will be held at 400 Market Street, RCSOB, 12th Floor conference room, beginning at 9:30 a.m.

Questions concerning this meeting can be directed to Marilyn Wooding at (717) 783-7509 or e-mail to

Wooding.Marilyn@a1.dep.state.pa.us. The agenda and meeting materials 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 Marilyn Wooding directly at (717) 783-7509 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. 97-1509. Filed for public inspection September 19, 1997, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

The contractors referenced below have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-11—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), this firm or this person, or any firms, corporations or partnerships in which the firm or person has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Rindfuss Electric, Inc., and Rick L. Rindfuss (Fed. ER Tax ID No. 25-1590897)	12180 Angling Road Edinboro, PA 16412	8/18/97

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 97-1510. Filed for public inspection September 19, 1997, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

#### Chester County Project Reference No. 08430AG2109

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately eleven (11) inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services for the following projects:

S. R. 0100, Section M06, Chester County. This project involves roadway restoration on Pottstown Pike from Prizer Road to PA 23 in South Coventry Township, Chester County.

S. R. 0322, Section M00, Chester County. This project involves roadway restoration on T. R. 322 from Traffic Route 82 to Lloyd Avenue in West and East Brandywine and Caln Township, Chester County.

S. R. 0322, Section M01, Chester County. This project involves roadway restoration on T. R. 322 from Lancaster County Line to Traffic Route 82 in Honeybrook and West Brandywine Townships, Chester County.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Review of inspector's resumes with emphasis on construction inspection capabilities, Department and District experience and supervisory experience.
- b. Specialized experience in bituminous paving, drainage and guiderail.
- c. Number of NICET certified inspectors in each payroll classification.
- d. Understanding of Department's requirements, policies and specifications.
- e. Ability to provide three (3) "CDS" operators or persons capable of inputting data into a personal computer (TCIS Classification).
- f. Past Performance.

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)	4 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	6 (4)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

The number(s) 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 pre-construction 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:

- a. Three (3) 35 MM Cameras (one per project)
- b. Three (3) two-way radios/repeater equipment and base unit (Maximum number per project)—S. R. 0322 (M00) and S. R. 0322 (M01) only.
- c. Safety Vests—high visibility for Inspectors—S. R. 0322 (M00) and S. R. 0322 (M01) only.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

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	9
TCI	7

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: Andrew Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Russell Swallow, District 6-0, at (610) 964-6686.

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

**Montgomery County  
Project Reference No. 08430AG2110**

The Department of Transportation will retain an engineering firm to perform final design and services during construction for S. R. 0309, Section 101, PA Route 309 Expressway in Upper Dublin and Lower Gwynedd Townships, Montgomery County. The project begins north of the Highland Avenue Interchange and ends at the northern limit of the Expressway south of PA Route 63, Welsh Road, a distance of approximately 6.4 km (4.0 miles). The Expressway reconstruction will include interchange improvements and bridge rehabilitation/replacements. The estimated construction cost of this project is \$53.0 million.

The selected firm will be required to provide the following engineering services: surveys; roadway design; drainage design; roadside development design; preparation of cross sections; erosion and sedimentation control design; structure design; subsurface boring, sampling and testing; preparation of traffic control, pavement marking and signing plans; traffic signal design; utility coordination; coordination with public agencies, municipal officials, and the public; preparation of final plans, specifications and estimates; shop drawing reviews; alternate design review; and construction during consultation.

Firms that are currently serving, or are being considered for selection, as municipal engineer in the municipalities listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Timothy R. O'Brien, at the telephone number listed below.

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

Letters of interest will be evaluated at the Engineering District 6-0 office with emphasis on the following factors:

- \* Specialized experience and technical competence of the firm including the firm's experience with similar type projects and their ability to provide innovative solutions to complex technical problems.
- \* Experience of employees to be associated with this project. Particularly important are the key people assigned to the project including their experience and past record of performance with similar projects.
- \* Overall current workload of the firm.

- \* Past performance record.

The District will announce the firms that have been shortlisted at an open public meeting scheduled for October 10, 1997 at 10:00 a.m. in Engineering District 6-0's large conference room.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Andrew L. Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Timothy R. O'Brien, P.E., District 6-0, at (610) 964-6526, or Michael J. Girman, III, District 6-0, at (610) 964-6530.

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

**Montgomery County  
Project Reference No. 08430AG2111**

The Department of Transportation will retain an engineering firm to perform final design and services during construction for S. R. 0309, Section 102, PA Route 309 Expressway in Cheltenham and Springfield Townships, Montgomery County. The project begins at Ogontz Avenue at Greenwood Avenue south of the Easton Road Interchange and ends south of PA Route 73 Church Road Interchange, a distance of approximately 5.0 km (3.1 miles). The Expressway reconstruction will include interchange improvements and bridge rehabilitation/replacements. The estimated construction cost of this project is \$47.8 million.

The selected firm will be required to provide the following engineering and design services: surveys; roadway design; drainage design; roadside development design; preparation of cross sections; erosion and sedimentation control design; structure design; subsurface boring, sampling and testing; preparation of traffic control, pavement marking and signing plans; traffic signal design and traffic signal interconnect design; utility coordination; coordination with public agencies, municipal officials, and the public; preparation of final plans, specifications and estimates; shop drawing reviews; alternate design review; and consultation during construction.

Firms that are currently serving, or are being considered for selection, as municipal engineer in the municipalities listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Timothy R. O'Brien, at the telephone number listed below.

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

Letters of interest will be evaluated at the Engineering District 6-0 office with emphasis on the following factors:

- \* Specialized experience and technical competence of the firm including the firm's experience with similar type

projects and their ability to provide innovative solutions to complex technical problems.

- \* Experience of employees to be associated with this project. Particularly important are the key people assigned to the project including their experience and past record of performance with similar projects.

- \* Overall current workload of the firm.

- \* Past performance record.

The District will announce the firms that have been shortlisted at an open public meeting scheduled for October 10, 1997 at 10:00 a.m. in Engineering District 6-0's large conference room.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Andrew L. Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Timothy R. O'Brien, P.E. District 6-0, at (610) 964-6526, or Michael J. Girman, III, District 6-0, at (610) 964-6530.

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

**General Requirements and Information**

Firms interested in 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 Selection Committee, 7th Floor, Forum Place, 555 Walnut Street, Harrisburg, PA 17101-1900

The Letter of Interest and required information must be received within thirteen (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 corporate 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 (1) 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 (1) 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 (2) 8 1/2" x 11" 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 employees 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 8 1/2" x 11" page, one side)

This Chart must 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 must include the number of subconsultant personnel and Column B must include the number of prime consultant personnel to be assigned to work on this project reference number. The prime and each subconsultant may include no more than one page each for Items 10 and 11.

If a Disadvantage 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 one (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 must be assembled with the prime's form first, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Form 255.

5. Workload Projection Graph (Not required for Construction Inspection Services) Separate Workload Projection Graphs for the prime and each subconsultant shown in Item 6 of the Form 255 must be included and must indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graphs must be submitted for the office(s) where the work would be performed and must 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 name in the Letter of Interest, the letters from proposed prime employees must 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)

A single page summary must indicate 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 (10) one sided 8 1/2" x 11" pages or five (5) double sided 8 1/2" x 11" pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisement(s) 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. 97-1511. Filed for public inspection September 19, 1997, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee to review Senate Bill 1057, which would mandate insurance benefits for the detection and treatment of osteoporosis.

The Council is requesting that anyone supporting or opposing these mandated insurance benefits provide six copies of documentation to the Council no later than November 19, 1997. The documentation should be mailed to Marc P. Volavka, Director of Program Administration, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

Documentation submitted should be in accordance with any or all of the following information categories described in Section 9 of Act 34:

(i) The extent to which the proposed benefit and the services it would provide are needed by, available to and utilized by the population of the Commonwealth.

(ii) The extent to which insurance coverage for the proposed benefit already exists, or if no such coverage exists, the extent to which this lack of coverage results in inadequate health care or financial hardship for the population of the Commonwealth.

(iii) The demand for the proposed benefit from the public and the source and extent of opposition to mandating the benefit.

(iv) All relevant findings bearing on the social impact of the lack of the proposed benefit.

(v) Where the proposed benefit would mandate coverage of a particular therapy, the results of at least one professionally accepted, controlled trial comparing the medical consequences of the proposed therapy, alternative therapies and no therapy.

(vi) Where the proposed benefit would mandate coverage of an additional class of practitioners, the result of at least one professionally accepted, controlled trial comparing the medical results achieved by the additional class of practitioners and those practitioners already covered by benefits.

(vii) The results of any other relevant research.

(viii) Evidence of the financial impact of the proposed legislation, including at least:

(A) The extent to which the proposed benefit would increase or decrease cost for treatment or service.

(B) The extent to which similar mandated benefits in other states have affected charges, costs and payments for services.

(C) The extent to which the proposed benefit would increase the appropriate use of the treatment or service.

(D) The impact of the proposed benefit on administrative expenses of health care insurers.

(E) The impact of the proposed benefits on benefits costs of purchasers.

(F) The impact of the proposed benefits on the total cost of health care within the Commonwealth.

ERNEST J. SESSA,  
*Executive Director*

[Pa.B. Doc. No. 97-1512. Filed for public inspection September 19, 1997, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, September 4, 1997, and took the following actions:

#### *Regulations Approved:*

#1832 Pennsylvania Public Utility Commission #57-183: Perfection of Security Interests in Intangible Transition Property (adds Chapter 74 to 52 Pa. Code)

#1844 Pennsylvania Securities Commission #50-110: Registration of Securities, Broker-Dealers, agents, Investment Advisors and Administration (amends 64 Pa. Code Chapters 102, 202—204, 207, 209, 302, 606 and 609)

#1751 Environmental Quality Board #7-296: Storage Tank Technical Standards (amends 25 Pa. Code Chapter 245)

#1644 Environmental Quality Board #7-290: Stream Redesignations, Tinicum et al. (amends the designation of nine streams or stream groups as set forth in 25 Pa. Code Chapter 93)

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

Public Meeting held  
September 4, 1997

*Pennsylvania Public Utility Commission— Perfection of Security Interests in Intangible Transition Property; Doc. No. 57-183*

#### Order

On April 21, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking would add Chapter 74 to 52 Pa. Code to establish the process for perfection of security interests in intangible transition property. The regulation would also establish filing fees related to perfection of security interests in 52 Pa. Code Chapter 1. The authority for this regulation is found in section 501 of the Public Utility Code (66 Pa.C.S. § 501) and the Electric Generation Choice for Customers of Electric Cooperatives Act (Act 138) (66 Pa.C.S. §§ 2812(d)(1)—(4)). The proposed regulation was published in the May 3, 1997 *Pennsylvania Bulletin* with a 20-day public comment period. The final-form regulation was submitted to the Commission on August 4, 1997.

The PUC is required under Act 138 to promulgate regulations governing the perfection of security interests in intangible transition property. The proposed regulation implements this mandate and is intended to guarantee investors that they will have first priority in the money being collected to pay off any transition bonds issued to help the electric utility manage the transition to competition.

We have reviewed this regulation and find it to be in the public interest. The regulation reflects the requirements of Act 138 by establishing the procedures for perfection of security interests in intangible transition property.

*Therefore, It Is Ordered That:*

1. Regulation No. 57-183 from the Pennsylvania Public Utility Commission, as submitted to the Commission on August 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  
September 4, 1997

*Pennsylvania Securities Commission— Registration of Securities, Broker-Dealers, Agents, Investment Advisors and Administration; Doc. No. 50-110*

#### Order

On April 24, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Securities Commission (PSC). This rulemaking would amend 64 Pa. Code Chapters 102, 202—204, 207, 209, 302, 606 and 609. The authority for this regulation is 70 P. S. § 1-609(a). The proposed regulation was published in the May 31, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 7, 1997.

The PSC is proposing amendments designed to remove, or significantly diminish, existing regulatory requirements for broker-dealers, or other persons and companies that issue securities. This is accomplished by repealing certain provisions, amending others to eliminate or substantially reduce filing requirements, and by adopting self-executing exemptions. Amendments to exemptions in Chapters 202, 203 and 302 are consistent with national uniform policies developed through the North American Securities Administrators Association.

We have reviewed this regulation and find it to be in the public interest. The PSC estimates savings to the regulated community of \$750,000 per year through a reduction in the number of required filings.

*Therefore, It Is Ordered That:*

1. Regulation No. 50-110 from the Pennsylvania Securities Commission, as submitted to the Commission on August 7, 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  
September 4, 1997

*Environmental Quality Board— Storage Tank Technical Standards; Doc. No. 7-296*

#### Order

On June 11, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking would amend 25 Pa. Code Chapter 245. The authority for this regulation is found in sections 106, 301(a), (b) and (d), 501, 304, 501(b), 504, 1101 and 1102 of the Storage Tank and Spill Prevention Act (Act) (35 P. S. §§ 6021.106, 6021.301(a), (b) and (d), 6021.304, 6021.501 and 501(b), 6021.504, 6021.1101 and 6021.1102); section 5(b)(1) of The Clean Streams Law (35 P. S. § 691.5(b)(1)); and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20). The proposed regulation was published in the June 29, 1996 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on August 5, 1997.

The regulation incorporates the Federal underground storage tank regulations found at 40 CFR Part 280, with minor changes and additions. In addition, the EQB is creating new subchapters establishing a permitting program for storage tanks. The regulation also provides separate technical and operational standards for small and large aboveground storage tanks.

We have reviewed this regulation and find it to be in the public interest. The regulation is the final major new rulemaking package needed to implement Pennsylvania's storage tank program under the act.

*Therefore, It Is Ordered That:*

1. Regulation No. 7-296 from the Environmental Quality Board, as submitted to the Commission on August 5, 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  
September 4, 1997

*Environmental Quality Board— Stream Redesignations:  
Tinicum Creek, et al.; Doc. No. 7-290*

### Order

On July 25, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking would amend the designation of nine streams or stream groups as set forth in 25 Pa. Code Chapter 93. The authority for this regulation is found in The Clean Streams Law (35 P. S. §§ 691.5(b)(1) and 691.402); section 303 of the Federal Clean Water Act (33 U.S.C.A. § 1313); 40 CFR 131.32, relating to EPA (Environmental Protection Agency) promulgation of water quality standards; and section 1920-A of The Administrative Code of 1929, as amended (71 P. S. § 510-20). The proposed regulation was published in the August 5, 1995 edition of the *Pennsylvania Bulletin*, with a 60-day public comment period. The final-form regulation was submitted to the Commission on August 5, 1997.

These amendments would modify Chapter 93 to reflect the recommended redesignation of the following streams: Tinicum Creek (Bucks County); Unami Creek (Montgomery County); Little Fishing Creek (Columbia County); Lick Run (Columbia County); Finley Run (Cameron County); Pine Creek (Tioga County); Letort Spring Run (Cumberland County); Shirley Run (Crawford County); and Sideling Hill Creek (Fulton County). The current designation of Lofty Creek (Schuylkill County), while reexamined, remains unchanged.

We have reviewed this regulation and find it to be in the public interest. The amendments will provide increased protection for those streams which possess environmental features that merit additional protection under Pennsylvania and Federal law.

*Therefore, It Is Ordered That:*

1. Regulation No. 7-290 from the Environmental Quality Board, as submitted to the Commission on August 5, 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. 97-1513. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
#7-285	Environmental Quality Board Postmining Discharges/Licensing and Bonding	9/9/97

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 97-1514. Filed for public inspection September 19, 1997, 9:00 a.m.]

## INSURANCE DEPARTMENT

### The Appeal of Coleman Auto Sales; Pennsylvania Assigned Risk Plan; Doc. No. P97-09-001

Under the Pennsylvania Assigned Risk Plan, Section 19, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741, notice is hereby given that Coleman Auto Sales has requested a hearing on the determination by the Pennsylvania Assigned Risk Plan Governing Committee of the termination of the above-captioned automobile insurance policy.

The hearing will be held on October 8, 1997, at 11 a.m. in the Capitol Associates Building, 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of the Administrative Agency Law, 2 Pa.C.S. §§ 101, 501—508 and 701—704; section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth in 31 Pa. Code § 59.7(e). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.193, 35.225—35.251, 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) 787-4298.

M. DIANE KOKEN,  
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1515. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Application and Request for a Certificate of Authority

On August 23, 1997, a notice appeared stating that Eastern Life Insurance Company has applied for a Certificate of Authority to operate as a stock life insurance company in this Commonwealth. The notice should have indicated that Eastern American Life Insurance Company applied for a Certificate of Authority to operate a stock



life insurance company in this Commonwealth. The initial filing was received on August 7, 1997 and was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. Section 1 et seq. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving this Certificate of Authority 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 interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120.

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1516. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Application and Request for a Certificate Of Authority

Human Affairs International of Pennsylvania, Inc. has applied for a Certificate of Authority for a subsidiary to operate as a preferred provider organization in this Commonwealth. The initial filing was received on August 27, 1997 and was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. Section 1 et seq. and the Insurance Laws, 40 P. S. § 764a. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving this Certificate of Authority 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 interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120.

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1517. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Falcon Oil Company, Inc.; Doc. No. UT97-09-005

Under 2 Pa. Code §§ 501—508 and §§ 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law, it is hereby ordered that:

A formal administrative hearing is scheduled for November 4, 1997 at 10 a.m. in the Administrative Hearing Office, 901 North Seventh Street, Room 200, Harrisburg, PA 17102.

A Prehearing Conference is scheduled for October 21, 1997 at 10 a.m. in the Administrative Hearing Office, 901 North Seventh Street, Room 200, Harrisburg, PA 17102.

A written request for continuance of the scheduled hearing, for good cause, will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party to determine whether the opposing party objects. Any request for continuance must indicate whether the opposing party objects to a continuance.

Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before October 21, 1997.

The Docket Clerk shall file cause notice of the scheduled hearing and the due date for preliminary filings to be published in the *Pennsylvania Bulletin*.

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1518. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Highmark Inc.; Requesting Authority to Increase Direct Pay Medical Surgical Medicare Supplement Product Rates; Filing No. 1-DPCM-97-HI

By Filing No. 1-DPCM-97-HI, Highmark Inc., d/b/a Highmark Blue Cross Blue Shield in Western Pennsylvania and d/b/a Pennsylvania Blue Shield outside Western Pennsylvania, requests approval of an increase to its Direct Pay Medical Surgical Medicare Supplement product rates. The filing requests an average increase of 13.0%, varying by Blue Cross Plan area. This rate change will produce an estimated additional annual income of \$29.1 million and will affect approximately 379,000 policy holders. They request an approval to implement the new rates effective January 1, 1998.

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

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1519. Filed for public inspection September 19, 1997, 9:00 a.m.]

**Highmark Inc.; Requesting Authority to Increase Direct Pay Medical Surgical Product Rates; Filing No. 1-DPMS-97-HI**

By Filing No. 1-DPMS-97-HI, Highmark Inc., d/b/a Highmark Blue Cross Blue Shield in Western Pennsylvania and d/b/a Pennsylvania Blue Shield outside Western Pennsylvania, requests approval of an increase to its Direct Pay Medical Surgical product rates. The filing requests an increase of 18.8%, varying by Blue Cross Plan area. This rate change will produce an estimated additional annual income of \$5.8 million and will affect approximately 37,400 policy holders. They request approval to implement the new rates effective January 1, 1998.

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

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1520. Filed for public inspection September 19, 1997, 9:00 a.m.]

**Highmark Inc.; Requesting Authority to Increase Direct Pay Preferred Benefit Hospital Rates; Filing No. 1-CPE-97-HBCBS**

By Filing No. 1-CPE-97-HBCBS, Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval of an increase to its Direct Pay Preferred Benefit Hospital product rates. The filing requests an increase of 28.5%. This rate change will produce an estimated additional annual income of \$3.7 million and will affect approximately 6,200 policy holders. They request approval to implement the new rates effective January 1, 1998.

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

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1521. Filed for public inspection September 19, 1997, 9:00 a.m.]

**Highmark Inc.; Requesting Authority to Increase Direct Pay Preferred Major Medical Rates; Filing No. 1-NMM-97-HBCBS**

By Filing No. 1-NMM-97-HBCBS, Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval of an increase to its Direct Pay Preferred Benefit Major Medical product rates. The filing requests an increase of 35.0%. This rate change will produce an estimated additional annual income of \$1.7 million and will affect approximately 5,100 policy holders. They request approval to implement the new rates effective January 1, 1998.

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

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1522. Filed for public inspection September 19, 1997, 9:00 a.m.]

**Highmark Inc.; Requesting Authority to Increase Direct Pay Security 65 Hospital Rates: Security 65 Plans A, B, C and H; Filing No. 1-65S-97-HBCBS**

By Filing No. 1-65S-97-HBCBS, Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval of an increase to its Direct Pay Security 65 Hospital product rates. The filing requests an increase of 29.2%. This rate change will produce an estimated additional annual income of \$27.6 million and will affect approximately 144,000 policy holders. They request approval to implement the new rates effective January 1, 1998.

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

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1523. Filed for public inspection September 19, 1997, 9:00 a.m.]

**Mary E. Brown; Catastrophic Loss Benefits Continuation Fund; Doc. No. CF97-08-016**

A telephone prehearing conference initiated by this office shall be conducted on September 25, 1997, at 10 a.m. The parties shall have exchanged and filed prior to September 25, 1997, all exhibits intended for use in the hearing, a witness list identifying the names, addresses and telephone numbers for the proposed witnesses, the identity of all experts along with their curriculum vitae and proposed testimony, an estimate of time for the respective party's case-in-chief, a listing of all legal issues and supportive citation for the respective party's position pertaining to the legal issues and all joint factual stipulations.

The hearing will occur October 9, 1997, at 10 a.m. in Room 200, Administrative Hearing Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1524. Filed for public inspection September 19, 1997, 9:00 a.m.]

**Notice to Medical Malpractice Insurance Carriers and Self-Insured Health Care Providers**

Insurance companies that offer basic limits medical malpractice coverage are required to report medical malpractice claims information to the Medical Professional Liability Catastrophe Loss Fund (Fund) and to the Insurance Department for insureds who are subject to the provisions of The Health Care Services Malpractice Act (40 P. S. § 1301.701, et seq.) (act). Organizations and physicians that self-insure their medical malpractice exposures are also required to report this claims information. These reports are required under to section 809 of the act, as amended by Act 135 of 1996.

The claims information must be reported to the Fund and to the Insurance Department by October 15 of each year. The following Calendar Year 1996 claims information is due to the Fund and to the Insurance Department by October 15, 1997:

- the aggregate amount of premium earned;
- the aggregate amount of losses paid;
- the aggregate amount of losses incurred;
- the aggregate amount of loss reserves outstanding;
- the aggregate amount of loss adjustment expenses paid;
- the aggregate amount of loss adjustment expenses incurred;
- the aggregate amount of loss adjustment expense reserves outstanding;
- a table showing separately by accident year and

county the number of claims first reported, (or arising), in 1996;

- a table showing separately by accident year and disposition (that is, judgment of arbitration panel, judgment of court, settlement, or other) the number of claims closed, (or disposed), in 1996;

- a separate table for each type of disposition identified above showing for claims closed (or disposed) in 1996 separately by accident year: the number of claims closed, (or disposed), with payment; the total losses incurred for those claims closed with payment; the basic coverage premiums collected on the policies under which the claims were reported which closed with payment; and the amount of surcharge collected on the policies under which the claims were reported which closed with payment.

All reports must be submitted in both printed form and in electronic form as an Excel or Lotus spreadsheet. The form for submission and a pre-formatted Excel spreadsheet are available from Candice Barklarz, Actuarial Associate, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2114. Questions concerning the information contained in this notice may also be directed to Candice Barklarz.

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1525. Filed for public inspection September 19, 1997, 9:00 a.m.]

**The Ohio Casualty Insurance Company; West American Insurance Company; American Fire and Casualty Company; Homeowner's Insurance**

On September 2, 1997, the Insurance Department received from The Ohio Casualty Insurance Company, West American Insurance Company, and American Fire and Casualty Company a filing for a rate level change for Homeowner's insurance.

The companies request an overall 14.3% increase amounting to \$2.4 million annually, to be effective November 1, 1997, for new business and December 23, 1997, for renewal business.

Unless formal administrative action is taken prior to November 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 Michael P. McKenney, 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*.

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1526. Filed for public inspection September 19, 1997, 9:00 a.m.]

### **Pennsylvania National Mutual Casualty Insurance Company; Homeowners**

On September 3, 1997, the Insurance Department received from Pennsylvania National Mutual Casualty Insurance Company a filing for a rate level change for homeowners' insurance.

The company requests an overall 4.1% increase amounting to \$440,000 annually, to be effective January 24, 1998.

Unless formal administrative action is taken prior to November 2, 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 Candice Backlarz, 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*.

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1527. Filed for public inspection September 19, 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 Carls, Paul and Ruth; file no. 97-198-05236; Prudential Property and Casualty; doc. no. P97-09-003; September 30, 1997, at 10 a.m.

Appeal of Strick, Susan Cafeo; file no. 97-198-04073; Erie Insurance Exchange; doc. no. P97-08-032; September 30, 1997, at 2 p.m.

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

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if

any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1528. Filed for public inspection September 19, 1997, 9:00 a.m.]

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

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

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

Appeal of Allstate Insurance Company; file no. 97-121-05109; John and Bonnie Mitchell; doc. no. P97-09-004; September 30, 1997, at 11 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

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

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

M. DIANE KOKEN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1529. Filed for public inspection September 19, 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, please call (717) 783-1530.

### *Executive Board*

Resolution #CB-97-195, Dated, August 6, 1997. The Commonwealth of Pennsylvania entered into a side letter of agreement with the American Federation of State, County, and Municipal Employees, AFL-CIO, Game Commission Act 111 bargaining unit; providing for a two pay step adjustment for five employees listed on the agreement.

Resolution #CB-97-196, Dated, August 6, 1997. The Commonwealth of Pennsylvania entered into a Collective Bargaining Agreement with the Fraternal Order of Police Conference of Pennsylvania Liquor Control Board Lodges. This agreement encompasses approximately 170 employees in the K4 rank and file unit certified by the Pennsylvania Labor Relations Board, PERA No. R-1083-C. Section 23.1 of Management Directive 505.7, Personnel Rules, provides that when the provisions of Collective Bargaining Agreement are approved by the Executive Board, those provisions shall take precedence over the Personnel Rules insofar as they apply to employees encompassed by the agreement.

### *Governor's Office*

Manual M110.1—1998-99—Budget Instructions—August 1997.

Manual M315.1—Municipal Tax Rate Schedules—Revision No. 3, Dated July 31, 1997.

Management Directive No. 220.5—Payment of Interagency Billings for Centralized Services—Amended July 31, 1997.

Management Directive No. 305.19—Identification of Boards, Commissions, and Councils—Dated August 15, 1997.

Management Directive No. 530.8—Motor Vehicle Financial Responsibility Law—Amended July 22, 1997.

Management Directive No. 530.23—State Employee Combined Appeal—Amended August 18, 1997.

Management Directive No. 590.7—Labor Relations—Grievance Administration—Amended July 28, 1997.

Administrative Circular No. 97-22—Automotive Fleet Preventive Maintenance Schedule—Dated July 16, 1997.

Administrative Circular No. 97-23—Revised Revenue Estimates, 1997-98 Fiscal Year—Dated July 22, 1997.

Administrative Circular No. 97-24—Services Provided by the Commonwealth Travel Center—July 22, 1997.

Administrative Circular No. 97-25—Availability—Commonwealth Telephone Directory—Dated July 23, 1997.

Administrative Circular No. 97-26—Appropriation, Authorization, and Expenditure of Federal Funds—Dated July 31, 1997.

Administrative Circular No. 97-27—Revenue Estimates, 1998-99 Fiscal Year—Dated August 6, 1997.

Administrative Circular No. 97-28—1998-99 Budget Instructions—Dated August 15, 1997.

Administrative Circular No. 97-29—Revised Terms and Conditions for Form STD-278, Service Purchase Contract—Dated August 15, 1997.

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

[Pa.B. Doc. No. 97-1530. Filed for public inspection September 19, 1997, 9:00 a.m.]

# LIQUOR CONTROL BOARD

## Expiration of Leases

The following Liquor Control Board lease will expire:

Lehigh County, Wine & Spirits Shoppe #3904, 3300 Lehigh Street, Allentown, PA 18103

*Lease Expiration Date:* August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space within the South section of Allentown City along Lehigh Street.

*Proposals due:* October 17, 1997 at 12 noon

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

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

Lehigh County, Wine & Spirits Shoppe #3911, 119 Chestnut Street, Coplay, PA 18037

*Lease Expiration Date:* September 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 to 2,200 net useable square feet of new or existing retail commercial space within the Borough of Coplay.

*Proposals due:* October 17, 1997 at 12 noon

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

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

Northampton County, Wine & Spirits Shoppe #4811, 15 N. Broadway, Wind Gap, PA 18091

*Lease Expiration Date:* August 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 to 2,700 net useable square feet of new or existing retail commercial space within the Borough or vicinity of Wind Gap.

*Proposals due:* October 17, 1997 at 12 noon

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

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

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 97-1531. Filed for public inspection September 19, 1997, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Interconnection Agreement

**A-310481F0003. Denver and Ephrata Telephone and Telegraph Company; and Pennsylvania Cellular Telephone Corp.** Joint Application of Denver and Ephrata Telephone and Telegraph Company; and Pennsylvania Cellular Telephone Corp. for approval of interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Denver and Ephrata Telephone and Telegraph Company; and Pennsylvania Cellular Telephone Corp., by its counsel, filed on August 21, 1997, at the Pennsylvania Public Utility Commission (Commission), a Joint Application for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the application and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the Denver and Ephrata Telephone and Telegraph Company; and Pennsylvania Cellular Telephone Corp. Joint Application are on file with the Commission and are available for public inspection. The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1532. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Railroad With Hearing

**C-00968197. Borough of Renovo v. Consolidated Rail Corporation.** A complaint has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code, requesting Consolidated Rail Corporation to alleviate unsafe condition of retaining wall and other problems as well as pay the Borough for costs incurred in cleaning up a crumbling retaining wall.

An initial hearing on this matter will be held Wednesday, November 5, 1997, at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, PA, when and

where all persons in interest may appear and be heard, if they so desire.

JAMES J. McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1533. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Railroad With Hearing

**A-00112971. Consolidated Rail Corporation.** An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code, requesting the abolition of 16 crossings where Consolidated Rail Corporation's former Carnegie Secondary (Weirton) between MP 11.0 and MP 26.7 intersects various roadways with eight at-grade crossings, two overhead crossings and six under-grade crossings, SUB NR 1148, Pittsburgh Division RDBR 40-2206, in Allegheny and Washington Counties.

An initial hearing on this matter will be held Wednesday, October 29, 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 interest may appear and be heard, if they so desire.

JAMES J. McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1534. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Railroad With Hearing

**C-00968945. Consolidated Rail Corporation v. City of Reading.** A complaint has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code, requesting that the Overhead Bridge No. 58.39 carrying Washington Street (592 147 H) over the Harrisburg Line, City of Reading, Berks County, PA has existing storm sewer lines located behind the east and west retaining walls of the bridge which are leaking and depositing a significant amount of water through the retaining walls and onto Conrail property. The water has caused a considerable amount of damage to the retaining walls. A safety concern is the potential for undermining of the retaining walls caused by the water. Complainant wants the respondent to repair the storm sewer lines and retaining walls.

An initial hearing on this matter will be held Tuesday, October 7, 1997, at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1535. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Railroad With Hearing

**C-00970318. Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. CSX Transportation, Inc.** A complaint has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code, requesting that several of the railroad lines operated by CSX Transportation, Inc. in Somerset Township, Somerset County cross State Route 3025 and above referenced crossings are designated as AAR No. 145 159 W and AAR No. 145 160 R. Prior to July 26, 1996 the respondent removed railroad tracks on either side of the crossing designated as AAR No. 145 159 W, leaving railroad tracks only in the roadway and shoulder area. The tracks, ties and other material have been paved over. Since the removal of these tracks, CSX's Trains can no longer operate across this crossing. The present condition of the crossing constitutes a potential safety hazard in that the rails, ties and other track material under the roadway and shoulder paving will cause the roadway paving to crack and deteriorate. Prior to July 26, 1996, the respondent removed two of four sets of tracks at the crossing designated AAR No. 145 160 R expect in through the roadway and shoulder area so its trains no longer operate through the crossing on these two tracks.

The flashing light warning signals at the crossing have not been relocated since the removal of two of the four sets of tracks at the crossing area and need to be relocated since motorists now cross two sets of inactive tracks before they encounter a train movement which causes a safety hazard in that the placement of the flashing light signal does not conform with the criteria set forth in the Manual on Uniform Traffic Control Devices and the crossing surance is uneven. Since July 26, 1996 the respondent has refused to file an application with the Commission to abolish crossing AAR No. 145 159 W & alter crossing AAR No. 145 160 R despite requests from Transportation and Safety.

An initial hearing on this matter will be held Thursday, October 2, 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.

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1536. Filed for public inspection September 19, 1997, 9:00 a.m.]

### Railroad With Hearing

**A-00111430. Southeastern Pennsylvania Transportation Authority (SEPTA).** An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code, requesting to reconstruct the existing railroad bridge #6.68 over Tabor Road (AAR 592 556 A) and to rehabilitate the existing railroad bridge #6.44 over 10th Street (AAR 592 557 G), both located in the City of Philadelphia, and allocation of costs thereof.

An initial hearing on this matter will be held Tuesday, October 14, 1997, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building,

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

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1537. Filed for public inspection September 19, 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 (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 October 14, 1997 as set forth at 52 Pa. Code § 3.381 (relating to applications for 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 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-00114235. Darcel Stanback, t/a T.T.C.F.** (1323 South Mole Street, Philadelphia, Philadelphia County, PA 19146)—persons, in paratransit service, from points in the city and county of Philadelphia, to all State and Federal Correctional Institutions, located in Pennsylvania, and return.

**A-00114249. Non Profit Emergency Service of Beaver County, Inc., t/d/b/a Medic Rescue** (P. O. Box 911, Beaver Fall, Beaver County, PA 15010-0911), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Beaver, and from points in the said county to points in the counties of Allegheny, Butler, Lawrence and Washington, and return; subject to the following conditions: (1) that service is limited to the use vehicles modified to handle wheelchairs, and is equipped and manned to provide certain medical procedures whether ongoing or emergency in nature; (2) service is limited to the transportation of persons who are nonambulatory, or persons who, due to chronic or acute physical or mental conditions, require assistance in boarding or disembarking the vehicle, or medical monitoring, or the use of medical appliances or equipment, or an escort, including a driver certified to provide CPR and provide care at the level of a First Responder; and (3) service is limited to persons who made advance reservations. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**Applications of the following for approval of the right to begin to operate as a broker for the transportation of persons as described under each application.**

**A-00114233. AAA Lancaster County** (804 Estelle Drive, Lancaster, Lancaster County, PA 17601-2121), a corporation of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of

persons between points in Pennsylvania. *Attorney:* Clarence C. Kegel, Jr., 24 North Lime Street, Lancaster, PA 17602.

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

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265 on or before October 6, 1997.

A-00114253 Robert R. Bean, Jr., t/d/b/a R.R.B.  
Trucking  
3237 Oneida Valley Road, Enlenton, PA  
16373

A-00114254 Roy D. Moyer, t/d/b/a Roy D. Moyer  
Trucking  
R. D. 2, Box 2316, Lebanon, PA 17046

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1538. Filed for public inspection September 19, 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:

October 15, 1997	Margaret A. Baldassare (Purchase of Maternity Leave)	1 p.m.
October 29, 1997	Joyce A. Acker (Purchase of Service-Approved LOA)	1 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 Employes' 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 the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JAMES A. PERRY,  
*Secretary*

[Pa.B. Doc. No. 97-1539. Filed for public inspection September 19, 1997, 9:00 a.m.]

**TURNPIKE COMMISSION**

**Request for Proposals**

Sealed Proposals will be received by Jeffrey L. Hess, Purchasing Manager, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated for the following Contract:

Contract No. 91-005-FR08—Bituminous Overlay and Shoulder Reconstruction from M. P. 173.95 to M. P. 179.94 in Fulton County, PA

Bid Opening Date—October 22, 1997, 11 a.m.

Bid Surety—5%

Plans, Specifications and Contract Documents will be available and open to public inspection at the Administration Building. Copies may be purchased upon payment of \$55 per set by check or P. O. Money Order (No Cash) to the Pennsylvania Turnpike Commission. Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. (Do not add State tax). No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

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