

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 25, 1997.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-21-97	Pocono Community Bank Stroudsburg Monroe County	559 Main Street P. O. Box 639 Stroudsburg Monroe County	Commenced Operations

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Area</i>
11-20-97	S & T Bank Indiana Indiana County	Second Avenue and Hicks Street Leechburg Armstrong County	Approved
11-21-97	Patriot Bank Pottstown Montgomery County	30 W. Franklin St. Topton Berks County	Effective

SAVINGS ASSOCIATIONS

Branch Applications

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
11-16-97	East Stroudsburg Savings Association Stroudsburg Monroe County	Mr. Z's Supermarket U. S. Highway 209 and Weir Lake Road Chestnuthill Twp. Monroe County	Opened

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 97-1948. Filed for public inspection December 5, 1997, 9:00 a.m.]

DEPARTMENT OF EDUCATION

General Educational Development (GED) Diplomas and Transcripts

Effective January 1, 1998, the Department of Education will begin charging \$3 for producing and mailing Commonwealth Diploma program transcripts. Diplomas and initial transcripts that are provided each time General Educational Development (GED) tests are scored will continue to be provided at no cost to the clients. Also, the diplomas and initial transcripts for clients who receive credentials based on college attendance and semester hour credit will be provided at no cost. Any additional transcripts provided upon request of clients whether to be

mailed to the client or to a third party at the request of the client will only be provided upon receipt of a cashier's check, certified check or money order made payable to the Commonwealth of Pennsylvania in the exact amount of \$3 per transcript. Cashier's checks, certified checks and money orders that are made out to any amount other than \$3 per transcript will be returned to the sender. Personal checks and cash will not be accepted as payment and will be returned to the sender. The address for ordering transcripts is: Department of Education, Commonwealth Diploma Program, 333 Market Street, 12th Floor, Harrisburg, PA 17126-0333.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 97-1949. Filed for public inspection December 5, 1997, 9:00 a.m.]

State Plan and Preschool Grant

The Department of Education's State Plan and Preschool Grant under the Individuals with Disabilities Education Act has been amended and approved by the United States Department of Education. The amendments have been disseminated to local school districts, intermediate units and instructional support centers and thus are available for public inspection. Copies may be requested by writing to Samuel R. Bashore, Bureau of

Special Education, 333 Market Street, 7th Floor, Harrisburg, PA 17126. If this information is required in an alternate format, contact Jill Deitrich at the above address or call (717) 772-0635, TTY: (717) 787-7367.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 97-1950. Filed for public inspection December 5, 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 the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permit are invited to submit a statement to the 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 Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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

PA 0055484. Sewage, **Herbert and Elizabeth Keating**, 68 Bullock Road, Chadds Ford, PA 19317.

This application is for renewal of an NPDES permit to discharge treated sewage from small flow sewage treatment plant in Birmingham Township, **Delaware County**. This is an existing discharge to drainage area of an unnamed tributary of the Brandywine Creek.

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

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia (as N) (5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0054585. Sewage, **Clark Properties, Inc.**, P. O. Box 239, Concordville, PA 19331-0239.

This application is for renewal of an NPDES permit to discharge treated sewage from Clark Properties Lot No. 37 residence in Concord Township, **Delaware County**. This is an existing discharge to intermittent UNT to West Branch Chester Creek.

The receiving stream is classified as a dry stream. It is an intermittent unnamed tributary to the West Branch of Chester Creek.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N) (5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

PA 0051632. Industrial waste, **City of Easton**, Route 611, North Delaware Drive, Easton, PA 18042.

This application is for renewal of an NPDES permit to discharge sedimentation basin overflow and shaft lubrication water from the City of Easton Water Treatment Plant located in the City of Easton, **Northampton County**. This is an existing discharge to the Delaware River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.0014 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Total Iron	2	4	5
Total Aluminum	4	8	10
Total Manganese	1	2	2.5
Dichlorobromomethane		monitor/report	
Chlorodibromomethane		monitor/report	
Chloroform		monitor/report	
Total Residual Chlorine	0.5		1.6
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfall 002 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Total Iron	2	4	5
Total Aluminum	4	8	10
Total Manganese	1	2	2.5
Dichlorobromomethane		monitor/report	
Chlorodibromomethane		monitor/report	
Chloroform		monitor/report	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.5		1.6
pH	within limits of 6.0—9.0 standard units at all times		

PA 0012092. Industrial waste, **BOC Gases**, 575 Mountain Avenue, Murray Hill, NJ 07974.

This application is for renewal of an NPDES permit to discharge untreated cooling water and stormwater from the BOC Gases facility in City of Bethlehem, **Northampton County**. This is an existing discharge to dry swale tributary to the Lehigh Canal.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.026 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Dissolved Solids	1,000	2,000	2,500
Total Residual Chlorine	0.5		1.6

The proposed effluent limits for Outfall 001, based on an average storm event 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 ₅			monitor/report
COD			monitor/report
Oil and Grease			monitor/report
pH			monitor/report
Total Suspended Solids			monitor/report
Total Kjeldahl Nitrogen			monitor/report
Total Phosphorus			monitor/report
Dissolved Iron			monitor/report

The EPA waiver is in effect.

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

PA 0205559. Sewage, **WJT Enterprises**, R. D. 2, Box 54, Marion Center, PA 15759.

This application is for renewal of an NPDES permit to discharge treated sewage from the Crystal Waters Personal Care Facility STP in Rayne Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Pine Run, which are classified as a cold 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 Cadogen Township Water Works.

Outfall 001: existing discharge, design flow of .0029 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>
CBOD ₅	25		50
Suspended Solids	30		60
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	75,000/100 ml as a geometric mean		
Total Residual Chlorine	1.4		3.3
pH	not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

PA 0217743. Sewage, **Summit Hospitality Group Services, Inc.** Days Inn at Donegal, Route 31, Donegal, PA 15628.

This application is for issuance of an NPDES permit to discharge treated sewage from the Days Inn at Donegal Sewage Treatment Plant in Donegal Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Minnow Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County MA—Source: Indian Creek Reservoir.

Outfall 001: new discharge, design flow of 0.0051 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	4.5			9.0
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.04			0.09
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 000701. Industrial waste and sewage. **PFV Enterprises, Inc.** 123 North Franklin Street, Titusville, PA 16354.

This application is for renewal of an NPDES permit to discharge treated sewage and noncontact cooling water to an unnamed tributary to Pine Creek in Oil Creek Township, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 57 miles below point of discharge.

The proposed discharge limits, based on a design flow of 0.00015 mgd, at Outfall 001 and .0007 mgd at Outfall 002 are:

Outfall No. 001

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	monitor and report		
Total Suspended Solids	20	40	50
Oil and Grease	15	30	30
Product 3005	not detectable**		
Temperature***	Daily Average °F		
Oct. (1—15)	59		
Oct. (16—31)	55		
Nov. (1—15)	51		
Nov. (16—30)	50		
Dec. (1—31)	69		
Jan. (1—31)	69		
Feb. (1—28)	63		
pH	within limits of 6.0—9.0 standard units at all times		

**Using the most appropriate analytical method.

***Refer to Special Condition A in Part C.

Outfall No. 002

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	monitor and report		
CBOD ₅	25		50
Total Suspended Solids	30		60
Ammonia-Nitrogen			
(5-1 to 10-31)	7.5		15
Fecal Coliform**			
(5-1 to 9-30)	200/100ml as a geometric average		
(10-1 to 4-30)	11,250/100 ml as a geometric average		
Total Residual Chlorine	1.4		3.2
pH	within limits of 6.0—9.0 standard units at all times		

**Refer to Special Condition B in Part C.

The EPA waiver is in effect.

PA 0101923. Sewage. **Saegertown Area Sewer Authority** P. O. Box 334, Park Avenue Ext., Saegertown, PA 16433.

This application is for renewal of an NPDES permit to discharge treated sewage to the French Creek in Saegertown Borough, **Crawford 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin General Authority on French Creek located at Franklin, approximately 31 miles below point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of 0.49 mgd, are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
TSS	30	45	60
Phosphorus (as P)			
(Interim)	XX		XX
(Final)	2		4
Fecal Coliform			
(5-1 to 9-30)		200/100 ml	
(10-1 to 4-30)		84,500/100 ml	
Total Residual Chlorine	.5		1.6
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

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

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

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

2397412. Sewerage. **Relocation Resources Inc.**, 120 Longwater Drive, Norwell, MA 02061. Installation of single family treatment facility to replace the existing malfunctioning septic system to serve 113 Appletree Drive located in Upper Providence Township, **Delaware County**.

0997409. Sewerage. **Upper Southampton Sewer Authority**, 945 Street Road, P. O. Box 481, Southampton, PA 18966. Construction to replace existing sanitary sewer located in Upper Southampton Township, **Bucks County**.

1597413. Sewerage. **Thornbury Township**, 8 Township Drive, Cheyney, PA 19319. Construction of a new wastewater pump station to serve nine single family residences located in Thornbury Township, **Chester County**.

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

A. 3997407. Sewerage. **Washington Township**, P. O. Box 27, Slatedale, PA 18079-0027. Application to construct and operate sewers and appurtenances and pump stations to serve the Villages of Emerald and Slatedale, Primrose Heights/SR 0873 Area, and Riverview Acres Areas, located in Washington Township, **Lehigh County**. Application received in the Regional Office September 18, 1997.

A. 4597405. Sewerage. **PA Department of Conservation and Natural Resources**, Bureau of Forestry, P. O. Box 8451, 400 Market Street, 8th Floor, Harrisburg, PA 17105-8451. Application to modify an existing sewage treatment facility at a new DCNR/DEP field office (Swiftwater Forestry Headquarters), located in Pocono Township, **Monroe County**. Application received in the Regional Office October 15, 1997.

A. 5297401. Sewerage. **Delaware Valley School District**, HC 77, Box 379A, Milford, PA 18337. Application for improvements to the Route 6/209 wastewater treatment plant located in Westfall Township, **Pike County**. Application received in the Regional Office October 31, 1997.

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

WQM Permit No. 6297409. Sewage. **Derek L. Robeson**, SRSTP, R. D. 1, Box 1779, Russell, PA 16345. This project is for the construction of a single residence sewage treatment plant in Pine Grove Township, **Warren County**.

WQM Permit No. 2597423. Sewage. **North East Borough**, 58 East Main Street, North East, PA 16428. This project is for the construction of clarifier and sludge pumping station at Site I Wastewater Treatment Plant in North East Borough, **Erie 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 discharge.

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

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

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

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

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

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

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

NPDES Permit PAS10U082. Stormwater. **Guy Ahearn**, 8735 North Delaware Drive, Bangor, PA 18013 has applied to discharge stormwater from a construction activity located in Upper Nazareth Township, **Northampton County**, to Bushkill Creek.

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

NPDES Permit PAS10K021. Stormwater. **Robert Tidmore**, 521 Seminole Drive, Erie, PA 16505 has applied to discharge stormwater from a construction activity located in Millcreek Township, **Erie County**, to Thomas Run.

SAFE DRINKING WATER

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

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

A. 1597510. Public water supply. **Lazy Acres Mobile Home Park**, Lucy J. Patton, 21 Patton Drive, Honey Brook, PA 19344. This proposal involves the permitting of an existing unpermitted water supply system in Honey Brook Borough, **Chester County**.

A. 4697512. Public water supply. **Superior Water Company**, Robert A. Braglio, 1030 W. Germantown Pike, Fairview Village, PA 19409. This proposal involves the construction of Well No. 8 in Douglass Township, **Montgomery County**.

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

A. 1097508. Public water supply. **Peter Rabbit Campground, Inc.**, Lilac Lane, Slippery Rock, PA 16057. This proposal involves the addition of new well no. 4 and a 40,000 gallon finished water storage tank in Brady Township, **Butler County**.

A. 2597506. Public water supply. **Municipal Authority of the Borough of Waterford**, 224 East 3rd Street, Waterford, PA 16441. This proposal involves the drilling and installation of water wells nos. 3 and 4 (standby), pumps and controls and construction of a building to house the wells in Waterford Borough, **Erie County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

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 1 (800) 654-5984.

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

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

Pennsylvania Power & Light Company (PP&L)—Distribution Pole #63808S50135 (Weaversville Road), Allen Township, **Northampton County**. PP&L, Environmental Management Division has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The applicant proposes to remediate the site to meet the Statewide human health standard. This distribution pole was previously misidentified as pole #63219S50608.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

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:

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

National Linen Services, City of Philadelphia, **Philadelphia County**. Samuel J. Kucia, Project Engineer, Pennoni Associates, 3001 Market Street, Philadelphia, PA 19104, has submitted a Notice of Intent to Remediate site soil contaminated with solvents, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents and BTEX. The applicant proposes to remediate the site to meet the Statewide health standard with the exception of benzene and methyl chloride in groundwater which will be remediated to site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Inquirer* on November 17, 1997.

AIR POLLUTION OPERATING PERMITS

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

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

10-399-018. Resolite, A United Dominion Co. (Box 338, Rt. 19 North, Zelenople, PA 16063) for the operation of a fiberglass pultrusion process at Jackson Township, **Butler County**.

PA-24-064A. Quality Components, Inc. (R. R. 1, Box 300, Ridgway, PA 15853) for the operation of two spray paint booths at Ridgway, **Elk County**.

33-302-017. Punxsutawney Area School District (Beyer Avenue, Punxsutawney, PA 15767) for the operation of a space heating boiler at Punxsutawney, **Jefferson County**.

PA-43-300A. Atlas Resources, Inc. (P. O. Box 611, Moon Township, PA 15108) for the operation of a natural gas compressor lean burn and dehydrator at East Lacawannock, **Mercer County**.

Caparo Steel Co. (15 Roemer Blvd., Farrell, PA 16121) for the following sources at Farrell, **Mercer County**:

43-302-018A: for the operation of combustion units
43-307-048A: for the operation of a natural gas combustion cold roll and annealing furnaces

43-313-001B: for the operation of an acid regeneration plant

62-312-036. United Refining Company (P. O. Box 780, Warren, PA 16365) for the operation of an API Oil Water Separator at Warren, **Warren County**.

Notice of Intent to Issue

Phase II Acid Rain Permit Pennsylvania Power & Light Company Brunner Island Steam Electric Station York County

The Department of Environmental Protection intends to issue a Phase II Acid Rain Permit to the Pennsylvania Power & Light Company for the Brunner Island steam electric generating station located in East Manchester Township, York County.

The Brunner Island station is a major facility subject to the Acid Rain requirements of Title IV of the Federal Clean Air Act and 25 Pa. Code § 127.531. Phase II is a continuation of the Acid Rain Program and becomes effective on January 1, 2000. The requirements in the proposed permit establish each boiler's annual nitrogen oxides (NO_x) emission limit and allotment of sulfur dioxide (SO₂) allowances during the period from January 1, 2000 until the expiration of the permit.

Copies of the permit application, proposed permit and other relevant information are available for public inspection at the Southcentral Regional Office, One Ararat Boulevard, Harrisburg, PA 17110. An appointment to review the documents may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Interested persons may submit written comments, suggestions or objections to Kanubhai L. Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110 within 30 days of this notice. Written comments should include the name, address and telephone number of the persons submitting the comments along with a reference to the proposed permit.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will provide notice of any scheduled public hearing 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.

Phase II Acid Rain Permit Pennsylvania Power & Light Company Holtwood Steam Electric Station Lancaster County

The Department of Environmental Protection intends to issue a Phase II Acid Rain Permit to the Pennsylvania

Power & Light Company for the Holtwood steam electric generating station located in Martic Township, Lancaster County.

The Holtwood station is a major facility subject to the Acid Rain requirements of Title IV of the Federal Clean Air Act and 25 Pa. Code § 127.531. Phase II is a continuation of the Acid Rain Program and becomes effective on January 1, 2000. The requirements in the proposed permit establish the annual allotment of sulfur dioxide (SO₂) allowances for the Unit 17 boiler during the period from January 1, 2000 until the expiration of the permit. The permit also contains a provision to reopen the permit to add nitrogen oxides (NO_x) requirements which are expected to be developed during the permit term.

Copies of the permit application, proposed permit and other relevant information are available for public inspection at the Southcentral Regional Office, One Ararat Boulevard, Harrisburg, PA 17110. An appointment to review the documents may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Interested persons may submit written comments, suggestions or objections to Kanubhai L. Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110 within 30 days of this notice. Written comments should include the name, address and telephone number of the persons submitting the comments along with a reference to the proposed permit.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will provide notice of any scheduled public hearing 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.

PLAN APPROVALS

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

Northcentral Regional Office, Air Quality Program, 200 Pine Street, Williamsport, PA 17701, (717) 327-3637.

08-302-040: Taylor Packing Company, Inc. (P. O. Box 188, Wyalusing, PA 18853) for the construction of a natural gas/no. 2 fuel oil-fired boiler in Wyalusing Township, **Bradford County**. This boiler will be subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

17-303-006: Clearfield Asphalt and Construction Supply (R. R. 1, Box 179, Curwensville, PA 16833) for the construction of a batch asphalt plant and associated air cleaning device (a fabric collector) in Lawrence Township, **Clearfield County**. This plant will be subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

17-399-019: Anchor Technologies, Inc. (P. O. Box 401, DuBois, PA 15801) for the construction of a powdered metal parts sintering furnace and associated air cleaning device (a stack afterburner) in Sandy Township, **Clearfield County**.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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 Chapters 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

56910103. Permit Renewal. **Barbuschak Excavating** (132 Algonquin Path, Stoystown, PA 15563), commence-

ment, operation and restoration of bituminous strip mine in Shade Township, **Somerset County**, affecting 19.8 acres, receiving stream unnamed tributary to/and Miller Run; application received November 17, 1997.

Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.

30850103R. Patriot Mining Co., Inc. (P. O. Box 4360, Star City, WV 26505). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Greene Township, **Greene County**. Receiving streams: Whitely Creek watershed. Renewal application received: November 7, 1997.

03970110. GLR Mining, Inc. (P. O. Box 105, Clymer, PA 15728). Application received for commencement, operation and reclamation of a bituminous surface mine located in Valley Township, **Armstrong County**, proposed to affect 27.4 acres. Receiving streams: unnamed tributaries of Cowanshannock Creek to Cowanshannock Creek to the Allegheny River. Application received: November 12, 1997.

03920107R. McKay Coal Company, Inc. (R. D. 2, Templeton, PA 16259-9211). Renewal application received for continued reclamation of a bituminous surface mine located in Mahoning Township, **Armstrong County**. Receiving streams: an unnamed tributary to Cathcart Run. Renewal application received: November 19, 1997.

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

54970105. Anthraco Ltd. (Box 226, Gilberton, PA 17934), commencement, operation and restoration of an anthracite surface mine operation in Mahanoy Township, **Schuylkill County** affecting 1,006.0 acres, receiving streams none. Application received October 30, 1997.

49871304R2. West Cameron Mining (R. R. 2, Box 630, Shamokin, PA 17872), renewal of an anthracite underground mine operation in West Cameron Township, **Northumberland County** affecting 5.9 acres, receiving stream Zerbe Run. Application received October 29, 1997.

54743007T2. McClure Enterprises, Inc. (3 East McClure Avenue, Old Forge, PA 18518), transfer of an existing anthracite surface mine operation from Continental Energy Associates in Branch and Cass Townships, **Schuylkill County** affecting 326.0 acres, receiving stream West Creek. Application received October 27, 1997.

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

Noncoal Permits Received

38970302. TARMAC America (P. O. Box 468, Hanover, PA 17331), commencement, operation and restoration of a quarry operation in North Londonderry Township, **Lebanon County** affecting 97.7 acres, receiving stream none. Application received October 27, 1997.

38870301T3. Carmeuse Pennsylvania, Inc. (P. O. Box 160, Annville, PA 17003), transfer of an existing quarry operation from TARMAC America in North Londonderry, North Annville and Annville Townships, **Lebanon County** affecting 937.5 acres, receiving stream Killinger Creek. Application received October 27, 1997.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

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

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

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

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

E01-184. Encroachment. **Huntington Township**, Floyd Stevens, P. O. Box 247, York Springs, PA 17372. To remove the existing culvert and to construct and maintain a 48-inch diameter corrugated metal pipe culvert across an unnamed tributary to Bermudian Creek on Blueberry Road (T-589) located about 1 mile south of Gargol Village (Mount Holly Springs, PA Quadrangle N: 0.0 inch; W: 6.4 inches) in Huntington Township, **Adams County**.

E01-185. Encroachment. **DCNR, Bureau of Forestry, District 1**, Bruce Kile, 10099 Lincoln Way East, Fayetteville, PA 17222. To remove the existing structure and to construct and maintain three squash culverts, each culvert has a dimension of 42 inches by 29 inches across Conococheague Creek on Miltonberger Road located about 800 feet north of PA 233 (Caledonia Park, PA Quadrangle N: 15.2 inches; W: 4.7 inches) in Franklin Township, **Adams County**.

E05-254. Encroachment. **Terry Cover**, 524 Oak Wood Drive, Bedford, PA 15522. To fill in 0.1 acre of wetland and to construct and maintain twin 6-foot corrugated metal pipe culverts in order to construct a 1,100-foot long logging road across an unnamed tributary to Shobers Run located about 900 feet downstream of LR 05092 Bridge (Rainsburg, PA Quadrangle N: 15.0 inches; W: 7.15

inches) in Bedford Township, **Bedford County**. The applicant is required to provide 0.1 acre of replacement wetland.

E06-504. Encroachment. **Maidencreek Township**, Karl Bolognese, P. O. Box 529, Blandon, PA 19510. To relocate approximately 940 feet of the channel of a tributary to Willow Creek at a point along East Wessner Road (Fleetwood, PA Quadrangle N: 12.6 inches; W: 15.2 inches) in Maidencreek Township, **Berks County**.

E06-505. Encroachment. **Clyde Masemore**, 1784 Huffs Church Road, Barto, PA 19504. To place fill for a driveway in 0.15 acre of wetlands adjacent to the channel of a tributary to Perkiomen Creek at a point near the intersection of Huffs Church Road and Captain Wolfe Road (East Greenville, PA Quadrangle N: 10.25 inches; W: 11.75 inches) in Hereford Township, **Berks County**. The applicant is creating 0.20 acre of replacement wetlands.

E22-376. Encroachment. **Dauphin County Board of Commissioners**, Russell Sheaffer, P. O. Box 1295, Harrisburg, PA 17108. To remove a bridge having a normal span of 55 feet and an underclearance of 4.5 feet across the channel of Wiconisco Creek at a point at Arch Street (T-707) (Lykens, PA Quadrangle N: 12.38 inches; W: 9.75 inches) in Lykens Borough and Wiconisco Township, **Dauphin County**.

E21-275. Encroachment. **PA Dept. of Transportation**, Engineering District 8-0, John Rautzahn, 2140 Herr Street, Harrisburg, PA 17103. To extend an existing 9.33 feet by 6.25 feet arch culvert by 15 feet on the bed of an unnamed tributary to Cedar Run on SR 0641 in order to widen the turning lane at the intersection of SR 0641 (Trindle Road) and SR 2025 (Railroad Avenue) (Lemoyne, PA Quadrangle N: 19.0 inches; W: 11.85 inches) in Hampdon Township, **Cumberland County**.

E28-247. Encroachment. **Greene Township Board of Supervisors**, Charles Jamison, Jr., P. O. Box 215, Scotland, PA 17254. To remove the existing structure and to construct and maintain an 18 feet by 6.5 feet concrete box culvert across an overflow channel of the Conococheague Creek on T-415 (Brindle Road) located about 1.5 miles south of Scotland Village (Scotland, PA Quadrangle N: 12.75 inches; W: 12.3 inches) in Greene Township, **Franklin County**.

E36-643. Encroachment. **Manor Township**, Edward Goodhart, 950 West Fairway Drive, Lancaster, PA 17603. To remove the existing structure, construct and maintain dual reinforced concrete box culverts each having a 12.5-foot span × 9-foot rise across the West Branch Little Conestoga Creek on Owl Bridge Road (T-583) (Safe Harbor, PA Quadrangle N: 22.0 inches; W: 4.4 inches) in Manor Township, **Lancaster County**.

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

E63-442. Encroachment. **Washington County Commissioners**, Courthouse Square, 100 West Beau Street, Washington, PA 15301. To remove the existing structure (Wheeling Bridge No. 21—Clinton Sprowls Bridge) and to construct and maintain a new bridge on T-448, just east from the intersection of T-448 and T-414 (Wind Ridge, PA Quadrangle N: 21.8 inches; W: 8.3 inches) in West Finley Township, **Washington County**.

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

E10-271. Encroachment. **Recmix of PA Inc.**, 359 North Pike Road, Sarver, PA 16055. To relocate approximately 1,000 linear feet of an unnamed tributary to Little Buffalo Creek (HQ-TSF) (contributory drainage area 147 acres) and to place an energy dissipater/outflow structure from the relocated watercourse in 0.04 acre of wetland. This project is necessary to expand the existing Recmix industrial facility. The project is located east of S. R. 0356 approximately 3,000 feet north of the intersection of S. R. 0356 and Riemer Road in the Village of Lernerville, (Curtisville, PA Quadrangle N: 22.6 inches; W: 1.5 inches) located in Winfield Township, **Butler County**.

ENVIRONMENTAL ASSESSMENT

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

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

EA22-009C0. Environmental Assessment. **Triple Crown Corporation** (5351 Jaycee Avenue, Harrisburg, PA 17112). To construct and maintain a nonjurisdictional dam across a tributary to Paxton Creek (WWF) impacting a de minimis area of wetlands (PEM) equal to 0.02 acre to control stormwater at the proposed Fieldstone Farm subdivision. The proposed dam will be located approximately 1,300 feet southeast of the intersection of Crooked Hill Road and Reichert Road (Harrisburg, East, PA Quadrangle N: 12.1 inches; W: 16.3 inches) in Susquehanna Township, **Dauphin County**.

EA22-010C0. Environmental Assessment. **Levi Esh** (285 Smith Road, Millersburg, PA 17061). To construct and maintain a nonjurisdictional dam across a tributary to Little Wiconisco Creek (WWF) for the purpose of recreation located approximately 2,400 feet northeast of the intersection of Kessler Road and T-633 (Elizabethville, PA Quadrangle N: 19.10 inches; W: 13.25 inches) in Mifflin Township, **Dauphin County**.

ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

The Department of Environmental Protection (Department) 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, 400 Market Street, Second Floor, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of

written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on 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.

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

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

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

Permit No. 1597201. Industrial waste. **Philadelphia Suburban Water Company**, 762 Lancaster Avenue, Bryn Mawr, PA 19010-3489. Construction and operation of a drying/storage impoundment at their Pickering Creek water treatment plant located in Phoenixville Borough, **Chester County**.

Permit No. 0991426. Sewerage. **Camp-Men-O-Lan**, 1415 Doerr Road, Quakertown, PA 18951. Construction and operation for renewal of a Part II permit to spray irrigate 10,000 gpd of treated sewage within the Hazelbach Creek drainage basin located in Milford Township, **Bucks County**.

Permit No. 2397411. Sewerage. **Delaware County Prison**, P. O. Box 23A, Thornton, PA 19373. Construction and operation of pretreatment facilities, pump station and force main to serve Delaware County Prison located in Concord Township, **Delaware County**.

Permit No. 1597407. Sewerage. **West Pikeland Township Board of Supervisors**, Route 113 and 401, Chester Springs, PA 19425. Construction and operation of a wastewater treatment facility to treat domestic sewage generated by residents of Windermere Development located in West Pikeland Township, **Chester County**.

Permit No. 1597412. Sewerage. **East Bradford Township**, 666 Copeland School Road, West Chester, PA 19380. Construction and operation of a pump station and force main to serve a proposed 66-unit subdivision on a 90 acre parcel of land in East Bradford Township, **Chester County**.

NPDES Permit No. PA0028614. Sewage. **Borough of Spring City**, 6 Church Street, Spring City, PA 19475 is authorized to discharge from a facility located in Spring City Borough, **Chester County** into the Schuylkill River.

NPDES Permit No. PA0031178. Sewage. **Melody Lake Properties**, 1045 North West End Boulevard Lot No. 10, Quakertown, PA 18951 is authorized to discharge from a facility located in Richland Township, **Bucks County** into an unnamed tributary to Tohickon Creek.

NPDES Permit No. PA0045021, Amendment No. 2. Industrial waste. **Pre Finish Metals, Inc.**, 1295 New Ford Mill Road, Morrisville, PA 19067 is authorized to discharge from a facility located in Falls Township, **Bucks County** into Biles Creek.

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

Permit No. 4097401. Sewerage. **Wyoming Area School District**, 20 Memorial Street, Exeter, PA 18643-2698. Permit to construct and operate a wastewater treatment facility to serve the existing Sarah J. Dymond Elementary School, located in Exeter Township, **Luzerne County**.

Permit No. 4897402. Sewerage. **Palmer Township Municipal Authority**, 3 Weller Place, P. O. Box 3039, Palmer, PA 18043. Permit to construct and operate a pump station to serve the New Orchard Estates Residential Development, located in Palmer Township, **Northampton County**.

NPDES Permit No. PA-0062421. Industrial waste. **Jim Thorpe Municipal Authority**, 101 E. Tenth Street, Jim Thorpe, PA 18229 is authorized to discharge from a facility located in Jim Thorpe Borough, **Carbon County** to Mauch Chunk Creek.

NPDES Permit No. PA-0032972. Sewerage. **Four Diamonds, Inc.**, 1040 N. Park Road, Wyomissing, PA 19610 is authorized to discharge from a facility (Mount Laurel Resort) located in Kidder Township, **Carbon County** to Black Creek.

NPDES Permit No. PA-0062626. Industrial waste. **Champion Spark Plug Co.**, 75 W. Main Street, Weatherly, PA 18255-1099 is authorized to discharge from a facility located in Weatherly Borough, **Carbon County** to Hazel Creek.

NPDES Permit No. PA-0009628. Industrial waste. **General Dynamics Land Systems Division**, 175 East Street, Eynon, PA 18403 is authorized to discharge from a facility located in Archbald Borough, **Lackawanna County** to Wild Cat Creek.

NPDES Permit No. PA-0029653. Sewerage. **Jewish Community Center Day Camp**, 601 Jefferson Avenue, Scranton, PA 18510 is authorized to discharge from a facility located in Covington Township, **Lackawanna County** to Spring Brook.

NPDES Permit No. PA-0013650. Industrial waste. **Chamberlain Manufacturing Corporation**, 156 Cedar Avenue, Scranton, PA 18505-1138 is authorized to discharge from a facility located in the City of Scranton, **Lackawanna County** to Roaring Brook.

NPDES Permit No. PA-0061069. Industrial waste. **Schott Glass Technologies, Inc.**, 400 York Avenue, Duryea, PA 18642 is authorized to discharge from a facility located in Duryea Borough, **Luzerne County** to the Duryea Storm Sewer to the Lackawanna River.

NPDES Permit No. PA-0061662. Sewerage. **Arrowhead Sewer Company**, HC 88, Box 305, Pocono Lake, PA 18347 is authorized to discharge from a facility located in Coolbaugh Township, **Monroe County** to the Lehigh River.

NPDES Permit No. PA-0063649. Sewerage. **Howard P. Newhard, Jr.**, Box 271, Route 209, Sciota, PA 18354 is authorized to discharge from a facility (King Arthur Dining Room) located in Hamilton Township, **Monroe County** to McMichael Creek.

NPDES Permit No. PA-0061719. Sewerage. **Pinecrest Development Corporation**, P. O. Box 760, Pocono Pines, PA 18350 is authorized to discharge from a facility located in Tobyhanna Township, **Monroe County** to Beaver Creek.

NPDES Permit No. PA-0052591. Sewerage. **Richard C. Becker**, 901 S. Best Avenue, Route 145, Walnutport, PA 18088-1218 is authorized to discharge from a facility (Walnutport Mobil Court) located in Lehigh Township, **Northampton County** to Bertsch Creek.

NPDES Permit No. PA-0063661. Industrial waste. **Penske Truck Leasing Co., L. P.**, 1182 Route 61 South, Pottsville, PA is authorized to discharge from a facility located in North Manheim Township, **Schuylkill County** to the Schuylkill River.

NPDES Permit No. PA-0043877. Sewerage. **Greater Pottsville Area Sewer Authority**, 401 N. Centre Street, P. O. Box 1163, Pottsville, PA 17901-7163 is authorized to discharge from a facility (West End Treatment Plant) located in the City of Pottsville, **Schuylkill County** to the West Branch of the Schuylkill River.

NPDES Permit No. PA-0036463. Industrial waste. **Gen Corporation, Inc.**, Hickory Drive, P. O. Box 429, Auburn, PA 17922-0429 is authorized to discharge from a facility located in West Brunswick Township, **Schuylkill County** to a wet weather channel to the Schuylkill River.

NPDES Permit No. PA-0060461. Sewerage. **Silver Lake Township Municipal Authority**, P. O. Box 1975, Brackney, PA 18812 is authorized to discharge from a facility (Laurel Lake) located in Silver Lake Township, **Susquehanna County** to Silver Lake Creek.

NPDES Permit No. PA-0061665. Sewerage. **Wallenpaupack Area School District**, HC 6, Box 6075, Hawley, PA 18428-9045 is authorized to discharge from a facility (Newfoundland Elementary School) located in Dreher Township, **Wayne County** to Wallenpaupack Creek.

NPDES Permit No. PA-0044024. Industrial waste. **Pennsylvania Fish and Boat Commission**, Benner Spring Fish Research Station, 1225 Shiloh Road, State College, PA 16801-8495 is authorized to discharge from a facility located in Mount Pleasant Township, **Wayne County** to the West Branch of the Lackawanna River.

NPDES Permit No. PA-0029416. Sewerage. **Camp Weequahic, Inc.**, 42 Underwood Drive, West Orange, NJ 07052 is authorized to discharge from a facility located in Preston Township, **Wayne County** to Sly Lake.

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

WQM Permit No. 6297201. Industrial waste. **National Forge Company**, 1 Front Street, Irvine, PA 16329. This project is for the construction and operation of a wetlands treatment system in Brokenstraw Township, **Warren County**.

WQM Permit No. 2597418. Sewage. **Dear, Inc., d/b/a Lakeview Estates**, 12430 East Lake Road, North East, PA 16428. This project is for the construction and operation of a sewage treatment facility in North East Township, **Erie County**.

NPDES Permit No. PA 0033936. Sewage. **Denny Ridge MHP**, 14842 Nickelson Drive, Meadville, PA 16335 is authorized to discharge from a facility located in Hayfield Township, **Crawford County** to an unnamed tributary to Cussewago Creek.

NPDES Permit No. PA 0103217. Sewage. **Wattsburg Area School District**, Greene Township Elementary School, P. O. Box 219, Wattsburg, PA 16442 is authorized

to discharge from a facility located in Greene Township, **Erie County** to an unnamed tributary to Four Mile Creek.

NPDES Permit No. PA 0025739. Sewage. **Borough of Port Allegany**, One Maple Street, Port Allegany, PA 16743 is authorized to discharge from a facility located in the Borough of Port Allegany, **McKean County** to the Allegheny River.

NPDES Permit No. PA 0030902. Sewage. **Fox Mobile Home Court**, 12 Lois Lane, Box 1290C, Clarendon, PA 16313-9760 is authorized to discharge from a facility located in Mead Township, **Warren County** to an unnamed tributary to Dutchman Creek.

NPDES Permit No. PA 0222429. Sewage. **Best Oil, Inc.**, 2939 Saw Mill Run Boulevard, Pittsburgh, PA 15227 is authorized to discharge from a facility located in Muddy Creek Township, **Butler County** to Muddy Creek.

NPDES Permit No. PA 0210471. Sewage. **Bessemer Municipal Authority**, P. O. Box 642, Bessemer Borough Building, Bessemer, PA 16112 is authorized to discharge from a facility located in North Beaver Township, **Lawrence County** to Hickory Run.

NPDES Permit No. PA 0090514. Sewage. **E. J. Gulick Mobile Home Park**, 123 Beatty Drive,

Saxonburg, PA 16056 is authorized to discharge from a facility located in Winfield Township, **Butler County** to an unnamed tributary to Buffalo Creek.

INDIVIDUAL PERMITS

(PAS)

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

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by an aggrieved person under 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). 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.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G250	Realen Homes 725 Talamore Drive Ambler, PA 19002	West Pikeland Township Chester County	Pickering Creek
PAS10-G256	John L. Sbarbaro, III c/o Pitt, Palma, Sbarbaro 107 South Church Street West Chester, PA 19382	West Pikeland Township Chester County	Tributary to Pickering Creek
PAS10-G269	Sunrise Development, Inc. 403 Berkley Road Haverford, PA 19041	Willistown and East Whiteland Townships Chester County	Schuylkill River
PAS10-G280	Southdown Properties Inc. 55 Country Club Drive Suite 200 Downingtown, PA 19335-3062	Caln Township Chester County	Valley Run

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10V018	Columbia Gas Transmission Corporation 1700 MacCorkle Avenue, S. E. P. O. Box 1273 Charleston, WV 25325	Pike County Lehman Township	Bushkill Creek Little Bushkill Creek Toms Creek
		Delaware Township	Hornsbeck Creek Dingman Creek Adams Creek
		Dingman Township	Raymondskill Creek
		Westfall Township	Vandermark Creek Bush Kill (Millrift) Creek
		Monroe County Smithfield Township	Cherry Creek Marshalls Creek
		Middle Smithfield Twp.	Bushkill Creek

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS105715	PA Dept. of Environmental Protection Bureau of Abandoned Mine Reclamation 2 Public Square 5th Floor Wilkes-Barre, PA 18711-0790	Schuylkill County Frailey Township	Martins Creek

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

PAS-10-C029. Individual NPDES. **C F Farms Partnership, Ltd.**, P. O. Box 216, Elverson, PA 19520. To implement an erosion and sedimentation control plan for construction of an industrial and office park development on 117.53 acres in Caernarvon Township, **Berks County**. The project is located on the south side of Route 23 approximately 1,500 feet west of Twin Valley Road (Elverson, PA Quadrangle N: 5.2 inches; W: 15.5 inches). Drainage will be to a tributary to the Conestoga River.

INDIVIDUAL PERMITS

(PAR)

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.

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

General Permit Type—PAG-2

Facility Location

<i>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>
Armstrong North Apollo Borough	PAR10B004R	Commander Homes, Inc. c/o Stanford Homes, Inc. 2001 Route 286 Pittsburgh, PA 15239	Sugar Hollow Run	Armstrong County CD (412) 548-3425

<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>
Armstrong South Bethlehem Borough Mahoning Township	PAR10B006R	PA Department of Transportation P. O. Box 429 Indiana, PA 15701-0429	Bostonia Run Tributary to Redbank Creek	Armstrong County CD (412) 548-3425
Armstrong Kittanning Township	PAR10B008R	Kittanning Township Recreational Youth League c/o Scott Rothwell R. D. 1, Box 180B Ford City, PA 16226	Tributary to Rupp Run	Armstrong County CD (412) 548-3425
Armstrong Manor Township	PAR10B012R	Commonwealth of Pennsylvania Department of General Services 18th and Herr Streets Harrisburg, PA 17120	Garretts Run Tributary to Allegheny River	Armstrong County CD (412) 548-3425
Armstrong Mahoning Township	PAR10B013R	Department of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105-8476	Cathcart Run	Armstrong County CD (412) 548-3425
Armstrong Kittanning Borough	PAR10B014R	Borough of Kittanning P. O. Box 973 Kittanning, PA 16201-0973	Allegheny River	Armstrong County CD (412) 548-3425
Armstrong Redbank Township	PAR10B015R	Glenn C. Shick, Jr. Box 97 Oak Ridge, PA 16245	Unknown Tributary	Armstrong County CD (412) 548-3425
Armstrong East Franklin Township North Buffalo Township	PAR10B016R	Department of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105-8476	Unknown Tributary to Glade Run	Armstrong County CD (412) 548-3425
Armstrong Manor Township North Buffalo Township Ford City Borough	PAR10B017	Pennsylvania Department of Transportation District 10-0 Route 286 South P. O. Box 429 Indiana, PA 15701	Allegheny River	Armstrong County CD (412) 548-3425
Armstrong East Franklin Township Sugar Creek Township Washington Township	PAR10B019	Kittanning Suburban Joint Water Authority c/o Donald B. Norton R. R. 1, Box 23 Adrian, PA 16210-9712	Glade Run Limestone Run Allegheny River	Armstrong County CD (412) 548-3425
Beaver Center Township	PAR100201R	Frank McCracken 1128 Chapel Road Monaca, PA 15061	Tributary to Moon Run	Beaver County CD (412) 774-7090
Beaver Brighton Township	PAR100205R	Roy Long and Ben Long 135 Kerr Drive Beaver, PA 15009	Tributary to Two Mile Run	Beaver County CD (412) 774-7090
Beaver Hopewell Township	PAR100206R	G&N Development, Inc. 2210 Bryson Road Aliquippa, PA 15001	Tributary to Raccoon Creek	Beaver County CD (412) 774-7090
Beaver Chippewa Township	PAR100214R	Heintz Builders P. O. Box 1918 Cranberry Township, PA	Wallace Run	Beaver County CD (412) 774-7090
Beaver Brighton Township	PAR100218R	Landis Family LTD Partnership 102 Pine Meadows Lane Beaver, PA 15009	Tributary to Two Mile Run	Beaver County CD (412) 774-7090

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<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>
Beaver Brighton Township	PAR100222R	Delroy Development Company 4730 Dutch Ridge Road Beaver, PA 15009	Tributary to Four Mile Creek	Beaver County CD (412) 774-7090
Beaver Center Township	PAR100228R	Louis Pappan 1198 Mulberry Street Bridgewater, PA 15009	Tributary to Raccoon Creek	Beaver County CD (412) 774-7090
Beaver Brighton Township	PAR100230R	Township of Brighton 1300 Brighton Road Beaver, PA 15009	Tributary to Two Mile Run	Beaver County CD (412) 774-7090
Beaver Center Township	PAR100234R	FPK Properties 1252 Broadhead Road Monaca, PA 15061	Rog Run	Beaver County CD (412) 774-7090
Beaver Chippewa Township	PAR100236R	Royce Development 132 Ponderosa Drive Beaver Falls, PA 15010	North Branch Brady Run	Beaver County CD (412) 774-7090
Beaver Baden Borough Harmony Township	PAR100237R	Leroy E. Friend 211 Woodbine Drive Beaver, PA 15009	Tributary to Ohio Run	Beaver County CD (412) 774-7090
Beaver Brighton Township	PAR100238	Carnegie Development Corporation 210 N. Cedar Street New Castle, PA 16102	Six Mile Run	Beaver County CD (412) 774-7090
Indiana White Township	PAR103129R	Indiana Hospital Hospital Road P. O. Box 788 Indiana, PA 15701	Marsh Run	Indiana County CD (412) 463-7702
Indiana White Township	PAR103131R	White Township Municipal Authority 950 Indian Springs Road Indiana, PA 15701	Cherry Run	Indiana County CD (412) 463-7702
Indiana Conemaugh Township	PAR103132R	PA Department of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105-8476	Sulfur Run	Indiana County CD (412) 463-7702
Washington Peters Township	PAR10W096	Gary Duckworth 601 East McMurray Road McMurray, PA 15317	Brush Run	Washington County CD (412) 228-6774
Washington Somerset Township	PAR10W098	PA Department of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 149 Ebensburg, PA 15931-0149	Pigeon Creek	Washington County CD (412) 228-6774
Washington Cecil Township	PAR10W099	Castleman Enterprise 140 West Union Street Somerset, PA 15501		
		Black Box Corporation 1000 Park Avenue Drive Lawrence, PA 15055	Tributary to Chartiers Creek	Washington County CD (412) 228-6774
		Mosites Construction Company 4839 Campbells Run Road Pittsburgh, PA 15205		

<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>
Lackawanna County Taylor Borough City of Scranton	PAR10N054	Eugene J. Kane, Jr. Kane Properties Stauffer Ind. Park P. O. Box 931 Scranton, PA 18501	Keyser Creek	Lackawanna CD (717) 587-2607
Lehigh County South Whitehall Township	PAR10Q087	Violet Wisser 1813 Pope Road Allentown, PA 18104	Jordan Creek	Lehigh CD (610) 391-9583
Lehigh County Hanover Township	PAR10Q092	J. P. Foodservice, Inc. 1200 Hoover Avenue Allentown, PA 18103	Lehigh River	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q097	Lafarge Corporation 5160 Main Street Whitehall, PA 18052	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County Lynn Township	PAR10Q001-R	Hornstein Enterprises P. O. Box 46 Whitehall, PA 18052	Maiden Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q005-R	Neil Dreslin P. O. Box 53 Limekiln, PA 19535	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Milford Township	PAR10Q007-R	Jervin, Inc. 1170 Hillview Road Allentown, PA 18103	Hosensack Creek	Lehigh CD (610) 391-9583
Lehigh County North Whitehall Township	PAR10Q009-R	Equity Associates 4480 Spring Mill Drive Schnecksville, PA 18078	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q011-R	Amy-Lee Development Corp. 3848 Lehigh Street Whitehall, PA 18052	Lehigh River	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q012-R	Kent Newhart 1621 N. Cedar Crest Blvd. No. 120 Allentown, PA 18103	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Milford Township	PAR10Q016-R	Harned Durham Oil Company, Inc. 4893 Buckeye Road Emmaus, PA 18049	Indian Creek	Lehigh CD (610) 391-9583
Lehigh County North Whitehall Township	PAR10Q020-R	Neil Dreslin P. O. Box 53 Limekiln, PA 19535	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q019-R	Salvatore Sportelli P. O. Box 109 Easton, PA 18044-0109	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County North Whitehall Township	PAR10Q023-R	Curtis Schneck, Inc. 5426 Rte. 873 Schnecksville, PA 18078	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q024-R	Hillside Developers P. O. Box 307 Coopersburg, PA 18036	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County North Whitehall Township	PAR10Q034-R	Franklin D. Longenbach P. O. Box 307 Broadheadsville, PA 18322	Fells Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q035-R	Aquarian Equities 3725 Remaley Street Bethlehem, PA 18017	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q036-R	John Bliss 451 Linden Street Coopersburg, PA 18036	Saucon Creek	Lehigh CD (610) 391-9583

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<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>
Lehigh County Upper Saucon Township	PAR10Q037-R	Robert H. Godown 344 S. Third Street Coopersburg, PA 18036	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q039-R	Stabler Land Company 4401 Camp Mtg. Rd., Suite 100 Center Valley, PA	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q040-R	Scherersville Development P. O. Box 124 Whitehall, PA 18052	Jordan Creek	Lehigh CD (610) 391-9583
Lehigh County North Whitehall Township	PAR10Q042-R	Paul Kokolus 2552 Spring Street Coplay, PA 18037	Lehigh River	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q043-R	Paul Chernay P. O. Box 199 Coopersburg, PA 18036	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County Lynn Township	PAR10Q045-R	Mildred Pergosky 7128 Flint Hill Road New Tripoli, PA 18066	Ontelaupsee Creek	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q047-R	Margaret Tammaro 1744 Station Avenue Center Valley, PA 18034	Saucon Creek	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q052-R	Charles Fandl 3318 Highland Road Orefield, PA 18069	Coplay Creek	Lehigh CD (610) 391-9583
Lehigh County Whitehall Township	PAR10Q055-R	Forest Hill Homes, Inc. 1019 N. 38th Street Allentown, PA 18104	Jordan Creek	Lehigh CD (610) 391-9583
Lehigh County North Whitehall Township	PAR10Q041-R	Semmel Excavating, Inc. 5000 Springside Court Allentown, PA 18104	Mill Creek	Lehigh CD (610) 391-9583
Lehigh County South Whitehall Township	PAR10Q058-R	Pennsylvania Real Estate Inv. 455 Pennsylvania Avenue Fort Washington, PA 19034	UNT to Jordan	Lehigh CD (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q059-R	Old Bethlehem Pike Ltd. Partnership 60 West Broad Street, Suite 301 Bethlehem, PA	Saucon Creek	Lehigh CD (610) 391-9583
Erie County Millcreek Township	PAR10K078-R	Millcreek Township School District 3740 West 26th Street Erie, PA 16056	UNT to Presque Isle Bay	Erie County Cons. Dist. 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Butler County Cranberry Township	PAR10E012-R	J.B.R. Development Co. 300 Arcadia Court 9370 McKnight Road Pittsburgh, PA 15237	Brush Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-6501 (412) 284-5270
Butler County Butler Township	PAR10E046-R	Irene Stacey Mental Health Center 112 Hillvue Drive Butler, PA 16001	Butcher Run	Butler Conservation District 122 McCune Drive Butler, PA 16001-6501 (412) 284-5270

<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>
Butler County Cranberry Township	PAR10E056-R	Mark Cozad 407 Woodcock Drive Cranberry Township, PA 16066	Brush Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-6501 (412) 284-5270
North Cornwall Township Lebanon County	PAR-10-P062	Manor Care Assisted Living FaC 11555 Darnestown Road Gaithersburg, PA 20878	Snitz Creek	Lebanon CCD 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3377
Annville Township Lebanon County	PAR-10-P063	Lebanon Valley College 101 North College Avenue Annville, PA 17003	UNT Quittapahila	Lebanon CCD 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3377
Bethel Township Lebanon County	PAR-10-P064	Pine Meadows Golf Course 199 West McKinley Avenue Myerstown, PA 17067	Little Swatara Creek	Lebanon CCD 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3377
Manchester Township York County	PAR-10-Y283	Glen Markey Willow Springs Partnership 76 Willow Springs Circle York, PA 17402	UNT to Codorus Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manchester Township York County	PAR-10-Y278-R	Tim Kinsley Winship Land Associates III 2700 Water Street York, PA 17403	UNT Little Conewago Creek	York CCD 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Mifflin Township Dauphin County	PAR-10-I133	New Hope Farms Farm 3 210 Fry Road Fleetwood, PA 19522	Little Wiconisco Creek	Dauphin CCD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
East Hempfield Township Lancaster County	PAR-10-O-151-R	Hempfield Brethren in Christ Church 818 Hillaire Drive Lancaster, PA 17601	Brubaker Run	Lancaster CCD 1383 Arcadia Road Suite 5 Lancaster, PA 17601 (717) 299-5361
Little Britain Township Lancaster County	PAR-10-O-151-R	Warren K. Samples P. O. Box 159 Nottingham, PA 19362	Octoraro Creek	Lancaster CCD 1383 Arcadia Road Suite 5 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAR-10-O-188-R	Buckwalter Enterprises 235 North Duke Street P. O. Box 1587 Lancaster, PA 17601	Bachman Run	Lancaster CCD 1383 Arcadia Road Suite 5 Lancaster, PA 17601 (717) 299-5361
Upper Leacock Township Lancaster County	PAR-10-O-224-R	Lancaster Laboratories 2425 New Holland Pike Lancaster, PA 17601	UNT Conestoga River	Lancaster CCD 1383 Arcadia Road Suite 5 Lancaster, PA 17601 (717) 299-5361
East Hempfield Township Lancaster County	PAR-10-O-233-R	Hempfield United Methodist Church 3050 Marietta Avenue Lancaster, PA 17601	UNT Swarr Run	Lancaster CCD 1383 Arcadia Road Suite 5 Lancaster, PA 17601 (717) 299-5361

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<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>
Upper Leacock Township Lancaster County	PAR-10-O-238-R	John Martin 950 Hartman Station Road Lancaster, PA 17601	UNT Conestoga Creek	Lancaster CCD 1383 Arcadia Road Suite 5 Lancaster, PA 17601 (717) 299-5361
West Earl Township Lancaster County	PAR-10-O-272-R	Carvell and Rick Inc. 4437 Oregon Pike Ephrata, PA 17522	Cocalico Creek	Lancaster CCD 1383 Arcadia Road Suite 5 Lancaster, PA 17601 (717) 299-5361
Susquehanna Township Dauphin County	PAR-10-I135	The Ecumenical Community c/o Country Meadows Assoc. 830 Cherry Drive Hershey, PA 17033	Spring Creek (West)	Dauphin CCD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Maidencreek Township Berks County	PAR-10-C007-R	Park Place Phase I Tigh Holding Inc. 288 Lancaster Avenue Frazer, PA 19355	Willow Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Cumru Township Berks County	PAR-10-C023-R	Thomas Gardens Townhouses Greth Development Corporation P. O. Box 305 Temple, PA 19560	UNT Wyomissing Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAR-10-C028-R	Reading Crest Park Muhlenberg Township Park & Rec. 555 Raymond Street Reading, PA 19605	Laurel Run Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Exeter Township Berks County	PAR-10-C030-R	The Fairways Forino Development Company 3000 Penn Avenue West Lawn, PA 19609	Antietam Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Exeter Township Berks County	PAR-10-C034-R	Long Pond Subdivision MDR Construction 38 West Lancaster Avenue Rear Shillington, PA 19607	Heisters Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
City of Reading Berks County	PAR-10-C039-R	Sweet Street Desserts Sandy Solmon, President P. O. Box 15127 Reading, PA 19612	Bernhart Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Sinking Spring Borough Sinking Spring Township Berks County	PAR-10-C046-R	Milbeth Village Section 3 Spring Associates R. D. 6, Box 20D Sinking Spring, PA 19608	Cacoosing Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Washington Township Berks County	PAR-10-C055-R	Perkiomen Creek John Backenstose P. O. Box 112 Barto, PA 19504	Perkiomen Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657

<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>
Exeter Township Berks County	PAR-10-C056-R	Antietam Creek Hills Miro Inc. 309 Strath Haven Condominium P. O. Box 180 Swathmore, PA 19081	Antietam Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Mohnton Borough Cumru Township Berks County	PAR-10-C057-R	Northridge Phase IV, IIIB, IIIC and 5 Northridge Development Assoc. 137 Chestnut Street Mohnton, PA 19540	Wyomissing Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Exeter Township Berks County	PAR-10-C067-R	Farming Ridge Section 5 Key Communities Inc. 2921 Windmill Road, Suite 4 Sinking Spring, PA 19608	Monocacy Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAR-10-C071-R	Werner Estate Subdivision Greth Construction P. O. Box 305 Temple, PA 19560	UNT Wyomissing Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAR-10-C072-R	Peters Subdivision Donald Peters 425 Mennonite Road Collegeville, PA 19426	Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
South Heidelberg Township Berks County	PAR-10-C075-R	Deer Meadows Grande Construction 424 Miller Road Sinking Spring, PA 19608	Hospital Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Cumru Township Berks County	PAR-10-C076-R	Five Mile Hill Subdivision Phase I Dibiase Construction 62 Downing Drive Wyomissing Hills, PA 19609	Wyomissing Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Colebrookdale Township Berks County	PAR-10-C087-R	Colebrookdale Glen Colebrookdale Glen Partnership 112 John Robert Thomas Drive Exton, PA 19341	UNT Minister Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAR-10-C097-R	Wilson High School Expansion Wilson School District 2601 Grandview Blvd. West Lawn, PA 19609	Cacoosing Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Birdsboro Borough Berks County	PAR-10-C100-R	Woodridge Forino Development Corporation 3000 Penn Avenue West Lawn, PA 19609	UNT Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Robeson Township Berks County	PAR-10-C101-R	Robeson Twp. Recreation Area Robeson Twp. Board of Supervisors R. D. 4, Box 3 Birdsboro, PA 19508	UNT Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657

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<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>
Exeter Township Berks County	PAR-10-C102-R	Exeter Golf Club Est. Phase 2A and 2B Grande Construction 424 Miller Road Sinking Spring, PA 19608	Tributary to Antietam Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Union Township Berks County	PAR-10-C104-R	Monocacy Woods MDR Construction 38 West Lancaster Avenue Shillington, PA 19607	Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Ruscombmanor Township Berks County	PAR-10-C110-R	Ridge Crest Manor Phase II J B Ranmar Inc. c/o Alvin Woerle 219 Carsonia Avenue Reading, PA 19606	Little Mamatawny Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Tilden Township Berks County	PAR-10-C112-R	Richard Mayer Property Richard Mayer R. D. 3, Box 3876 Hamburg, PA 19526	UNT Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Penn Township Berks County	PAR-10-C118-R	Penn Twp. Community Park Penn Twp. Sharon Harrison Sec. P. O. Box 130 Bernville, PA 19506	Tulpehocken Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Jefferson Township Berks County	PAR-10-C122-R	Jefferson Park Jefferson Township 581 New Schaefferstown Road Bernville, PA 19506	Little Northkill Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAR-10-C129-R	Beverly Heights Forino Developers 3000 Penn Avenue West Lawn, PA 19609	Tributaries to Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Oley Township Berks County	PAR-10-C132-R	Reifsneider Subdivision Stauffer Riefsneider R. D. 4, Box 4051 Fleetwood, PA 19522	Tributary to Manatawny Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Caernarvon Township Berks County	PAR-10-C130-R	Titanium Hearth Tech. Hemlock Road Morgantown Business Park Morgantown, PA 19543	Conestoga River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Amity Township Berks County	PAR-10-C138-R	Westridge Subdivision Phase 2 Forino Developers 3000 Penn Avenue West Lawn, PA 19609	UNT Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Upper Tulpehocken Township Berks County	PAR-10-C139-R	Ben-Cin Acres Phase I Ben and Cindy Reed P. O. Box 219 Strausstown, PA 19559	Little Northkill Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAR-10-C142-R	Muhlenberg Elementary Center Muhlenberg School District 801 Bellevue Avenue Laureldale, PA 19605	Laurel Run	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657

<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>
Tilden Township Berks County	PAR-10-C143-R	Pleasant Hills Mobile Home Park Phase 5 GSP Management P. O. Box 278 King of Prussia, PA 19605	Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAR-10-C144-R	South Temple Heights Phase II Donald Quinter 4426 Twelfth Avenue Temple, PA 19560	Laurel Run	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Maxatawny Township Berks County	PAR-10-C145-R	IFT Maxatawny Fish Farm Fred Pasi 840 Broad St. Emmaus, PA 18049	Little Lehigh Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Douglass Township Berks County	PAR-10-C146-R	Relocation Rattlesnake Hill Rd. Pottstown Trap Rock Quarries Inc. 394 Sanatoga Rd. Pottstown, PA 19464	UNT Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Exeter Township Berks County	PAR-10-C147-R	Valley Ridge Farms Forino Developers 3000 Penn Ave. West Lawn, PA 19609	Trout Run	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAR-10-C152-R	Spring Ridge Wellness Center Spring Ridge Land Dev. Corp. 4 South 4th St. P. O. Box 32 Reading, PA 19603	Tulpehocken Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Maidencreek Township Berks County	PAR-10-C156-R	Blandon Meadows V Henry Inc. 1 Aspen Ave. Sinking Spring, PA 19608	Willow Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Greenwich Township Berks County	PAR-10-C160-R	Highland Estates MHP Phase III United Mobile Homes Inc. 125 Wyckoff Rd. Eatontown, NJ 07724	Mill Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAR-10-C163-R	NGK Metals Corp/RCRA Corrective Action Project NGK Metal Corp. P. O. Box 13367 Reading, PA 19612	Laurel Run	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Fleetwood Borough Berks County	PAR-10-C168-R	Fleetwood High School Fleetwood Area School District North Richmond St. Fleetwood, PA 19522	Willow Crk.	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Maidencreek Township Berks County	PAR-10-C171-R	Shadow Ridge Grande Construction 424 Miller Road Sinking Spring, PA 19608	Willow Creek	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657

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<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>
City of Reading Berks County	PAR-10-183-R	Holy Name High School Sister Joseph Eleanore Murphy 955 East Wyomissing Blvd. Reading, PA 19611	Schuylkill River	Berks CCD 702 W. Pitt Street Suite 4 Leesport, PA 19533 (610) 372-4657
Towamencin Township Montgomery County	PAR10-T373-R	WB Homes, Inc. 538 East Main St. Lansdale, PA 19446	Unnamed Tributary to Skeppack Creek	Southeast Regional Office 555 North Lane, Suite 6010, Lee Park Conshohocken, PA 19428

General Permit Type—PAG 3

<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>
Lehigh County Upper Macungie Township	PAR232206	Master Builders 23700 Chagrin Boulevard Cleveland, OH 44122-5554	Spring Creek	Northeast Regional Office Regional Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Luzerne County Hanover Township	PAR202226	Air Products and Chemicals Inc. 827 Sans Souci Parkway Hanover Township Wilkes-Barre, PA 18702	Soloman Creek	Northeast Regional Office Regional Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Lackawanna County Taylor Borough	PAR502201	Alliance Landfill/USA Waste Services Co. P. O. Box 28 Taylor, PA 18517	Unnamed Tributary to St. Johns Creek Snake Run	Northeast Regional Office Regional Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Luzerne County Salem Township	PAR602219	Hevi-Duty Electric R. R. 1, River Road Berwick, PA 18603	Susquehanna River	Northeast Regional Office Regional Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Lackawanna County Dunmore Borough	PAR602201	Denaples Auto Parts, Inc. 400 Mill St. Dunmore, PA 18512	Roaring Brook	Northeast Regional Office Regional Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553
Gordon Borough Lackawanna County	PAR222208	Universal Forest Products Eastern Company, Inc. 2801 East Beltline NE Grand Rapids, MI 49525	Little Mahoney Crk.	Northeast Regional Office Regional Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (717) 826-2553

*General Permit Type—PAG-4**Facility Location*

<i>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>
Washington County Amwell Township	PAG046136	John Prokell R. R. 1, Box 551 New Alexandria, PA 15670	Tributary to Little Tenmile Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Indiana County Blacklick Township	PAG046127	Edgar Baker R. R. 5, Box 584 Blairsville, PA 15717	Unnamed intermittant Tributary of Blacklick Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Jefferson Township Mercer County	PAG048466	Rickey L. and Mary L. Whenry 500 McCullough Rd. Sharpville, PA 16150	Unnamed Tributary of Daley Run	Northwest Region Water Management 230 Water St. Meadville, PA 16335-3481 (814) 332-6942

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

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

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

Washington Township, Lehigh County

The following announcement was previously published in the November 15, 1997 edition of the *Pennsylvania Bulletin*. At that time, the printer mistakenly replaced the word "now" with the word "not" found in the first sentence of the second paragraph of the announcement. The text of that announcement has been reprinted and follows in its correct form and now replaces the item improperly published in the November 15, 1997 edition of the *Pennsylvania Bulletin*.

The Department has reviewed the Plan Update Revision, dated November 30, 1994 (received December 1, 1994), with additional information dated August 1, 1996 (received August 2, 1996), February 7, 1997 (received February 10, 1997), March 3, 1997 (received March 4, 1997), April 25, 1997 (received April 28, 1997) and September 26, 1997 (received September 29, 1997), as submitted by Keystone Consulting Engineers, Inc.

The Department's review has found that the Plan Update Revision is now acceptable and hereby grants planning approval. This review has also not identified any significant environmental impacts resulting from this proposal.

Washington Township proposes to implement Alternate 4 as discussed in the text of the Plan Update Revision. Alternate 4 calls for the construction of wastewater collection and conveyance systems to eliminate on-lot wastewater disposal system malfunctions in the project

area. The proposed systems will serve the Villages of Emerald and Slatedale (298 edu's at 100,000 gpd), the Primerose Heights/SR0873 Area (70 edu's at 40,000 gpd) and the Riverview Acres Area (145 edu's at 52,000 gpd). The Equivalent Dwelling Unit (edu) counts for each of these areas include existing residential and commercial structures and vacant lots adjacent to the proposed sewer system and existing properties.

Wastewater from the previously identified areas of Washington Township will be conveyed to the Slatington Borough Authority's (Authority) Wastewater Treatment Facility for treatment and discharge. Although the Authority's facilities are currently under a sewer connection prohibition, the Department will allow the connection of the proposed Washington Township collection/conveyance system to the Authority's facilities. The connection of the Washington Township system will be permitted as an exception to the current sewer connection prohibition under § 94.57 of the Department's regulations (25 Pa. Code § 94.57). This section of the Department's regulations permits connections to overloaded facilities in order to eliminate public health hazards. The Department considers the currently malfunctioning on-lot wastewater disposal systems, located in the proposed Washington Township Wastewater Collection/Conveyance System's service area, to be public health hazards.

The previously described construction activities are proposed to be financed through a low-interest loan from the Pennsylvania Infrastructure Investment Authority (PENNVEST).

In addition to the previously described construction activities, Washington Township proposes to implement an on-lot sewage management program. The program and its enabling municipal ordinance will provide for the further regulation, inspection, maintenance and rehabilitation of on-lot wastewater disposal systems within Washington Township.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act, 35 P. S. §§ 750.1—750.20(a) (Act 537) and Chapter 71 of the Department's regulations (25 Pa. Code Chapter 71), the Department will hold Washington Township responsible for the complete and timely implementation of the Plan Update Revision's chosen wastewater disposal alternative. Implementation of the Plan Update's chosen wastewater disposal alternative must be performed within the time frames indicated in the Plan Update Revision's most current Schedule of Implementation.

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Plan Update Revision must be in compliance with the Department's regulations and be submitted to and approved by the Department in writing.

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Prompt Interim Response

Modern Glass Technology Corporation Site

Pleasant Township, Warren County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1304), has completed a prompt interim response at the Modern Glass Technology Corporation site (site). The site is located at 4 Harmer Street in Pleasant Township, Warren County, PA. The site is in the Warren County Industrial Complex (WCIC), and consists of an 8x8 foot shed (Shed), its contents and any contamination resulting from the migration of the contents of the Shed. The Warren County Development Association (WCDA) owns approximately 3.95 acres within the WCIC. The site is located on the WCDA property.

Modern Glass Technology Corporation (Modern) manufactured components used in the semi-conductor industry in the WCIC, in space leased from the WCDA, from at least 1994 until 1996. Robert G. Yorks (Yorks) is president of Modern. Since at least 1994, Yorks has been directly involved with the management of Modern's activities and personally participated in the operations of Modern, including the generation, storage and handling of all wastes, including hazardous wastes. Yorks ceased operating Modern on the WCDA property in October, 1996, and moved its operations out of this Commonwealth. As of March, 1997, Yorks had consolidated and moved all hazardous wastes remaining in Modern's leased facility to the Shed. Yorks and Modern abandoned the Shed contents in 1997.

In April, 1997, the Department issued an Order to Yorks and Modern to properly dispose the hazardous wastes in the Shed. In June, 1997, the Department filed a Petition to Enforce the Order of April, 1997, in the Commonwealth Court of Pennsylvania (Court). In July, 1997, the Court issued an order requiring Yorks to, among other things, properly dispose the hazardous wastes stored in the Shed. Yorks did not comply with the Court's order. During a July, 1997 inspection of the site, the Department determined that 11 containers of hazardous wastes remained in the Shed.

The routes of exposure of greatest concern for trespassers and workers at the WCIC included inhalation, ingestion and dermal absorption of hazardous substances that could have been released through container rupture, spillage or leakage.

The main objectives for the prompt interim response at the site were:

- 1) To protect the public and environmental receptors from direct contact risks associated with site-related hazardous substances; and
- 2) To eliminate the ongoing release and threat of release of hazardous substances into the environment from the containerized waste.

The Department considered two alternatives for the prompt interim response at the site:

Alternative 1

A "No Action" alternative provided a baseline for comparison to other alternatives. Because no action would be implemented, any present or future risks to human health, safety or the environment would remain unchanged.

Alternative 2

This alternative involved the removal and disposal of containerized wastes in the Shed at a permitted off-site facility.

The Department chose to implement Alternative 2 as the prompt interim response at the site. Alternative 2 was selected because it would, in the most cost effective manner, protect the public and environmental receptors from the risks associated with the hazardous substances at the site.

This notice is being provided under section 506(b) of HSCA. The administrative record, which contains the information that forms the basis for, and documents the selection of this response action, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8 a.m. until 4 p.m.

The administrative record will be open for comment from December 6, 1997, until March 6, 1998. Persons may submit written comments into the record during this time only, by sending them to the site Project Manager, Christine Dougherty, at the Department's Northwest Regional Office, or by delivering them to that office in person.

In addition, persons may submit oral comments, for inclusion in the administrative record, at a public hearing. The Department will schedule a hearing between January 5 and February 4, 1998, if requested by one or more members of the public. Persons wishing to present comments at a hearing must register with the Department's Community Relations Coordinator, Steve Curcio before January 28, 1998, by telephone at (814) 332-6945 or in writing to the Northwest Regional Office. If no person requests to present oral comments by the date specified, a hearing will not be held. Persons interested in finding out if anyone has registered, and if a hearing will be held, should contact Steve Curcio at the telephone number noted.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should call Steve Curcio or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The following final reports were submitted 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 (Department) 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 the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department has received the following final reports.

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

Pennsylvania Power & Light Company (PP&L)—Distribution pole #63808S50135 (Weaversville Road), Allen Township, **Northampton County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to have been contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard. This distribution pole was previously misidentified as pole #63219S50608.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 300582. Warner Company, P. O. Box 457, Devault, PA 19432, was issued a permit modification for cessation of active landfilling operations and for approval of a closure plan for the Cedar Hollow Residual Waste Landfill located in Tredyffrin and East Whiteland Townships **Chester County**. Permit was issued by the Southeast Regional Office on November 19, 1997.

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

Permit ID No. 100277. Westmoreland Waste, LCC, R. D. 3, Box 60, Monongahela, PA 15063. Operation of a municipal waste landfill in Rostraver Township, **Westmoreland County**. Permit modification changing the ownership from the Municipal Authority of Westmoreland County to Westmoreland Waste, LCC issued in the Regional Office on November 13, 1997.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

32920104. Permit Renewal. Opal Industries, Inc. (P. O. Box 980, Latrobe, PA 15650), commencement, operation and restoration of a bituminous strip mine in Conemaugh Township, **Indiana County**, affecting 88.0 acres; receiving stream unnamed tributary to/and Blacklegs Creek; application received September 12, 1997; permit issued November 14, 1997.

56960106. Transfer from Dunamis Resources, Inc. to Senate Coal Mines, Inc. (One Energy Place, Suite 5100, Latrobe, PA 15650), commencement, operation and restoration of a bituminous strip-auger mine in Lincoln Township, **Somerset County**, affecting 351.6 acres; receiving stream North Branch Quemahoning Creek and Homer Run; application received September 19, 1997, permit issued November 14, 1997.

11920111. Permit Renewal. R.J.C. Kohl, Inc. (P. O. Box 299, Nicktown, PA 15762), commencement, operation and restoration of a bituminous strip mine, valid for reclamation, only in Susquehanna Township, **Cambria County**, affecting 66.0 acres; receiving stream two unnamed tributaries to Fox Run; application received November 12, 1997; permit issued November 14, 1997.

11850102. Permit Renewal. Cooney Brothers Coal Company P. O. Box 246, Cresson, PA 16630), commencement, operation and restoration of a bituminous strip mine in Gallitzin and Logan Townships, **Cambria and**

Blair Counties, affecting 225 acres; receiving stream unnamed tributaries to Little Laurel Run; application received September 2, 1997; permit issued November 14, 1997.

56940301. Permit Revision. Keystone Lime Company, Inc. (P. O. Box 278, Springs, PA 15562), a revision to include underground mining of the Loyalhanna Limestone in Addison and Elk Lick Townships, **Somerset County**, affecting 21.2 acres; receiving streams Christner Run; application received May 14, 1997; issued November 18, 1997.

11920104. Permit Renewal. K & J Coal Company, Inc. (P. O. Box 189, Westover, PA 16692), commencement, operation and restoration of a bituminous strip-auger mine in Chest; Chest Townships; and Westover Boro, **Cambria and Clearfield Counties**, affecting 135.0 acres; receiving stream unnamed tributary to/and Chest Creek; application received August 7, 1997; permit issued November 18, 1997.

56703124. Permit Revision. Diamond T Coal Company (P. O. Box 260, Friedens, PA 15541), revision to an existing bituminous strip operation to change the postmining land use change of forestland, mine spoil, cropland and pastureland to wildlife habitat in Stonycreek Township, **Somerset County**, affecting 562.1 acres; receiving stream to Lamberts Run; application received April 29, 1997; permit issued November 19, 1997.

Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.

03950114. Thomas J. Smith, Inc. (R. D. 1, Box 260-D, Shelocta, PA 15774). Permit issued for commencement, operation and reclamation of a bituminous surface auger mine located in South Bend Township, **Armstrong County**, affecting 221.6 acres. Receiving streams: unnamed tributary to Sugar Run to Crooked Creek. Application received: March 21, 1997. Permit issued: November 10, 1997.

63870102R. Robinson Coal Company (200 Neville Road, Neville Island, PA 15225). Renewal issued for continued reclamation only of a bituminous surface mine located in Robinson Township, **Washington County**, affecting 70 acres. Receiving streams: unnamed tributary to Little Raccoon Run. Application received: October 3, 1997. Renewal issued: November 17, 1997.

26850112R. Christopher Resources, Inc. (P. O. Box 197, Mt. Braddock, PA 15465). Renewal issued for continued operation and reclamation of a bituminous surface mine located in Dunbar Township, **Fayette County**, affecting 158.8 acres. Receiving streams: an unnamed tributary to Gist Run and Dunbar Creek. Application received: May 22, 1997. Renewal issued: November 19, 1997.

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

54920103R. Harriman Coal Corporation (P. O. Box 127, Valley View, PA 17983), renewal of an existing anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 47.6 acres, receiving stream—none. Renewal issued November 21, 1997.

Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.

Coal Applications Withdrawn

03970108. Rosebud Mining Company (R. D. 9, Box 379A, Kittanning, PA 16201). Application withdrawn for

commencement, operation and reclamation of a bituminous surface auger mine located in Burrell Township, **Armstrong County**, proposed to affect 113.0 acres. Receiving streams: unnamed tributaries to Crooked Creek to the Allegheny River. Application received: October 15, 1997. Application withdrawn: November 10, 1997.

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

Noncoal Permits Issued

8074SM2T2. Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422-0465), transfer of an existing quarry operation in Whitmarsh Township, **Montgomery County** affecting 345.2 acres, receiving stream—Lorraine Run. Transfer issued November 18, 1997.

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

General Small Noncoal Authorizations Granted

66970806. William M. Ruark (P. O. Box 311, Meshoppen, PA 18630), commencement, operation and restoration of a small bluestone quarry operation in Meshoppen Township, **Wyoming County** affecting 3.0 acres, receiving stream—none. Authorization granted November 20, 1997.

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

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

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, 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, (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.*)

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

E15-538. Encroachment Permit. **Realen Homes**, 725 Talamore Drive, Ambler, PA 19002. To perform the following activities associated with construction of the Pickering Meadows Residential Subdivision (a.k.a. Sbarbaro Tract):

1. To construct and maintain the Road "A" Crossing consisting of approximately 50 linear feet of 14.0-foot by 6.5-foot reinforced concrete box culvert, associated endwalls, roadway approach fill and to realign approximately 30 feet of watercourse at the upstream end of the aforementioned culvert. The culvert invert will be depressed 6 inches to accommodate the passage of fish. This work occurs in and along an unnamed tributary to Pickering Creek (HQ-TSF), and will impact a total of approximately 0.33 acre of adjacent wetlands (PFO);

2. To construct and maintain three utility line stream crossings adjacent and downstream of the Road "A" Crossing;

The site is located just east of the intersection of Conestoga Road (SR 0401) and Byers Road (SR 1022) (Downingtown USGS Quadrangle N: 15.4 inches; W: 2.0 inches) in West Pikeland Township, **Chester County**. Applicant proposes to construct 0.37 acre of replacement wetlands.

E46-775. Encroachment Permit. **Pennsylvania Department of Transportation**, 200 Radnor-Chester Road, St. Davids, PA 19087-5178. To construct and maintain a 15-foot long bridge extension consisting of prestressed concrete box beams on the upstream side of an existing tee-beam bridge with a span of 30 feet and an average underclearance of 9.5 feet, and to construct and maintain new abutment extensions, replacement wingwalls and riprap protection along the Pennypack Creek (TSF-MF). This site is located along Eaton Road (S. R. 0611), approximately 125 feet south of the Horsham Road (S. R. 0463) intersection (Ambler, PA USGS Quadrangle N: 9.8 inches, W: 0.7 inch) in Horsham Township, **Montgomery County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

E46-782. Encroachment Permit. **Upper Merion Township**, 175 West Valley Forge Road, King of Prussia, PA 19406. To encroach on approximately 1,080 linear feet of Abrams Run (WWF) (a.k.a. East Branch Creek) and the 100-year floodway to rehabilitate and stabilize an eroded streambed and streambank, and protect an existing sanitary sewer line situated along the western side of the stream bank. The proposed project will include the following activities:

1. The installation of approximately 300 linear feet of 1.5 to 5.6-foot high gabion retaining walls along both sides of the stream channel, beginning at the upstream face of an existing 16.5-foot by 5-foot box culvert situated beneath Kingwood Road.

2. The placement of riprap erosion protection with filter stone or erosion control blanket along the streambed and within a 100-year floodway in the reach of stream, which extends from the terminus of the reno mattress protection near the existing railroad culvert to the Philadelphia Electric Company right-of-way, and from the aforementioned right-of-way downstream to the point where the gabion stream bank protection begins.

3. The installation of a reno mattress blanket at the downstream end of an existing 48-inch diameter CMP culvert situated beneath the Conrail Railroad tracks.

4. The removal of a gravel bar along the streambed which will cause a slight channel realignment.

The project is located between Kingwood Road and Conrail Railroad tracks, approximately 1,000 feet southeast from the intersection of the DeKalb Pike (U. S. Route 202) and Pennsylvania Turnpike (Norristown, PA Quadrangle N: 15.6 inches; W: 17.4 inches) in Upper Merion Township, **Montgomery County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

E15-548. Encroachment Permit. **Jeffrey R. Bevan**, 103 Oak Tree Court, Pottstown, PA 19464. To construct and maintain a low flow driveway crossing consisting of twin 34-inch by 53-inch HERCP culverts with riprap protection, located in and along an unnamed tributary to French Creek (TSF) and to construct and maintain three 12-inch CMP culverts across a de minimis area of wetlands (PEM), within the floodplain of the unnamed tributary to French Creek. These crossings will be located on the Bevan's property, situated approximately 1,000 feet southwest of the intersection of Route 113 and Rapps Dam Road (Phoenixville, PA Quadrangle N: 0.4 inch; W: 8.2 inches) in East Pikeland Township, **Chester County**.

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

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

E21-269. Encroachment. **Larry Livingston**, 209 S. Norway St., Mechanicsburg, PA 17055. To maintain two units of steel steps within the 100-year floodway on the left bank of the Conodoguinet Creek in order to reach the left bank for fishing located about 1,500 feet west of the Sears Run Drive and Orrs Bridge Road intersection (Harrisburg West, PA Quadrangle N: 1.65 inches; W: 12.65 inches) in Hampden Township, **Cumberland 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.

E02-1200. Encroachment. Place and maintain fill in 0.19 acre of wetland (PEM) for the purpose of constructing an assisted living/care facility. The project is located along the north side of Cedar Ridge Road approximately 2,400 feet west of its intersection with SR 910 (Glenshaw, PA Quadrangle N: 18.8 inches; W: 3.1 inches) in West Deer Township, **Allegheny County**. This permit authorizes the construction of 0.2 acre of replacement wetland.

E63-402. Encroachment. Remove the existing structure and to construct and maintain a bridge having a span of 24 feet with an underclearance of 8 feet across a tributary to Peters Creek to provide access to the proposed Lake Colony Development. The project is located on the west side of Bebout Road, approximately 3,700 feet south of the intersection of Bebout Road and Turkeyfoot Road (Bridgeville, PA Quadrangle N: 1.0 inch; W: 6.4 inches) in Peters Township, **Washington County**.

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

E10-270. Encroachment. **Adams Township Supervisors**, 170 Hutchman Road, Mars, PA 16046. To remove the existing structure and to construct and maintain a Con/Span precast concrete arch bridge having a span of 28 feet and a rise of 10 feet with approximately 30 feet of dumped rock stream bank stabilization in Breakneck Creek on Brickyard Road (T-391) approximately 150 feet east of Mars/Valencia Road (S. R. 3015) (Mars, PA Quadrangle N: 12.6 inches; W: 1.2 inches) located in Adams Township, **Butler County**.

E24-203. Encroachment. **Ridgway Township Supervisors**, Ridgway Drive, Ridgway, PA 15853. To remove the existing bridge and to construct and maintain the following structures on T-351 approximately 1,300 feet east of S. R. 4003 (Trambine Road) (Wilcox, PA Quadrangle N: 0.25 inch; W: 14.3 inches) located in Ridgway Township, **Elk County**: 1) A precast reinforced concrete box culvert having a 20-foot wide by 4.5-foot high waterway opening in Little Mill Creek. 2) Channel realignment and rock riprap bank protection extending approximately 50 feet upstream and downstream from the box culvert. 3) Approximately 75 feet of 9-foot high aibion basket retaining wall along the right bank of Little Mill Creek. Project includes a de minimis wetland impact associated with installation of the box culvert and roadway approach work. No replacement is required.

E25-470A. Encroachment. **Millcreek Mall Corporation, The Cafaro Company**, 1445 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 adjacent to Conneaut Creek approximately 4,000 feet north of the intersection 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**.

E33-184. Encroachment. **PA Department of Transportation, District 10-0**, P. O. Box 429, Route 286 South, Indiana, PA 15701. To remove the existing bridge and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 53.48

feet and an underclearance of 8.5 feet across Fivemile Run on S. R. 3039, Segment 0100, Offset 0000 approximately 1,200 feet north of Swamp Run Road (Brookville, PA Quadrangle N: 3.45 inches; W: 10.8 inches) located in Knox, Rose and Pine Creek Townships, **Jefferson County**.

E43-257. Encroachment. **Consumers Pennsylvania Water Company**, Shenango Valley Division, Kenneth W. Baumann, Vice President, 665 South Dock Street, Box 572, Sharon, PA 16146-1835. To construct and maintain a raw water intake structure with partially submerged crib, 30-inch and 36-inch diameter stormwater outfall structures, a total of approximately 51 feet of concrete retaining wall and roadway improvements along the right bank and within the floodway of the Shenango River as part of the expansion and upgrade of the existing water treatment plant on the east side of North Water Street (S. R. 0718) approximately 3,400 feet north of West State Street (S. R. 0062 Business) (Sharon West, PA Quadrangle N: 21.4 inches; W: 1.6 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.

ENVIRONMENTAL ASSESSMENT

Environmental Assessment Approvals and Actions on 401 Certification

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

EA46-027CO. Environmental Assessment. **JRP Development LTD.** (210 Bassett Court, Limerick, PA 19468). To construct and maintain a nonjurisdictional dam across a tributary to Scioto Creek (TSF) for the purpose of stormwater management at the proposed Ivy Ridge subdivision located approximately 1,400 feet east of the intersection of Snyder Road and Hoffmansville Road (S. R. 73) (Sassamansville, PA Quadrangle N: 10.55 inches; W: 4.30 inches) in Upper Frederick Township, **Montgomery County**.

WATER QUALITY CERTIFICATION

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

Certification Request Initiated By: Department of the Army, Philadelphia District, Corp of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3390.

Project Description: This is an amendment to an existing section 401 Water Quality Certification issued on January 14, 1994 for the discharge of supernatant from dredge disposal sites located at Money Island and Biles Island. The modifications to the Certificate include additional monitoring requirements and effluent limits as listed:

<i>Parameter</i>	<i>Average Monthly Limit (mg/l)</i>	<i>Maximum Daily Limit (mg/l)</i>	<i>Instantaneous Maximum Limit (mg/l)</i>
Flow	16 mgd (combined limit for both sites)		
Total Suspended Solids			8,000
pH	6—9 std units at all times		
Total Antimony	0.02	0.03	
Total Cadmium	0.002	0.003	
Total Lead	0.0045	0.007	

<i>Parameter</i>	<i>Average Monthly Limit (mg/l)</i>	<i>Maximum Daily Limit (mg/l)</i>	<i>Instantaneous Maximum Limit (mg/l)</i>
Total Silver	0.005	0.008	
Total Copper	monitor only	monitor only	

Final Action on Request: Certification Granted

WATER ALLOCATIONS

Actions taken on applications filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—640) relating to the acquisition of rights to divert waters of this Commonwealth.

Northwest Regional Office, Regional Program Manager, Water Supply Management, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6899.

Permit No. WA 24-105E. Water Allocation. **St. Marys Area Joint Water Authority**, 429 Ridgway Road, St. Marys, PA 15857. Grants the applicant's right to withdraw an average of 3.22 mgd based on a 30-day average with a 5.44 mgd peak day withdrawal, when available, from the Laurel Run Reservoir. St. Marys Area Joint Water Authority serves customers located in the City of St. Marys, **Elk County**.

Type of Facility: Water Authority.

Consulting Engineer: Craig J. Bauer, KLH Engineers, Inc., 5173 Campbells Run Road, Pittsburgh, PA 15205

Permit Issued: November 18, 1997

[Pa.B. Doc. No. 97-1951. Filed for public inspection December 5, 1997, 9:00 a.m.]

Advisory Board/Committee Meeting Schedules for 1998

The following is a list of 1998 meetings for the majority of the Department of Environmental Protection's (Department) advisory boards and committees. Notice of these meetings is being given in accordance with the Sunshine Act.

These schedules and an agenda for each meeting will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Agricultural Advisory Board

The Agricultural Advisory Board meetings will be held the third Wednesday of the even-numbered months with the exception of the month of August, when the meeting will be held on the fourth Wednesday of the month. All meetings will begin at 10 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building on the following dates:

February 18, 1998
April 15, 1998
June 17, 1998
August 26, 1998
October 21, 1998
December 16, 1998

Contact: Dean Auchenbach, Bureau of Water Quality Protection, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5668, or e-mail Auchenbach.Dean@a1.dep.state.pa.us.

Bituminous Mine Safety Advisory Committee

The Pennsylvania Bituminous Mine Safety Advisory Committee (BMSAC) meetings will be held at 10 a.m. in the Fayette County Health Center in Uniontown on the following dates:

January 14, 1998
April 8, 1998
July 8, 1998
October 14, 1998

Contact: Allison Trader, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (412) 439-7469, or e-mail Trader.Allison@a1.dep.state.pa.us.

Coastal Zone Advisory Committee

There will be a meeting of the Coastal Zone Advisory Committee on January 14, 1998 at 10 a.m. to review and approve 1998 State agency projects for the Coastal Zone Program and to provide participation in the review of coastal zone related programs in this Commonwealth. The meeting will be held in the 10th Floor Conference Room in the Rachel Carson State Office Building.

Contact: Robert S. Edwards, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, at (717) 787-5259 or e-mail Edwards.Robert@a1.dep.state.pa.us.

Mining and Reclamation Advisory Board

The Mining and Reclamation Advisory Board (MRAB) meetings will be held on the following dates. All meeting times and locations will be announced unless otherwise noted.

January 8, 1998 (16th Floor Delaware Room, Rachel Carson State Office Building)
April 16, 1998
July 2, 1998
October 15, 1998

Contact: Rod Kelley, Office of Mineral Resources, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-5338 or e-mail Kelley.Rodney@a1.dep.state.pa.us.

Radiation Protection Advisory Committee

The Radiation Protection Advisory Committee (RPAC) will meet in the First Floor Conference Room of the Rachel Carson State Office Building on the following date:

*February 19, 1998 (Snowdate is February 26, 1998)
(Time of meeting to be announced)

Contact: Stuart Levin, Bureau of Radiation Protection, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-3720, or e-mail Levin.Stuart@a1.dep.state.pa.us.

Recycling Fund Advisory Committee

The Recycling Fund Advisory Committee (RFAC) annual meeting will be held at 10 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building on the following date:

July 9, 1998

Contact: Diana Welker or Keith Kerns, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-7382 or e-mail Welker.Diana@a1.dep.state.pa.us or Kerns.Keith@a1.dep.state.pa.us.

Sewage Advisory Committee

The Sewage Advisory Committee (SAC) meetings will be held at 10:30 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building on the following dates:

March 10, 1998
November 18, 1998

Contact: Milt Lauch, Bureau of Water Quality Protection, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 787-8184, or e-mail Lauch.Milton@a1.dep.state.pa.us.

Small Business Assistance Program Compliance Advisory Committee

The Small Business Assistance Program Compliance Advisory Committee meetings will be held at 10:30 a.m. in the large conference room on the 14th Floor of the Rachel Carson State Office Building on the following dates:

January 28, 1998
April 22, 1998
July 22, 1998
October 28, 1998

Contact: Scott Kepner, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-2330 or e-mail Kepner.Scott@a1.dep.state.pa.us.

Solid Waste Advisory Committee

The Solid Waste Advisory Committee (SWAC) meetings will be held the second Thursday of every other month; additional meetings may be scheduled to accommodate agenda items for the Committee. All meetings are expected to begin at 10 a.m. and will be held in the First Floor Conference Room in the Rachel Carson State Office Building, unless otherwise noted on the following dates:

January 8, 1998
March 12, 1998
May 14, 1998
September 10-11, 1998 (Kings Gap Environmental Education Center, Carlisle)
November 12, 1998

Contact: Rose Prough or Gayle Leader, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9871, or e-mail Prough.Rosetta@a1.dep.state.pa.us or Leader.Gayle@a1.dep.state.pa.us.

Storage Tank Advisory Committee

The Storage Tank Advisory Committee (STAC) meetings will be held at 10 a.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building on the following dates. All meeting dates and times are subject to change and should be confirmed prior to each meeting.

February 3, 1998
June 2, 1998
October 6, 1998

Contact: C. Victor Funk, Bureau of Watershed Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, (800) 42-TANKS (toll-free within Pennsylvania) or (717) 772-5599 or e-mail Funk.Victor@a1.dep.state.pa.us.

Technical Advisory Committee on Diesel-Powered Equipment

The Technical Advisory Committee on Diesel-Powered Equipment (TAC) meetings will be held at 9 a.m. in the Fayette County Health Center in Uniontown on the following dates:

January 21, 1998
April 15, 1998
July 15, 1998
October 21, 1998

Contact: Allison Trader, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (412) 439-7469, or e-mail Trader.Allison@a1.dep.state.pa.us.

Technical Assistance Center for Small Water Systems

The Technical Assistance Center for Small Water Systems meetings will be held at 9:30 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building, unless otherwise noted, on the following dates:

February 10, 1998 (10th Floor Conference Room, Rachel Carson State Office Building)
May 12, 1998
August 11, 1998
November 10, 1998

Contact: Donna Green, Bureau of Water Quality Management, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 787-0122 or e-mail Green.Donna@a1.dep.state.pa.us.

Water Resources Advisory Committee

The Water Resources Advisory Committee (WRAC) meetings will be held at 10 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building, unless otherwise noted, on the following dates:

January 14, 1998 (14th Floor Conference Room, Rachel Carson State Office Building)
March 11, 1998
May 13, 1998
July 8, 1998
September 9, 1998
November 18, 1998

Contact: Carol Young, Office of Water Management, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4686 or e-mail Young.Carol@a1.dep.state.pa.us.

Wetlands Protection Advisory Committee

The Wetlands Protection Advisory Committee (WETPAC) will meet at 10 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building on the following dates:

January 6, 1998
March 3, 1998
May 5, 1998
July 7, 1998
September 8, 1998
November 5, 1998

Contact: Kelly Heffner, Bureau of Water Quality Protection, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 787-6827, or e-mail Heffner.Kelly@a1.dep.state.pa.us.

Citizens Advisory Council

The Citizens Advisory Council (CAC) meetings will be held at 10 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building unless otherwise noted:

January 13, 1998 (2nd Floor Training Room, Rachel Carson State Office Building)
 February 10, 1998 (2nd Floor Training Room, Rachel Carson State Office Building)
 March 16, 1998
 April 20, 1998
 May 18, 1998
 June 15, 1998
 July 20, 1998
 September 14, 1998 (2nd Floor Training Room, Rachel Carson State Office Building)
 October 19, 1998
 November 16, 1998

Contact: Stephanie Mioff, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, (717) 787-4527, or through e-mail at Mioff.Stephanie@a1.dep.state.pa.us.

Environmental Quality Board

The Environmental Quality Board (EQB) meetings will be held at 10 a.m. in the First Floor Conference Room of the Rachel Carson State Office Building on the dates listed. EQB meetings are held the third Tuesday of each month, unless otherwise noted, when agenda items are available for consideration.

January 20, 1998
 February 17, 1998
 March 17, 1998
 April 21, 1998
 May 21, 1998 (Thursday—due to Primary Election Day)
 June 16, 1998
 July 21, 1998
 August 18, 1998
 September 15, 1998
 October 20, 1998
 November 17, 1998
 December 15, 1998

Contact: Sharon Freeman, Regulatory Coordinator, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, or e-mail Freeman.Sharon@a1.dep.state.pa.us.

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

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-1952. Filed for public inspection December 5, 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—Substantive Revision

DEP ID: 561-5300-101 Title: Insurance Sales Guidance Description: Directions for processing requests for insurance, inspecting structures, completing applications for insurance and creating insurance policies. Effective Date: November 4, 1997 Page Length: 6 pages Location: Vol 12, Tab 93a Contact: Dottie Shellehamer at (717) 787-5103

DEP ID: 561-5300-102 Title: Damage Claim Processing Description: Ensures the thorough, effective, efficient and economical processing of damage claims and that valid claims are paid. This applies to the processing of all MSI damage claims. Effective Date: November 3, 1997 Page Length: 7 pages Location: Vol 12, Tab 93b Contact: Dottie Shellehamer at (717) 787-5103

Final Technical Guidance—Minor Revisions

DEP ID: 383-0400-102 Title: Total Coliform Rule Staff Handbook Description: Directs and supports implementation of the Total Coliform Rule under the provisions of the DEP safe drinking water program. Effective Date: March 27, 1997 Page Length: 2 pages Location: Vol 16 Contact: Joseph Hoffman at (717) 787-5017

DEP ID: 383-0400-103 Title: Bottled, Vended, Retail and Bulk Water Staff Handbook Description: Directs and supports implementation of the bottled, blended, retail and bulk water activities under the provisions of the DEP safe drinking water program. Effective Date: March 27, 1997 Page Length: 3 pages Location: Vol 17 Contact: Joseph Hoffman at (717) 787-5017

DEP ID: 383-0400-107 Title: Lead and Copper Rule Staff Handbook Description: Directs and supports implementation of the Lead and Copper rule under the provisions of the DEP safe drinking water program. Effective Date: March 27, 1997 Page Length: 2 pages Location: Vol 21 Contact: Joseph Hoffman at (717) 787-5017

DEP ID: 563-2000-208 Title: Right of Entry Description: Requires an applicant to submit certain documents with the application for a permit concerning the legal right to enter and commence mining activities within the permit area. Effective Date: November 21, 1997 Page Length: 12 pages Location: Vol 12, Tab 49 Contact: Evan Shuster at (717) 787-7846

DEP ID: 580-3000-001 Title: Bureau of Deep Mine Safety Program Guidance Manual Description: This minor revision to the program guidance document reflects the structural changes as a result of the Bureau of Deep

Mine Safety's reorganization. This provides direction to the Bureau of Deep Mine Safety staff for the execution of their duties. Effective Date: September 15, 1997 Page Length: 112 pages Location: Vol 09, Tab 01 Contact: Matt Bertovich at (412) 439-7304

Notice of Intent Rescind Technical Guidance

DEP ID: 562-3900-401 Title: Citizen Complaints and Requests Description: The existing guidance is obsolete. It has been replaced with a Department-wide system for handling complaints. Anticipated Effective Date: October 3, 1996 Contact: Evan Shuster at (717) 787-7846

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-1953. Filed for public inspection December 5, 1997, 9:00 a.m.]

Proposed State Plan to Implement Emission Guidelines for Municipal Waste Combustors (MWCs); Public Hearing

Under sections 111(d) and 129 of the 1990 Clean Air Act Amendments (CAA), the United States Environmental Protection Agency (EPA) promulgated standards for new large MWCs (Subpart Eb) and emission guidelines (EG) (Subpart Cb) for existing MWCs to control the emissions of the nine designated pollutants. (See 60 FR 65382, and 62 FR 45116, December 19, 1995 and August 25, 1997 respectively). These emission guidelines establish criteria for existing large MWCs using best demonstrated technology. A large MWC is considered an "existing" MWC if the MWC's capacity to combust is greater than 250 tons per day of municipal solid waste and were constructed on or before September 20, 1994.

As required under 40 CFR 60.23(a), states must submit to the EPA a State Plan to implement and enforce the requirements of the EG for MWCs within 12 months after notice of the availability of a final EG. The State Plans, developed and implemented under sections 111(d) and 129 of the CAA, are not elements of State Implementation Plans required under section 110 of the CAA.

In this Commonwealth, six existing MWC facilities are subject to the EG for MWCs. Consequently, the Department of Environmental Protection (Department) must develop a State Plan to implement the sections 111(d) and 129 requirements to control designated pollutants at existing designated MWC units. The Pennsylvania State Plan for MWCs will be submitted to the EPA no later than February 28, 1998. The Department will hold two public hearings for the purpose of accepting testimony on the proposed State Plan for designated MWC facilities. The public hearings will be held on the following dates, times and Department locations:

January 7, 1998 2 p.m.	Southeast Regional Office, Main Conference Room, 555 North Lane, Suite 6010, Conshohocken, PA 19428.
January 8, 1998 1 p.m.	Rachel Carson State Office Building, 2nd Floor Auditorium, 400 Market Street, Harrisburg, PA 17105-8468

Persons wishing to present testimony at a hearing should contact Kimberly Maneval at the Department of Environmental Protection, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325, at

least 1 week in advance of the hearing to reserve a time to present testimony. Persons who do not reserve a time to testify will be able to testify after preregistered witnesses. Each witness must keep oral testimony to 10 minutes, and submit three copies of the oral testimony at the hearing. Each organization should designate one witness to present testimony on its behalf.

Persons interested in submitting written comments on the proposed State Plan should send the comments to Krishnan Ramamurthy, Chief, Technical Support Section, Division of Permits, P. O. Box 8468, Harrisburg, PA 17105-8468. Written comments must be received by the close of business on January 16, 1998. Copies of the proposed adopted State Plan for MWC may be obtained from Krishnan Ramamurthy at the above address or by telephone at (717) 787-4325 (e-mail: ramamurthy.krishnan@a1.dep.state.pa.us). This proposed State Plan is also available on the DEP Web site at <http://www.dep.state.pa.us> (choose Public Participation Center/Proposals Open for comment).

Persons with a disability who will be attending a hearing, and require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact Krishnan Ramamurthy at the above address or telephone number; or for TDD users, the AT&T Relay Service at 1 (800) 654-5984 to discuss how the Department can best accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 97-1954. Filed for public inspection December 5, 1997, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Draft Request of Waivers

The Appropriations Act for fiscal year 1997, passed by Congress and signed by President Clinton, included language that allows states to request waivers of the laws which govern employment and training programs. The Department of Labor and Industry on behalf of the Commonwealth of Pennsylvania has developed a draft request of waivers.

The waiver authority applies to the Job Training Partnership Act (JTPA) and to the Wagner-Peyser Act, which governs the public employment service. A waiver allows the State to be exempted from specific statutory or regulatory requirements. The waiver provisions are intended to provide flexibility to states and local areas in implementing reforms to the workforce development system in exchange for accountability for results.

The two waivers contained in this request would remove the 6-month/500-hour duration limitation for participants in on-the-job training and allow for up to 1 year of posttermination training and services.

Copies of the waiver request package may be obtained by contacting John C. Vogel, Director, Bureau of Employment Services and Training, 12th Floor, Labor and Indus-

try Building, 7th and Forster Streets, Harrisburg, PA 17120.

JOHNNY J. BUTLER
Secretary

[Pa.B. Doc. No. 97-1955. Filed for public inspection December 5, 1997, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cool Cash Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Cool Cash.
2. *Price:* The price of a Pennsylvania Cool Cash instant lottery game ticket is \$2.00.
3. *Play Symbols:* Each Pennsylvania Cool Cash instant lottery game ticket will contain a "Your Temp" area, a "Prize" area and a "Winning Temp" area. The play symbols and their captions located in the "Your Temp" and "Winning Temp" areas are: 15° (FIFTN), 16° (SIXTN), 17° (SVNTN), 18° (EGTN), 19° (NINTN), 20° (TWENTY), 21° (TWYONE), 22° (TWYTWO), 23° (TWYTHR), 24° (TWYFOR), 25° (TWYFIV), 26° (TWYSIX), 27° (TWYSVN), 28° (TWYEGT), 29° (TWYNIN), 30° (THIRTY), 31° (THYONE), 32° (THYTWO), 33° (THYTHR), 34° (THYFOR), 35° (THYFIV), 36° (THYSIX), 37° (THYSVN), 38° (THYEGT), 39° (THYNIN), 40° (FORTY), 41° (FORONE), 42° (FORTWO), 43° (FORTHR), 44° (FORFOR), 45° (FORFIV), 46° (FORSIX), 47° (FORSVN), 48° (FOREGT), 49° (FORNIN) and 50° (FIFTY).
4. *Prize Play Symbols:* The prize play symbols and their captions located in the play area are: \$1^{.00} (ONE DOL), \$2^{.00} (TWO DOL), \$4^{.00} (FOUR DOL), \$8^{.00} (EGT DOL), \$12\$ (TWLV), \$24\$ (TWY FOR), \$40\$ (FORTY), \$64\$ (SXY FOR), \$320 (THRHNTRY), \$3,000 (THR THO) and \$24,000 (TWYFORTHO).
5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$8, \$12, \$24, \$40, \$64, \$320, \$3,000 and \$24,000. The player can win up to eight times on each ticket.
6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Cool Cash instant lottery game.
7. *Determination of Prize Winners:*

(a) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$24,000 (TWYFORTHO)

appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$24,000.

(b) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$3,000 (THR THO) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$320 (THRHNTRY) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$320.

(d) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$64\$ (SXY FOR) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$64.

(e) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$40\$ (FORTY) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$24\$ (TWY FOR) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(g) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$12\$ (TWLV) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(h) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$8^{.00} (EGT DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(i) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$4^{.00} (FOUR DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$2^{.00} (TWO DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets where the "Winning Temp" play symbol matches any one of the "Your Temp" play symbols and a prize play symbol of \$1^{.00} (ONE DOL) appears to the right of the matching "Your Temp" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>Match Your Temperature To The Winning Temperature With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$1 + \$1	\$2	1:10	600,000
\$2	\$2	1:18.75	320,000

*Match Your Temperature
To The Winning Temperature
With Prize(s) Of:*

	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$1 x 4	\$4	1:41.67	144,000
\$1 x 2 + \$2	\$4	1:44.12	136,000
\$2 x 2	\$4	1:39.47	152,000
\$4	\$4	1:68.18	88,000
\$1 x 8	\$8	1:107.14	56,000
\$1 x 4 + \$4	\$8	1:750	8,000
\$4 x 2	\$8	1:750	8,000
\$8	\$8	1:750	8,000
\$2 x 6	\$12	1:375	16,000
\$4 x 3	\$12	1:750	8,000
\$1 x 4 + \$2 x 4	\$12	1:750	8,000
\$12	\$12	1:750	8,000
\$2 x 6 + \$4 + \$8	\$24	1:750	8,000
\$4 x 6	\$24	1:750	8,000
\$12 x 2	\$24	1:750	8,000
\$4 x 4 + \$8	\$24	1:750	8,000
\$24	\$24	1:750	8,000
\$4 x 6 + \$8 x 2	\$40	1:1,714	3,500
\$8 x 5	\$40	1:2,400	2,500
\$4 + \$8 x 3 + \$12	\$40	1:2,400	2,500
\$4 + \$12 + \$24	\$40	1:3,000	2,000
\$40	\$40	1:4,000	1,500
\$8 x 8	\$64	1:12,000	500
\$24 + \$40	\$64	1:12,000	500
\$12 x 2 + \$40	\$64	1:12,000	500
\$8 x 5 + \$24	\$64	1:12,000	500
\$64	\$64	1:12,000	500
\$40 x 8	\$320	1:80,000	75
\$320	\$320	1:240,000	25
\$3,000	\$3,000	1:240,000	25
\$3,000 x 8	\$24,000	1:750,000	8
\$24,000	\$24,000	1:1,500,000	4

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

10. *Unclaimed Prize Money:* For a period of one year from the announced close of Pennsylvania Cool Cash, prize money on winning Pennsylvania Cool Cash instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within one year of the announced close of the Pennsylvania Cool Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote

Pennsylvania Cool Cash or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 97-1956. Filed for public inspection December 5, 1997, 9:00 a.m.]

Pennsylvania Red Hot 7's II Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Red Hot 7's II.

2. *Price:* The price of a Pennsylvania Red Hot 7's II instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Red Hot 7's II instant lottery game ticket will contain one play area. The play symbols, printed in either red or black ink, and their captions, printed in black ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE).

4. *Prize Play Symbols:* The prize play symbols and their captions, printed in black ink, located in the play area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOUR DOL), \$7⁰⁰ (SVN DOL), \$14\$ (FRTN DOL), \$77\$ (SVTYSN) and \$7,777 (STSHSS).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$7, \$14, \$77, and \$7,777. The player can win up to five times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 14,880,000 tickets will be printed for the Pennsylvania Red Hot 7's II instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in black ink, and a prize play symbol of \$7,777 (STSHSS) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$7,777.

(b) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in black ink, and a prize play symbol of \$77\$ (SVTYSN) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$77.

(c) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in red ink, and a prize play symbol of \$7⁰⁰ (SVN DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$14.

(d) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in black ink, and a prize play symbol of \$7⁰⁰ (SVN DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$14.

(e) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in black ink, and a prize play symbol of \$7⁰⁰ (SVN DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$7.

(f) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in black ink, and a prize play symbol of \$4⁰⁰ (FOUR DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$4.

(g) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in red ink, and a prize play symbol of \$2⁰⁰ (TWO DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in black ink, and a prize play symbol of \$2⁰⁰ (TWO DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$2.

(i) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in red ink, and a prize play symbol of \$1⁰⁰ (ONE DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with a play symbol of 7 (SEVEN), with the symbol printed in black ink, and a prize play symbol of \$1⁰⁰ (ONE DOL) appearing under the 7 (SEVEN) play symbol in the play area on a single ticket, shall be entitled to a prize of \$1.

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

Find a Black "7;" or
Find a Red "7" to
Double With
Prize(s) Of:

Prize(s) Of:	Win
\$1	\$1
\$1(D)	\$2
\$2	\$2
\$2(D)	\$4
\$4	\$4
\$1(D) + \$1 + \$1 + \$1 + \$2	\$7
\$1 + \$2 + \$4	\$7
\$7	\$7
\$1 + \$1 + \$2(D) + \$4 + \$4	\$14
\$1(D) + \$4 + \$4 + \$4	\$14
\$7(D)	\$14
\$7(D) + \$7	\$21
\$1 + \$2 + \$4 + \$14	\$21
\$1 + \$2 + \$2 + \$2 + \$7(D)	\$21
\$77	\$77
\$7,777 \$7,777	

(D) = A Red 7 Doubles Prize

Approximate Odds	Approximate No. of Winners Per 14,880,000 Tickets
1:9.38	1,587,200
1:18.75	793,600
1:50	297,600
1:100	148,800
1:300	49,600
1:115.38	128,960
1:250	59,520
1:1,500	9,920
1:250	59,520
1:500	29,760
1:1,500	9,920
1:1,500	9,920
1:1,500	9,920
1:500	29,760
1:4,800	3,100
1:1,062,857	14

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Red Hot 7's II instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Red Hot 7's II, prize money on winning Pennsylvania Red Hot 7's II instant

lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Red Hot 7's II instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Red Hot 7's II or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 97-1957. Filed for public inspection December 5, 1997, 9:00 a.m.]

Pennsylvania Shake Rattle & Roll Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Shake Rattle & Roll.

2. *Price:* The price of a Pennsylvania Shake Rattle & Roll instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Shake Rattle & Roll instant lottery game ticket will contain four play areas designated as "Roll 1," "Roll 2," "Roll 3" and "Roll 4." Each roll is played separately. The play symbols and their captions located in the four play areas are: a die containing one spot (ONE), a die containing two spots (TWO), a die containing three spots (THR), a die containing four spots (FOR), a die containing five spots (FIV) and a die containing six spots (SIX).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the play area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOUR DOL), \$8.⁰⁰ (EGT DOL), \$10.⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$400 (FOUR HUN) and \$4,000 (FOUR THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$8, \$10, \$20, \$40, \$100, \$400 and \$4,000. The player can win up to four times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,080,000 tickets will be printed

for the Pennsylvania Shake Rattle & Roll instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$4,000 (FOUR THO) for that roll, on a single ticket, shall be entitled to a prize of \$4,000.

(b) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$400 (FOUR HUN) for that roll, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$100 (ONE HUN) for that roll, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$40\$ (FORTY) for that roll, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$20\$ (TWENTY) for that roll, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$10.⁰⁰ (TEN DOL) for that roll, on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$8.⁰⁰ (EGT DOL) for that roll, on a single ticket, shall be entitled to a prize of \$8.

(h) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$4.⁰⁰ (FOUR DOL) for that roll, on a single ticket, shall be entitled to a prize of \$4.

(i) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$2.⁰⁰ (TWO DOL) for that roll, on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets where the sum of two die totals exactly 7 or 11 in the same roll, with a prize play symbol of \$1.⁰⁰ (ONE DOL) for that roll, on a single ticket, shall be entitled to a prize of \$1.

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

If Any Of Your Rolls Totals 7 or 11 Win Prize For That Roll

With Prize(s) Of:

\$1
\$1 + \$1
\$2
\$1 + \$1 + \$1 + \$1
\$1 x 2 + \$2
\$2 x 2
\$4
\$2 x 4

Win

\$1
\$2
\$2
\$4
\$4
\$4
\$8

Approximate Odds

1:13.64
1:13.64
1:30
1:88.24
1:150
1:750
1:1,500
1:300

Approximate No. of Winners Per 10,080,000 Tickets

739,200
739,200
336,000
114,240
67,200
13,440
6,720
33,600

*If Any Of Your Rolls
Totals 7 or 11 Win Prize
For That Roll
With Prize(s) Of:*

<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,080,000 Tickets</i>	
\$4 + \$2 x 2	\$8	1:750	13,440
\$1 + \$1 + \$2 + \$4	\$8	1:1,500	6,720
\$4 + \$4	\$8	1:1,500	6,720
\$8	\$8	1:1,500	6,720
\$2 x 3 + \$4	\$10	1:750	13,440
\$2 + \$8	\$10	1:1,500	6,720
\$2 + \$4 x 2	\$10	1:1,500	6,720
\$10	\$10	1:1,500	6,720
\$4 x 3 + \$8	\$20	1:1,500	6,720
\$4 + \$8 x 2	\$20	1:1,500	6,720
\$2 + \$4 x 2 + \$10	\$20	1:1,500	6,720
\$2 + \$8 + \$10	\$20	1:1,500	6,720
\$20	\$20	1:1,500	6,720
\$10 x 4	\$40	1:3,529	2,856
\$10 x 2 + \$20	\$40	1:7,059	1,428
\$20 x 2	\$40	1:14,118	714
\$40	\$40	1:14,118	714
\$20 x 3 + \$40	\$100	1:34,286	294
\$20 + \$40 x 2	\$100	1:48,000	210
\$10 x 2 + \$40 x 2	\$100	1:120,000	84
\$100	\$100	1:120,000	84
\$100 x 4	\$400	1:120,000	84
\$400	\$400	1:120,000	84
\$4,000	\$4,000	1:592,941	17

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Shake Rattle & Roll, prize money on winning Pennsylvania Shake Rattle & Roll instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Shake Rattle & Roll instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Shake Rattle & Roll or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 97-1958. Filed for public inspection December 5, 1997, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Lehigh County Project Reference No. 08430AG2145

The Department of Transportation will retain an engineering firm to perform pre-final; final design activities; and services during construction (shop drawing review and construction consultation) for the S. R. 0222, Section 001 relocation project (Trexlerstown) in Upper Macungie and Lower Macungie Townships, Lehigh County, Engineering District 5-0 relative to the selected alternative of the Final Environmental Impact Statement (EIS) as indicated in the Record of Decision (ROD). The estimated construction cost is \$33.6 million.

Section 001 begins near the intersection of Route 100 and Creamery Road in Lower Macungie Township and terminates at Route 100 just north of the intersection with Ruppssville Road in Upper Macungie Township for a distance of approximately 4.1 kilometers.

Section 001 consists of the construction of a four-lane divided highway on new alignment with four anticipated signalized intersections. A semi-directional, grade separated interchange will be provided at the intersection of proposed S. R. 0222 and Old Route 222. A diamond interchange will be provided at proposed S. R. 0222 and S. R. 0100. The structure over S. R. 0100 and the two ramps on the western half of the interchange will be constructed in this section. The remaining two ramps will be constructed in Section 002. In addition to constructing the mainline pavement, Section 001 will consist of widening, reconstructing or relocating of approximately 2.6 kilometers of S. R. 0100 and 3.9 kilometers of other side roads.

The selected firm will be required to perform roadway surveys; preliminary and final roadway design; soils and geological engineering investigation; erosion control plan/earth disturbance permit; preliminary and final highway and interchange lighting; value engineering submission, right-of-way plans, preliminary and final structure design; hydrologic and hydraulic analysis; maintenance and protection of traffic; preliminary and final traffic signal design; environmental studies and mitigation; utility coordination; public information meetings; P.S.&E. submission; project management; and design phase partnering.

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section of the *Pennsylvania Bulletin*.
- b. Project team composition.
- c. Project team experience.
- d. Ability to expedite project and maintain schedule and budget.
- e. Past performance.
- f. Current workload.

The District will announce the shortlisted firms at an open public meeting to be held at Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103, on January 29, 1998 at 10:00 a.m. All candidates that submitted a Letter of Interest will be notified by the District Office if the date is changed. Please specify a contact person in the Letter of Interest submission.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. Attention: Mr. David A. Earp. P.E.

Any technical questions concerning the requirements for this project should be directed to Mr. Donald E. Lerch, P.E., Engineering District 5-0, at (610) 791-6019.

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

Lehigh County
Project Reference No. 08430AG2146

The Department of Transportation will retain an engineering firm to perform pre-final; final design activities; and services during construction (shop drawing review and construction consultation) for the S. R. 0222, Section 002 relocation project (Trexlerstown) in Upper Macungie and Lower Macungie Townships, Lehigh County, Engineering District 5-0 relative to the selective alternative of the Final Environmental Impact Statement (EIS) as indicated in the Record of Decision (ROD). The estimated construction cost is \$22.4 million.

Section 002 begins east of Route 100 and terminates on existing S. R. 0222 between Kressler Road and I-78 for a distance of approximately 6.1 kilometers.

Section 002 consists of the construction of a four-lane divided highway on new alignment with six (6) anticipated signalized intersections. A loop ramp will be provided between S. R. 0222 and Brookside Road near the northern project limit. A diamond interchange will be provided at proposed S. R. 0222 and S. R. 0100. The structure over S. R. 0100 and the two (2) ramps on the western half of the interchange will be constructed in

Section 001. The remaining two (2) ramps will be constructed in Section 002. In addition to constructing the mainline pavement, Section 002 will consist of widening, reconstructing or relocating of approximately 5.5 kilometers of other side roads.

The selected firm for this contract will be required to perform roadway surveys, preliminary and final roadway design; soils and geological engineering investigation; erosion control plan/earth disturbance permit; preliminary and final highway and interchange lighting; value engineering submission; right-of-way plans; preliminary and final structure design; hydrologic and hydraulic analysis; maintenance and protection of traffic; preliminary and final traffic signal design; environmental studies and mitigation; utility coordination; public information meetings, P. S.&E. submission; project management; and design phase partnering.

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section of the *Pennsylvania Bulletin*.
- b. Project team composition
- c. Project team experience.
- d. Ability to expedite project and maintain schedule and budget.
- e. Past performance.
- f. Current workload.

The District will announce the shortlisted firms at an open public meeting to be held at Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103, on January 29, 1998 at 10:00 a.m. All candidates that submitted a Letter of Interest will be notified by the District Office if the date is changed. Please specify a contact person in the Letter of Interest submission.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. Attention: Mr. David A. Earp, P.E.

Any technical questions concerning the requirements for this project should be directed to Mr. Donald E. Lerch, P.E., at Engineering District 5-0, at (610) 791-6019.

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

Berks County
Project Reference No. 08430AG2147

The Department of Transportation will retain an engineering firm to provide a supplementary construction inspection staff of approximately six (6) inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on the S. R. 0061, Section 10M, resurfacing and widening project in Ontelaunee and Perry Townships, Berks County. The estimated construction cost is \$9.6 million. This project involves the surfacing of divided roadway with superpave asphalt mixture design HMA wearing, leveling course, and superpave asphalt mixture design HMA binder, RPS, and superpave asphalt mixture design HMA wearing, RPS; the extension and rehabilitation of a 10'-0" x 8'-6"

reinforced concrete arch culvert; a single span precast concrete slab bridge superstructure replacement; side road adjustments; concrete pavement patching; drainage improvements; guide rail upgrading; signal installation; erosion control; and pavement markings within a length of 28,250.92 linear feet (5.351 miles).

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. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section of the Pennsylvania Bulletin.
- b. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, superpave, guiderail, traffic signals and pavement markings.
- c. Understanding of Department's requirements, policies, and specifications.
- d. Past Performance.
- e. Number of available inspectors in each payroll classification.
- f. Number of NICET certified inspectors in each payroll classification.
- g. Workload.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	2 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	4 (3)

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

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; one (1) of the inspector's listed should be PennDOT C.D.S. certified 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:

- 1 Base Radio Station
- 8 Two-way Radios
- 1 Two-Way Radio Repeater Station

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	3
TCI	6

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to: Mr. Walter E. Bortree, P.E., District

Engineer, District 5-0, 2460 Parkwood Drive, Allentown, PA 18103. Attention Mr. Brian H. Graver.

Any technical questions concerning the requirements for this project should be directed to Mr. Brian H. Graver, District 5-0, at (610) 791-6022.

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:

Mr. Charles W. Allwein, P.E., Chief
 Consultant Selection Committee
 7th Floor, Forum Place,
 555 Walnut Street
 P.O. Box 3060
 Harrisburg, Pennsylvania 17105-3060

Note: The Zip Code for express Mailing is 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 corporation which is permitted under the state law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (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. 97-1959. Filed for public inspection December 5, 1997, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Borough of Somerset v. DEP; Doc. No. 96-270-MR

The Department of Environmental Protection (Department) and Borough of Somerset (Somerset) have agreed to a settlement of the above matter.

Somerset owns and operates a publicly owned water treatment works known as the Main Sewage Treatment Plant (Plant) in Somerset Township, Somerset County. On or about November 18, 1996, the Department issued NPDES Permit No. PA0021768 (NPDES Permit) to Somerset authorizing the discharge of treated sewage from the Plant to the East Branch of Coxes Creek. The NPDES Permit imposed water quality based effluent limitations (WQBELs) for total iron and, beginning the 37th month of the NPDES Permit, imposed WQBELs for Total Residual Chlorine (TRC).

Somerset appealed the issuance of the NPDES Permit to the Environmental Hearing Board challenging, inter alia, the imposition of WQBELs for total iron and TRC.

The parties have agreed to a settlement, the major provisions of which include:

1. The Department will amend the effluent limitations for total iron in the NPDES Permit. The draft NPDES Permit Amendment is attached to the Consent Order and Adjudication as Exhibit A, a copy of which may be obtained from either attorney listed.

2. Somerset shall submit to the Department results of an extensive sampling study identifying the source of total iron in the Somerset sewage facilities. The study shall also recommend how to remove and/or reduce the total iron discharging from the Plant.

3. In addition, Somerset shall submit to the Department results of a site specific study for TRC (TRC Study).

4. Upon receipt of the TRC Study, the Department shall re-evaluate the WQBELs for TRC currently set forth in the NPDES Permit.

5. In any future appeal of the Department's re-evaluation of the WQBELs for TRC, Somerset shall not challenge the validity of the formulas used by the Department to calculate the WQBELs. Somerset, however, may challenge the data input for the variables of those formulas.

6. Upon approval by the Board, the Consent Order and Adjudication shall terminate the appeal with prejudice.

7. The parties agree to bear their respective attorneys' fees, expenses and costs associated with this matter.

Copies of the full agreement are in the possession of: Bruce M. Herschlag, Assistant Counsel, Department of

Environmental Protection, Office of Chief Counsel, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4262;

John J. Dirienzo, Jr., Esq., Fike, Cascio & Boose, 124 North Center Avenue, P. O. Box 431, Somerset, PA 15501-0431, (814) 445-7948;

and at the offices of the Environmental Hearing Board and may be reviewed by an interested person on request during normal business hours.

Persons believing themselves aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. Appeals must be filed within 20 days of this publication.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

The Environmental Hearing Board is empowered to approve this settlement if no objection is timely filed with the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 97-1960. Filed for public inspection December 5, 1997, 9:00 a.m.]

Elliott Turbomachinery Co., Inc. v. DEP; Doc. No. 97-157-MR

The Department of Environmental Protection (Department) and Elliott Turbomachinery Co., Inc. (Elliott) have agreed to a settlement of the above matter.

On or about June 25, 1997, the Department issued to Elliott a National Pollutant Discharge Elimination System Permit PA095176 (NPDES Permit) authorizing discharges from Elliott's facility in Jeanette, Westmoreland County to an unnamed tributary of Brush Creek, a water of the Commonwealth. Elliott timely appealed the Department's issuance of the NPDES Permit. During settlement negotiations, Elliott provided the Department additional data relating to the imposition of effluent limitations for water quality based parameters in the NPDES Permit. In addition, the parties discussed methods to reduce the concentration of oil and grease from Outfall 003 at the facility.

The parties have agreed to a settlement, the major provisions of which include:

1. The Department will amend the effluent limitations of the water quality based parameters in the NPDES Permit. The draft NPDES Permit Amendment is attached to the Consent Order and Adjudication as Exhibit A, a copy of which may be obtained from either attorney listed.

2. Elliott shall immediately investigate process changes, operational modifications or the installation of treatment facilities for oil and grease at Outfall 003, and shall timely implement the recommendations of the investigation.

3. Upon approval by the Board, the Consent Order and Adjudication shall terminate the appeal with prejudice.

4. The parties agree to bear their respective attorneys' fees, expenses and costs associated with this matter.

Copies of the full agreement are in the possession of: Bruce M. Herschlag, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4262;

Donald C. Bluedorn, II, Esq., Babst, Calland, Clements & Zomnir, Two Gateway Center, Eighth Floor, Pittsburgh, PA 15222, (412) 394-5400;

and at the offices of the Environmental Hearing Board, and may be reviewed by an interested person on request during normal business hours.

Persons believing themselves aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. Appeals must be filed within 20 days of this publication.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

The Environmental Hearing Board is empowered to approve this settlement if no objection is timely filed with the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 97-1961. Filed for public inspection December 5, 1997, 9:00 a.m.]

FISH AND BOAT COMMISSION

Designations of Waters Subject to Special Fishing Regulations

The Fish and Boat Commission (Commission) is republishing the following list of waters designated under 58 Pa. Code § 65.21 as "Waters Limited to Specific Purposes—Exclusive Use Areas." The Commission previously designated these waters as being for the exclusive use of children or special populations or both, posted them and provided notice of such in the *Pennsylvania Bulletin*.

<i>County</i>	<i>Water</i>	<i>Description</i>
Armstrong	Pine Ck—North Fork	From T-628 Bridge downstream to Rt. 66 Bridge (approximately 300 yards)
Centre	Tomtit Run	On State Gamelands No. 33 near Philipsburg, from mouth to Cold Stream upstream (2,500 feet)

<i>County</i>	<i>Water</i>	<i>Description</i>
Clearfield	Goss Run	From base of Brisbin Dam in Brisbin Borough downstream 150 yards (approximately 150 yards)
Crawford	Pymatuning Sportsmen's Club Pond	
Dauphin	Clarks Creek	From Rt. 225 upstream to first bridge (0.7 mile)
Dauphin	Powells Creek	On Lauden Farms and Bisking Properties, Wayne Township (first right at Powells Creek) (1/4 mile)
Erie	Girard Park Pond	Girard Borough Park Pond
Forest	Toms Run	Pond in Cook Forest State Park (1/2 acre)
Fayette	Meadow Run	Izaak Walton Park
Franklin	Conococheague Creek	On property of T. K. Nitterhouse, Guilford Township (1,148 ft)
Franklin	Conodoguinet Creek	On grounds of Lurgan Township Recreation Area (500 yds)
Franklin	Rocky Mountain Creek	Mouth of Carbaugh Run downstream to Conococheague Creek (1/2 mile)
Fulton	Ester Run	From a point opposite the home of Raymond Seville, Jr. downstream to approximately 0.4 mile below T-342
Lancaster	Big Beaver Creek	On property of Richard Smeltz and Leroy Esch, Providence Twp, off Rt. 222 approx. 0.4 mile NNW of New Providence (100 yards)
Lancaster	Fishing Creek	On property of C. Meryl Murphy, Drumore Township, near junction of T-379 and T-434 (Furniss Road and Scalpy Hollow Road) (150 yards)
Lehigh	Coplay Creek	An area extending 50 feet upstream and 50 feet downstream of a fishing pier for persons with disabilities located within the Whitehall Parkway, approximately 1/4 mile west of Route 145 in Whitehall Township (100 feet)
Monroe	Pocono Creek	Knights of Columbus and Stroudsburg Area School District properties in the Borough of Stroudsburg (300 yards)
Monroe	Tobyhanna Creek	Tobyhanna Conservation Association area in Village of Tobyhanna, Coolbaugh Township (300 yards)
Montour	Mahoning Creek	Danville Borough—Extends from Route 11 downstream (1/4 mile)
Potter	Kettle Creek	At Bridge in Cross Forks, as posted (300 yards)
Potter	Kettle Creek	In Ole Bull State Park from the concrete bridge upstream 475 feet to a wire (475 feet)
Schuylkill	Pine Creek	250 yards from Gap Street Bridge West to the waterfalls below the nursery
Union	Buffalo Creek	Between North Third and North Eighth Streets in Borough of Mifflinburg (1,200 feet)

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 97-1962. Filed for public inspection December 5, 1997, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Notice

The following meeting of the Health Care Cost Containment Council has been scheduled: Wednesday, December 10, 1997, 1:30 p.m., Data Systems Committee. The meeting will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The meeting is open to the public. Persons who

need accommodation due to a disability and want to attend the meeting, should contact Cherie Kauffman, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787, at least 24 hours in advance so that arrangements can be made.

DONALD L. ZIMMERMAN,
Executive Director

[Pa.B. Doc. No. 97-1963. Filed for public inspection December 5, 1997, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11:30 a.m., Thursday, November 20, 1997, and took the following actions:

Regulations Approved:

Department of Banking #3-33: Pawnbrokers License (amends provisions of 10 Pa. Code Part V)

Department of Banking #3-31: Registration of Loan Brokers (amends provisions in 10 Pa. Code Chapter 42)

Department of Agriculture #2-97: Agricultural Conservation Easement Purchase Program (amends 7 Pa. Code to add Chapter 138e)

Unemployment Compensation Board of Review #12-43: General Requirements (amend provisions of 34 Pa. Code Chapter 101, Subchapter E)

Department of Labor and Industry #12-50: General Provisions of Act 57 of 1996 (amends 34 Pa. Code Chapters 123, 127 and 131)

Regulations Disapproved:

Department of Revenue #15-371: Tax Amnesty Program; Further Examination of Books and Records (amends 61 Pa. Code by deleting existing § 6.22 (Further examination of books and records) and adding § 8a.1 (Further examination of books and records), to Chapter 8a. (Enforcement).

Regulations Deemed Approved under section 5(g) of the Regulatory Review Act:

Department of Banking #3-32: Repeal of Various Provisions (deletes 10 Pa. Code § 13.2(b) and (c), § 13.3(a)(3) and (b), Chapter 11, Chapter 17, Chapter 35 and § 41.3(i))

Insurance Department #11-143: Deductible Program (amends 31 Pa. Code by deleting Chapter 131)

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

Public Meeting held
November 20, 1997

Department of Banking—Pawnbrokers License; Doc. No. 3-33

Order

On April 1, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Banking (Department). This rulemaking would amend provisions of 10 Pa. Code Part V, relating to pawnbrokers. The authority for this regulation is found in the Pawnbrokers License Act (act), as amended by Act 163 of 1994 (63 P. S. § 281-1 et seq.). The proposed regulation was published in the April 12, 1997 edition of the *Pennsylvania Bulletin*, with a 30-day public

comment period. The final-form regulation was submitted to the Commission on October 30, 1997.

The act was established in 1937 but not amended until the passage of Act 163 in 1994. The Act 163 statutory amendments prompted the need to update the pawnbroker regulations and the Department's pawnbroker forms. The proposed amendments impose minimum capitalization requirements of \$10,000 in permanent capitalization for each pawnbroker office and up to a maximum minimum capitalization of \$100,000 for all licensed offices. Pawnbrokers are required, inter alia, to publish certain public notice information in newspapers of general circulation in connection with initial license applications and license renewals. Other clarifying changes have also been made. There are an estimated five to ten initial license applicants per year and approximately 77 currently licensed pawnbrokers.

We have reviewed this regulation and find it to be in the public interest. It incorporates changes which update the regulation consistent with the Act 163 amendments and also improve the overall clarity and consistency of its provisions.

Therefore, It Is Ordered That:

1. Regulation No. 3-33 from the Department of Banking, as submitted to the Commission on October 30, 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
November 20, 1997

Department of Banking—Registration of Loan Brokers; Doc. No. 3-31

Order

On January 31, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Banking (Department). This rulemaking would amend provisions in 10 Pa. Code Chapter 42, relating to the registration of loan brokers. The authority for this regulation is found in section 8 of the Credit Services Act (act) (73 P. S. § 2188). The proposed regulation was published in the February 15, 1997 edition of the *Pennsylvania Bulletin*, with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 30, 1997.

The act was passed in 1992 partially in response to consumer complaints that unregulated loan brokers were collecting advance fees and then failing to deliver on their representations to arrange for loans, credit cards, and the like. Section 8 of the act and this regulation are designed to close a loophole of unregulated activity by loan brokers not licensed or otherwise subject to (or exempt from) other statutes. This regulation establishes procedures for loan brokers, as that term is defined in the act, to register with the Department initially and annually thereafter and provide the Department with the information specified in the regulation. In addition, the regulation provides that the Department will collect an annual registration fee of \$300. The Department estimates that approximately 50 loan brokers will be affected by this regulation.

We have reviewed this regulation and find it to be in the public interest. It will implement the loan broker registration requirements of section 8 of the act and enhance consumer protection by gathering relevant information on loan brokers subject to the act. Registration of loan brokers will also enhance the Attorney General's ability to facilitate discovery and investigation of, and enforcement action against, fraudulent loan broker activity under The Unfair Trade Practices and Consumer Protection Law (73 P. S. § 201-1 et seq.).

Therefore, It Is Ordered That:

1. Regulation No. 3-31 from the Department of Banking, as submitted to the Commission on October 30, 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
November 20, 1997

Department of Agriculture—Agricultural Conservation Easement Purchase Program; Doc. No. 2-97

Order

On July 16, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code to add Chapter 138e relating to the Agricultural Conservation Easement Purchase Program. The authority for this regulation is section 15 of the Agricultural Area Security Law (Law) (3 P. S. § 915). The proposed regulation was published in the July 26, 1997 *Pennsylvania Bulletin*, with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 24, 1997.

The Department has administered this program using interim Guidelines since November 25, 1995. The Law allows the Department to use interim Guidelines with the caveat that the Guidelines expire no later than December 31, 1997, and must be replaced with a duly promulgated regulation. This final-form rulemaking establishes regulatory provisions that are identical to the current Guidelines in most instances.

We have reviewed this regulation and find it to be in the public interest. This rulemaking will not adversely impact the private or the public sector because it is essentially a carryover of existing interim Guidelines, with only some minor refinements of certain provisions. Furthermore, it will satisfy the requirements of the Law which require the Department to adopt regulations to replace its Guidelines.

Therefore, It Is Ordered That:

1. Regulation No. 2-97 from the Department of Agriculture, as submitted to the Commission on October 24, 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
November 20, 1997

Unemployment Compensation Board of Review—General Requirements; Doc. No. 12-43

Order

On March 1, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Unemployment Compensation Board of Review (Board). This rulemaking would amend provisions of 34 Pa. Code Chapter 101, Subchapter E. The authority for this regulation is found in sections 203 and 505 of the Unemployment Compensation Law (43 P. S. §§ 763(d) and 825). The proposed regulation was published in the March 16, 1996 edition of the *Pennsylvania Bulletin*, with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 29, 1997.

The Board submitted a previous version of the final-form regulation in January 1997, but withdrew it prior to any formal action being taken on it. It was withdrawn for reconsideration after Representative Robert E. Belfanti, Jr., Minority Chairperson of the House Committee, and several other commentators submitted comment letters objecting to certain revised provisions.

These amendments will replace the Board's former regulation on this subject which "sunsetting" on April 8, 1994, but which continued to be observed since that time by agreement of the parties. The changes are intended to correct minor problems of interpretation under the prior telephone hearings regulation.

Telephone hearings comprise about 6% to 7% of all hearings conducted. There will be some savings in time and travel costs for those persons who participate in a hearing via telephone rather than appearing in person at a designated hearing location.

We have reviewed this regulation and find it to be in the public interest. As further amended, it incorporates additional refinements which improve the clarity of the regulation and the fairness of the telephone hearings process.

Therefore, It Is Ordered That:

1. Regulation No. 12-43 from the Unemployment Compensation Board of Review, as submitted to the Commission on October 29, 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
November 20, 1997

Department of Labor and Industry—General Provisions of Act 57 of 1996; Doc. No. 12-50

Order

On June 19, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapters

123, 127 and 131. The authority for this regulation is contained in sections 401.1 and 435 of the Workmen's Compensation Act (77 P. S. §§ 710 and 991). The proposed regulation was published in the June 28, 1997 edition of the *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 29, 1997.

This final-form regulation addresses changes and additions to workers' compensation provisions resulting from Act 57 of 1996. The Department published a Statement of Policy (SOP) on April 5, 1997, to provide guidance. The final-form regulation replaces and elaborates on the provisions of the SOP. Pertinent provisions of the regulation concern the offset of benefits, impairment ratings, qualifications for vocational experts, earning power determinations and the process for special superseedeas.

We have reviewed this regulation and find it to be in the public interest. The regulation is necessary to implement the new provisions to the Workers Compensation Act. The regulation should decrease costs associated with workers' compensation while continuing to assist injured employees.

Therefore, It Is Ordered That:

1. Regulation No. 12-50 from the Department of Labor and Industry, as submitted to the Commission on October 29, 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
November 20, 1997

Department of Revenue—Tax Amnesty Program; Further examination of books and records; Doc. No. 15-371

Order

On September 13, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Revenue (Department). This rulemaking amends 61 Pa. Code by deleting existing § 6.22 (Further examination of books and records) and adding § 8a.1 (Further examination of books and records), to Chapter 8a (Enforcement). This rulemaking also amends similar language in § 35.1 (Tax examinations and assessments) to avoid conflict or confusion with § 8a.1. The authority for this regulation is 72 P. S. § 9915-A. The proposed regulation was published in the September 23, 1995 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 22, 1997.

This regulation provides for examination of all books, papers and records of a taxpayer to verify the accuracy and completeness of any tax return filed by the taxpayer or to assess any tax owed to the Commonwealth if no tax return has been filed by the taxpayer. Included in the provisions of this regulation is the use of "statistical sampling" and "block sampling" in "test audits" under certain circumstances to establish the liability of a taxpayer.

The Department has already adopted regulations which are the subject matter of this proposed rulemaking. Section 22 of Act 21 of June 30, 1995 (Act 21) (P. L. 139, No. 21) contains the Tax Amnesty Program for which the

Legislature allowed the Department to adopt regulations without going through the regulatory review process. In conjunction with implementation of the Tax Amnesty Program, and working within the time constraints of Act 21, the Department added § 6.22 (Further examination of books and records). The proposed regulation, upon which the Commission expressed strong concerns, was identical to the tax amnesty program regulation at § 6.22. The Department intends to delete § 6.22 of its regulations when the final-form version of § 8a.1 is approved.

We have reviewed this regulation and find it not to be in the public interest. The final-form regulation is an improvement over the proposed rulemaking in several areas. The Department added language to recognize the statutory provisions for the taxpayer to challenge the accuracy of a statistical sample or test audit. The Department also added definitions of the terms used in the regulation and clarified the scope of the regulation. However, the final-form regulation violates our criteria in three areas.

The first area of concern is the reasonableness and clarity of the procedures used for statistical sampling and test audits. Act 21 established 72 P. S. § 9915-A (Further Examination of Books and Records). Subsection (b) provides the following authority in part:

The department may determine the liability based upon a reasonable statistical sample or test audit performed in accordance with the regulations of the department when the individual being audited does not have complete records of transactions or when the review of each transaction or invoice would place an undue burden on the department to conduct an audit in a timely and efficient manner.

The proposed regulation did not provide guidance on the statistical certainty a statistical sampling or test audit must meet. Kirkpatrick and Lockhart commented that the proposed regulation contained little if any guidance regarding statistical sampling or test audit procedures. Kirkpatrick and Lockhart recommended reducing the statistical probability of an over-assessment to at least 5%. Keefer, Wood, Allen, and Rahal expressed similar concerns and recommended that any statistical sampling should be performed so as to produce a "95% one-sided confidence interval." The House Finance Committee commented that "As currently drafted, the regulations do not provide adequate guidelines to ensure the Department arrives at an accurate assessment." The House Finance Committee suggested that a 5% risk of over-assessment would be acceptable. We recommended the following in our Comments on the proposed rulemaking:

We strongly recommend that the Department incorporate into the final-form regulation either existing recognized standards, as mentioned by the commentators, or some reasonable standards a statistical sampling and test audit must meet. We strongly recommend including guidance on the specific degree of statistical certainty required of an audit in the final-form regulation.

In their "Comment and Response Summary" accompanying the final-form regulation, the Department stated that there was a consensus among the comments received that the regulation should be amended to provide a statistical method that would reduce the chance of over-assessment. In response, the Department added a provision to eliminate an "outlier" from the sample. However, the Department did not discuss or add any provisions which would establish the specific degree of statistical certainty required of an audit.

The final-form regulation has provisions related to the certainty of the audits. Subsection (f) of the final-form regulation requires a sample to "reasonably represent the population from which the samples were selected." Subsection (g) (Statistical estimation and software) provides "A standard error of the estimate shall be computed to indicate the reliability of the estimated average, total, or ratio." There is no mention of how the standard error would be used. However, neither of these provisions imposes a reasonable standard which an audit is required to meet.

The Majority and Democratic Chairpersons of the House Finance Committee submitted a joint letter to the Commission on November 18, 1997. The Chairpersons determined the final-form regulation does not sufficiently address the risk of over-assessment as mentioned in the Committee's comments on the proposed rulemaking. Therefore, their concern with the risk of over-assessment remains. They are concerned that this whole area could be an invitation to litigation on the quality of the statistical samples the Department uses. The Chairpersons continue to believe that the regulation should ensure that assessments relying upon a statistical sample are developed in a manner which substantially reduces the risk of over-assessment consistent with the practices of the Internal Revenue Service and the state of New York.

The purpose of a statistical sample and test audit is to determine the liability of a taxpayer. Methods are available to evaluate the precision of statistical calculations. The statute requires the liability to be "... based upon a reasonable statistical sample or test audit performed in accordance with the regulations of the department. . . ." The final-form regulation does not provide assurance that the liability determined by the Department using statistical sampling or test audit will be accurate within any degree of precision. This violates the Regulatory Review Act criteria of reasonableness and clarity.

The second area of concern is the clarity and reasonableness of the determination of whether to employ statistical sampling and test audits. The Department has the authority to use statistical sampling or test audits when complete records are not available or when the review of each transaction would place an undue burden on the Department to conduct the audit in a timely and efficient manner. The Commission recommended that the Department establish a definition of or expand upon the phrase "undue burden on the Department to conduct an audit in a timely and efficient manner."

In the "Comment and Response Summary" accompanying the final-form regulation the Department stated that it is their position that the term "undue burden" cannot be defined because each case is different. Instead, the Department stated that it modified subsection (e) to provide a list of factors the Department will consider in making a determination whether to employ a test audit. However, subsection (e) of the final-form regulation states "the department may consider" the following factors. There is a discrepancy between the "Comment and Response Summary" which requires the factors to be considered and the wording of the final-form regulation which makes consideration of the factors optional. The list of factors includes important considerations such as whether the taxpayer's business is cyclical, whether significant changes in the business occurred during the audit period, and "other relevant factors."

Subsections (f)(3) and (f)(4) provide similar provisions for specific taxes. In the proposed rulemaking these subsections provided "the Department will consider the

following factors:" However, subsections (f)(3) and (f)(4) were modified in the final-form regulation to provide "the Department may consider the following factors:" The "Comment and Response Summary" has no explanation of why subsections (f)(3) and (f)(4) of the final-form regulation were modified to make consideration of factors optional.

These changes are significant. The Department should be required to consider factors such as whether the taxpayer's business is cyclical, whether significant changes in the business occurred during the audit period, and "other relevant factors." These factors are directly related to the appropriateness of the audit. If these factors are not considered, the sample used to infer a liability for the entire population could be flawed. Therefore, the final-form regulation is ambiguous concerning factors the Department will consider for test audits.

The third and final area of concern is the clarity of the provisions regarding concurrence of the taxpayer. Subsection (f) was modified by the Department to provide the following, in part:

When a test audit method is chosen to reduce burden, or because certain records are unavailable, *or for any other reason*, the concurrence of the taxpayer in the test audit plan will be sought. In the absence of *concurrence of the block sampling method*, the Department will select blocks. . . . (Emphasis added.) We have two clarity concerns with this provision. First, we have a concern with the clarity of stating "When a test audit is chosen to reduce burden...or for any other reason. . ." It is not clear what other reasons the Department is contemplating. The statute only provides authority for test audits to reduce undue burden or when a taxpayer does not have complete records. The phrase "or for any other reason" lacks clarity and does not track the statute. Therefore, it should be removed from the final-form regulation.

Second, the phrase "In the absence of concurrence of the block sampling method" is confusing. It is not clear why a block sampling method would not be in concurrence or what comparison would be used to determine concurrence. It would appear the intent of this phrase is actually directed at the absence of concurrence of a taxpayer on the block sampling method. However, regardless of the intent, the wording of the final-form regulation lacks clarity.

Therefore, It Is Ordered That:

1. Regulation No. 15-371 from the Department of Revenue, as submitted to the Commission on October 22, 1997, is disapproved;
2. The Department of Revenue shall, within 7 days of receipt of this Order, notify the Governor, the designated Standing Committees of the House of Representatives and the Senate, and the Commission of its intention to either proceed with the promulgation of the regulation without revisions, to revise the regulation or to withdraw the regulation. Failure to submit notification within the 7-day period shall constitute withdrawal of the regulation;
3. The Commission will transmit a copy of this Order to the Legislative Reference Bureau; and
4. This Order constitutes a bar to final publication of Regulation No. 15-371 under section 6(b) of the Regulatory Review Act.

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

Public Meeting held
November 20, 1997

*Department of Banking—Repeal of Various Provisions;
Doc. No. 3-32*

Order

On April 1, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Banking (Department). This rulemaking deletes 10 Pa. Code § 13.2(b) and (c), § 13.3(a)(3) and (b), Chapter 11, Chapter 17, Chapter 35 and § 41.3(i). The authority for this regulation is contained in section 103 of the Banking Code (7 P. S. § 103). The proposed regulation was published in the April 12, 1997 edition of the *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 30, 1997.

The regulation repeals various sections of the Department's regulation determined to be unnecessary or no longer consistent with the Banking Code. The revisions are being made as part of its implementation of Governor Ridge's Executive Order No.1 requiring agencies to delete obsolete or unnecessary regulations.

The final-form regulation contains no changes from the proposed regulation. We did not file any comments on the proposed regulation. Furthermore, we did not receive any negative recommendations on the final-form regulation from the Senate Banking and Insurance Committee or the House Commerce and Economic Development Committee.

Therefore:

The Commission will notify the Legislative Reference Bureau that Regulation No. 3-32 from the Department of Banking, as submitted to the Commission on October 30, 1997, was deemed approved under section 5(g) of the Regulatory Review Act on November 20, 1997.

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

Public Meeting held
November 20, 1997

Insurance Department—Deductible Program; Doc. No. 11-143

Order

On March 31, 1997, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking amends 31 Pa. Code by deleting Chapter 131. The authority for this regulation is found in sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412); the Casualty and Surety Rate Regulatory Act (40 P. S. §§ 1181—1199); and the Fire, Marine and Inland Marine Rate Regulatory Act (40 P. S. §§ 1121—1264). The proposed regulation was published in the April 19, 1997 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 20, 1997.

The Department is proposing to delete 31 Pa. Code Chapter 131 relating to the deductible program because

the substance of Chapter 131 is sufficiently addressed in the insurance law, and because the regulations in no manner enhance the authorizing statutes.

The final-form regulation contains no changes from the proposed regulation. We did not file any comments on the proposed regulation. Furthermore, we did not receive any negative recommendations on the final-form regulation from the House Insurance Committee or the Senate Banking and Insurance Committee.

Therefore:

The Commission will notify the Legislative Reference Bureau that Regulation No. 11-143 from the Insurance Department, as submitted to the Commission on October 20, 1997, was deemed approved under section 5(g) of the Regulatory Review Act on November 10, 1997.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 97-1964. Filed for public inspection December 5, 1997, 9:00 a.m.]

INSURANCE DEPARTMENT

Agency Contract Termination of Bush Insurance Agents and Brokers Under Act 143; Lakeland Mutual Insurance Company; Doc. No. AT97-11-004

The request for review is granted and the scheduled day for review shall be held on January 20, 1998 at 1 p.m., in the Administrative Hearing Office, 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Lakeland Mutual Insurance Company shall provide this office within 15 days the loss ratio for agencies located in the same territory as McCorrison Agency for the past 5 years. The parties are advised that under 40 P. S. § 24 any information or documents exchanged under this order are absolutely privileged and may not be disclosed to any outside party. Failure to maintain the confidentiality of the information or documents may result in enforcement action or other civil penalty.

The agency contract at issue shall remain in force and effect pending the issuance of a Decision in this matter.

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. 97-1965. Filed for public inspection December 5, 1997, 9:00 a.m.]

Agency Contract Termination of McCorrison Agency Under Act 143; American National Property & Casualty Companies; Doc. No. AT97-11-003

The request for review is granted and the scheduled day for review shall be held on January 21, 1998 at 11 a.m., in the Administrative Hearing Office, 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

American National Property & Casualty Companies shall provide this office within 15 days the loss ratio for agencies located in the same territory as McCarriston Agency for the past 5 years. The parties are advised that under 40 P.S. § 24 any information or documents exchanged under this order are absolutely privileged and may not be disclosed to any outside party. Failure to maintain the confidentiality of the information or documents may result in enforcement action or other civil penalty.

The agency contract at issue shall remain in force and effect pending the issuance of a Decision in this matter.

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. 97-1966. Filed for public inspection December 5, 1997, 9:00 a.m.]

Appeal of Robert Golembeski Under Acts 78 and 205; Nationwide Insurance Companies; Doc. No. P97-11-011

A hearing involving the cancellation of Automobile Insurance Policy No. 58-C-378-260 and Homeowner Insurance Policy No. 58-MP-801120 shall be conducted on January 8, 1998 at 9 a.m. in the Administrative Hearing Office, Room 200, 901 N. 7th St., Harrisburg, PA 17102. For the convenience of all participants, a consolidated, yet bifurcated hearing involving both automobile and homeowner cancellations shall ensue on the same day with the automobile insurance policy cancellation occurring first followed by the homeowner cancellation hearing. Because there exists a question of timeliness for the insured's request for review for both cancellations, each bifurcated hearing shall begin with the insured presenting testimony and/or evidence to the timeliness issue as to why the Commissioner should retain jurisdiction in this matter; in other words, the insured has the initial burden to prove a justification for the Insurance Commissioner to assume jurisdiction in a matter that appears to be facially untimely. Subsequent to the submission of evidence and testimony by all parties about the timely issue for each cancellation, Nationwide shall have the burden to prove that its cancellations did not violate the respective act.

Since the timeliness of the insured's request for review for both cancellations remains at issue, the insurer's terminations of policies is affirmed pending the outcome of the hearing.

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, 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. A party intending to offer documents or photographs into evidence shall bring sufficient copies to supply a copy for the record and to each opposing party. The review of the Company's action by the Acting Insurance Commissioner or her designated representative will concern whether the

Company has violated the act. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

A hearing will be held in accordance with the requirements of the Administrative Agency Law, 2 Pa.C.S. §§ 501—508 and 701—704; section 8 of The Unfair Insurance Practices Act (40 P.S. § 1171.8) and the Administrative Rules of Practice and Procedure, 1 Pa. Code § 31.1, et seq.

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.

After the hearing, the Acting 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 Acting Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Acting 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. 97-1967. Filed for public inspection December 5, 1997, 9:00 a.m.]

Appeal of Robert S. Robbins; Pennsylvania Assigned Risk Plan; Doc. No. P97-11-007

Under the Pennsylvania Assigned Risk Plan (Plan), section 19, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741, notice is given that Robert S. Robbins has requested a hearing on the determination by the Pennsylvania Assigned Risk Plan Governing Committee that his certification is revoked and that he will no longer be entitled to submit new applications to the Plan, and may no longer perform certain other activities related to the Plan.

The hearing will be held on January 20, 1998 at 11 a.m. in Hearing Room 200, Capitol Associated Building, 901 North Seventh Street, 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. §§ 501—508 and 701—704; 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). 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. 97-1968. Filed for public inspection December 5, 1997, 9:00 a.m.]

Application for Approval to Redomesticate

Hamilton Insurance Company, a Virginia stock casualty insurance corporation, has submitted a Plan of Redomestication, whereby it proposes to redomesticate from the Commonwealth of Virginia to the Commonwealth of Pennsylvania. The filing was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 et seq. Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 15 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 Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 or by fax to (717) 787-8557.

M. DIANE KOKEN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1969. Filed for public inspection December 5, 1997, 9:00 a.m.]

Application for Approval to Reinsure and Assume all of the Insurance Policies of Penn Title Insurance Company by First American Title Insurance Company

First American Title Insurance Company, a California title insurance corporation, has submitted a Reinsurance and Assumption Agreement, whereby it proposes to reinsure and assume all the policies of Penn Title Insurance Company, a domestic title insurance corporation. The filing was made under to the requirements set forth under 40 P. S. § 442(a). Persons wishing to comment on the reinsurance and assumption are invited to submit a written statement to the Insurance Department (Department) within 15 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 Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Company

Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 or by fax to (717) 787-8557.

M. DIANE KOKEN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1970. Filed for public inspection December 5, 1997, 9:00 a.m.]

Application for Voluntary Dissolution by Boyertown Mutual Fire Insurance Company

Boyertown Mutual Fire Insurance Company, a domestic mutual fire insurance company, has submitted an application for approval of the voluntary dissolution of its charter. The filing was made under requirements set forth under the Business Corporation Law of 1988 (15 Pa.C.S. § 1 et seq.). Persons wishing to comment on the grounds of public or private interest concerning the dissolution are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Carolyn Smith, Licensing Specialist, Company Licensing Division, Room 1345 Strawberry Square, Harrisburg, PA 17120, or by fax to (717) 787-8557.

M. DIANE KOKEN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1971. Filed for public inspection December 5, 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 Zarek, Nancy; file no. 97-121-06717; State Auto Insurance Co.; doc. no. P97-11-015; January 13, 1998, at 9 a.m.;

Appeal of Greenwood, Madelon; file no. 97-124-06797; Allstate Insurance Company; doc. no. P97-11-017; January 13, 1998, at 3 p.m.;

Appeal of Apa, Jill E.; file no. 97-121-06517; Prudential Property & Casualty Ins. Co.; doc. no. P97-11-016; January 15, 1998, at 9 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured

may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

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

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

M. DIANE KOKEN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 97-1972. Filed for public inspection December 5, 1997, 9:00 a.m.]

Review Procedure Hearings under The Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies.

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

Appeal of Clydesdale, John C.; file no. 97-267-35426; Allstate Insurance Company; doc. no. PH97-11-010; January 13, 1998, 11 a.m.;

Appeal of Glatter, Howard and Barbara; file no. 97-280-35465; Allstate Insurance Company; doc. no. PH 97-11-009; January 13, 1998, 1 p.m.;

Appeal of Bray, Russell; file no. 97-181-06742; Pennsylvania National Mutual Ins. Co.; doc. no. P97-11-012; January 14, 1998, 9 a.m.;

Appeal of Jones, Patricia A.; file no. 97-121-06453; Erie Insurance Group; doc. no. P97-11-008; January 14, 1998, 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. 97-1973. Filed for public inspection December 5, 1997, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Lancaster County, Wine & Spirits Shoppe #3610, SWC Lancaster & Poplar Streets, Adamstown, PA 19501.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,200 net useable square feet of new or existing retail commercial space on PA Route 272 within 2 miles of the intersection of Lancaster Avenue and Poplar Street, Adamstown Borough.

Proposals due: January 2, 1998 at 12 Noon

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

Contact: Willard J. Rhodes, (717) 657-4228

Lehigh County, Wine & Spirits Shoppe #3906, 643 Main Street, Slatington, PA 18080.

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 2,500 net useable square feet of new or existing retail commercial space within 2 miles of the intersection of Main Street (Route 873) and Walnut Street, Slatington Borough.

Proposals due: January 2, 1998 at 12 Noon

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

Contact: Willard J. Rhodes, (717) 657-4228

JOHN E. JONES, III
Chairperson

[Pa.B. Doc. No. 97-1974. Filed for public inspection December 5, 1997, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 29, 1997, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

A-00114452. Philipsburg Emergency Medical Service, Inc., (PO Box 289, Philipsburg, Centre County, PA 16866-0289), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the counties of Centre, Clearfield and Blair, and from points in said territory, to points in Pennsylvania, and return. *Attorney:* David Mason, 409 North Front Street, Philipsburg, PA 16866.

A-00114449. Javy Enterprises, Inc. (1300 Merchant Street, Ambridge, Beaver County, PA 15003), a corporation of the Commonwealth of Pennsylvania—persons in limousine service between points in the counties of Beaver, Butler, Lawrence and Washington, and from points in said counties and from the county of Allegheny, to points in Pennsylvania, and return.

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

A-00114450. Michael Anthony Pounds, t/d/b/a Mike's Limousine Service (RD 1, Box 119, Penfield, Clearfield County, PA 15849)—persons in limousine service, between points in the counties of Clearfield, Blair, Elk and Jefferson, and from points in said counties, to points in Pennsylvania, and return; subject to the following conditions: (1) that no right, power or privilege is granted to provide service to airports within the said counties, and (2) that any service provided under the authority granted herein shall be rendered in vehicles having a seating capacity of seven passengers or less, excluding the driver; which is to be a transfer of all the rights authorized Clearfield Transportation Services, Inc., under the certificated issued at A-00109577, F. 2, subject to the same limitations and conditions. *Attorney:* Dwight L. Koerber, Jr., PO Box 1320, Clearfield, PA 16830.

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 Pennsyl-

vania 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 December 22, 1997.

A-00114455 Big Town Trucking, Inc.
P. O. Box 315, Glassport, PA 15045

JAMES J. McNULTY,
Secretary

[Pa.B. Doc. No. 97-1975. Filed for public inspection December 5, 1997, 9:00 a.m.]

Telecommunications

A-310608. Bell Atlantic-Pennsylvania, Inc. and Amro Cellular Corporation d/b/a CellularOne of Fayette and Greene Counties. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Amro Cellular Corporation d/b/a CellularOne of Fayette and Greene Counties for approval of an interconnection agreement under section 252(e) of The Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Amro Cellular Corporation d/b/a CellularOne of Fayette and Greene Counties, by its counsel, filed on October 27, 1997, at the Pennsylvania Public Utility Commission, a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 20 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and Amro Cellular Corporation d/b/a CellularOne of Fayette and Greene Counties Joint Petition are on file with the Pennsylvania Public Utility 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,
Secretary

[Pa.B. Doc. No. 97-1976. Filed for public inspection December 5, 1997, 9:00 a.m.]

Telecommunications

A-330850 F0003. GTE North Incorporated and Schuylkill Mobile Fone, Inc. Joint Application of GTE North Incorporated and Schuylkill Mobile Fone, Inc. for approval of an interconnection agreement under sections 251 and 252 of The Telecommunications Act of 1996.

GTE North Incorporated and Schuylkill Mobile Fone, Inc., by its counsel, filed on October 17, 1997, at the Pennsylvania Public Utility 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. Comments are due on or before 20 days after the date of publication of this notice. Copies of the GTE North Incorporated and Schuylkill Mobile Fone, Inc. Joint Application are on file with the Pennsylvania Public Utility 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,
Secretary

[Pa.B. Doc. No. 97-1977. Filed for public inspection December 5, 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. 94-001-FT37—Construction of signing for the Mon/Fayette Expressway, S. R. 0043, Section 50S between M. P. 0.1 and M. P. 9.3 in Fayette County, PA

Bid Opening Date—January 7, 1998, 11 a.m.

Bid Surety—5%

Plans, Cross-Sections, Specifications and Contract documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$45 per set (Do not add sales tax) by check or P. O. Money Order (no cash) to the Turnpike Commission. Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA, 17106-7676. No refund for plans, specifications and contract documents will be made for any reason.

A mandatory prebid meeting of the project under the direction of the Engineer is scheduled for December 17, 1997, at 10 a.m., at the field office of the Construction Manager, Dick Enterprises, Inc., Fairchance Industrial Park, 100 Laurel View Drive, Suite 2, Smithfield, PA 15478, (412)564-2002.

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 a listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 97-1978. Filed for public inspection December 5, 1997, 9:00 a.m.]
