

# 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 October 6, 1998.

### BANKING INSTITUTIONS

#### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-1-98	The Philadelphia Trust Company Philadelphia Philadelphia County	Philadelphia	Approved
10-2-98	Allegiance Bank of North America Bala Cynwyd Montgomery County <i>Correspondent</i> C. Andrew Cook c/o Isdamer & Co., LLC Three Bala Plaza, Ste. 501 West Bala Cynwyd, PA 19004-4643	Bala Cynwyd	Filed

#### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
9-30-98	Nesquehoning Savings Bank Nesquehoning Carbon County  Application represents conversion from a State-chartered mutual savings bank to a State-chartered stock savings bank solely to facilitate the proposed merger with and into First Star Savings Bank, Bethlehem.	Nesquehoning	Filed
10-1-98	Northwood Savings Association Philadelphia Philadelphia County <i>To:</i> Northwood Savings Bank Philadelphia Philadelphia County  Represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.	1500 E. Susquehanna Avenue Philadelphia Philadelphia County	Effective
10-1-98	United States National Bank in Johnstown Johnstown Cambria County <i>To:</i> U.S. Bank Johnstown Cambria County  Represents conversion from national charter to a State charter. <i>Branches Acquired via Conversion:</i>	Johnstown	Effective
	101 South Main Street Carrolltown Cambria County  101 West High Street Ebensburg Cambria County	928 Roberts Street Nanty Glo Cambria County  1383 Shoemaker Street (Drive-Up) Nanty Glo Cambria County	

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
	179 Lovell Avenue Ebensburg Cambria County	900 Locust Street St. Michael Cambria County	
	110 Plaza Drive Johnstown Cambria County	Main Street Coalport Clearfield County	
	1404 Eisenhower Boulevard Johnstown Cambria County	104 Sunshine Avenue Central City Somerset County	
	1219 Scalp Avenue Johnstown Cambria County	108 West Main Street Somerset Somerset County	
	1059 Franklin Street Johnstown Cambria County	1501 Somerset Avenue Windber Somerset County	
	163 Fairfield Avenue Johnstown Cambria County	112 South Chestnut Street Derry Westmoreland County	
	Galleria Mall 500 Galleria Drive Johnstown Cambria County	#1 Roadway Plaza Seward Westmoreland County	
	180 St. Mary's Street Loretto Cambria County	Mobile Branch which circulates to various businesses and locations throughout the bank's service area on a scheduled basis.	

#### **Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-30-98	First Star Savings Bank, Bethlehem, and Nesquehoning Savings Bank, Nesquehoning Surviving Institution— First Star Savings Bank, Bethlehem	Bethlehem	Filed
10-5-98	Jersey Shore State Bank, Jersey Shore, and The First National Bank of Spring Mills, Springs Mills Surviving Institution— Jersey Shore State Bank, Jersey Shore	Jersey Shore	Filed

#### **Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-10-98	Founders' Bank Bryn Mawr Montgomery County	100 South Orange St. Media Delaware County (Approved as 300 W. State St.)	Opened
4-1-98	BankPhiladelphia Norristown Montgomery County	1535 Locust Street Philadelphia Philadelphia County	Opened
9-24-98	The Peoples Bank Of Oxford Oxford Chester County	103 Jennersville Road Penn Township Chester County (Approved as Baltimore Pike and Route 796)	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-28-98	PFC Bank Ford City Armstrong County	181 New Castle Road Butler Butler Township Butler County	Opened
10-1-98	Citizens & Northern Bank Wellsboro Tioga County	1085 South Main St. Mansfield Richmond Township Tioga County	Opened

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-31-98	United Savings Bank Philadelphia Philadelphia County	320 McDade Blvd. Folsom Delaware County	Effective

**SAVINGS ASSOCIATIONS****Branch Relocations**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
10-2-98	Citizens Savings Association Mt. Pocono Monroe County	<i>To:</i> 335 Willow Avenue (Route 6) Honesdale Wayne County  <i>From:</i> 815 Main Street Honesdale Wayne County	Filed

**CREDIT UNIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-1-98	Diamond Credit Union, Pottstown, and Mrs. Smith's Pie Company Federal Credit Union, Pottstown Surviving Institution— Diamond Credit Union, Pottstown	Pottstown	Effective

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-1710. Filed for public inspection October 16, 1998, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Allegheny University of the Health Sciences for Approval of Amended Articles of Incorporation; Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of Allegheny University of the Health Sciences for a Certificate of Authority approving the institution's amended articles of incorporation.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 15 days after the publication of this notice a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Any interested party desiring to initiate hearing procedures must file a notice of intervention, petition to intervene or protest, and a request for hearing, within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

Petitions to intervene, protests and requests for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-7572 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to discuss the application should phone the aforementioned office.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Department of Education may best accommodate their needs.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 98-1711. Filed for public inspection October 16, 1998, 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 office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (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 0026786.** Sewage, **Pottstown Borough Authority**, 241 King Street, Pottstown, PA 19464-5599.

This application is for renewal of an NPDES permit to discharge treated sewage from Pottstown STP in Pottstown Borough, **Montgomery County**. This is an existing discharge to Schuylkill 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 12.85 mgd are as follows:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	8	12	16
(11-1 to 4-30)	20	30	40
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Cadmium	monitor/report		
Total Copper	monitor/report		
Total Lead	monitor/report		
Total Silver	monitor/report		
Total Zinc	monitor/report		
Total Phenols	monitor/report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Vinyl Chloride	0.00127	0.0025	0.0032
Free Cyanide	0.056	0.1120	0.140
Bis2 Ethylhexyl Phthalate	monitor/report		

*Other Conditions:*

The EPA waiver is not in effect.

**PA 0056073.** Sewage, **Vreeland Russell H.**, 219 Valley Green Drive, Coatesville, PA 19320.

This application is for renewal of an NPDES permit to discharge treated sewage from Vreeland STP in West Caln Township, **Chester County**. This is an existing discharge to an unnamed tributary of Rock Run.

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 500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N)		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	monitor/report	monitor/report
Fecal 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	

*Other Conditions:*

The EPA waiver is in effect.  
 Conditions for future permit modification.  
 Effective disinfection.

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

**PA 0061484.** Sewage, **Northrop Grumman Corporation**, P. O. Box 188, Fleetville, PA 18420.

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

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

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

The proposed effluent limits for Outfall 001, based on a design flow of .0315 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Dissolved Oxygen	a minimum of 5.0 mg/l at all times	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times.	
Total Residual Chlorine		
(First Month—24th Month)	monitor and report	monitor and report
(25th Month—Exp. Date)	1.2	2.8

The EPA waiver is in effect.

**PA 0051594.** Sewage, **Lois Owens**, 986 Woodland Drive, Walnutport, PA 18088.

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

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

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

The proposed effluent limits for Outfall 001, based on a design flow of 0.00035 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	50.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N	20.0	40.0
Dissolved Oxygen	a minimum of 2.0 mg/l at all times	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times.	

The EPA waiver is in effect.

*Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.*

**PA 0085677.** Industrial waste, SIC: 3751, **Harley-Davidson Motor Company** (groundwater treatment system discharge), 1425 Eden Road, York, PA 17402.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to unnamed tributary to Codorus Creek, in Springettsbury Township, **York County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. The nearest existing downstream potable water supply intake considered during the evaluation was the Wrightsville Water Company located just north of Wrightsville Borough, along the west bank of the Susquehanna River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 003 for a design flow of 0.6652 mgd are:

<i>Parameter</i>	<i>Average Monthly (µg/l)</i>	<i>Maximum Daily (µg/l)</i>
pH (s.u.)	6.0 to 9.0 inclusive	
1,1-Dichloroethene	7.0	14.0
Tetrachloroethane	5.0	10.0
Trichloroethene	5.0	10.0

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

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

**PA 0006335, Amendment No. 1.** Industrial waste, SIC: 3317. **Koppel Steel Corporation**, 23rd Street and Duss Avenue, Ambridge, PA 15003.

This application is for amendment of an NPDES permit to discharge treated process water and cooling water from the Ambridge Plant in Ambridge Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, of the Ohio River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Water Authority, 17.2 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.098 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Suspended Solids	119.07	317.52	15	40	
Oil and Grease		79.4		10	
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions:* Special condition "Pollution Reduction Report" is included.

The EPA waiver is not in effect.

**PA 0203670.** Sewage, **Frederick C. Schwartz, Jr. and Judith A. Krysa**, 2080 Old State Road, Gibsonia, PA 15044.

This application is for renewal and transfer of an NPDES permit to discharge treated sewage from the Schwartz and Krysa Single Residence Sewage Treatment Plant in Pine Township, **Allegheny County**.

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

*Outfall 001:* existing discharge, design flow of 0.0004 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	monitor and report			
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 0023213.** Sewage. **Borough of Ridgway**, P. O. Box 149, Ridgway, PA 15853-0149.

This application is for renewal of an NPDES permit to discharge treated sewage to the Clarion River in Ridgway Borough, **Elk 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Western Pennsylvania Water Company intake on the Clarion River located at Clarion, approximately 55 miles below point of discharge.

The proposed effluent limits, based on a design flow of 2.2 mgd, are:

*Outfall No. 001* (after the chlorine contact tank)

Parameter	Average Monthly (mg/l)	Weekly Average (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Acute Whole Effluent Toxicity (WET)	Refer to WET testing condition in Part C.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	38,000/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.6
Copper			
(Interim)		monitor and report	
(Final)	0.014		0.028
Zinc			
(Interim)		monitor and report	
(Final)	0.2		0.4
pH	6.0—9.0 at all times		

*Outfalls 101, 006 and 007*—Stormwater runoff from plant site

1. Whole effluent toxicity tests
2. Pretreatment program
3. Submit toxic reduction evaluation

The EPA waiver is not in effect.

**PA 0102270.** Sewage. **Skyline Development, Inc.**, P. O. Box 806, Indianola, PA 15051.

This application is for renewal of an NPDES permit, to discharge treated sewage to Unnamed Tributary to Booth Run in West Salem Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Sharpsville Municipal Water Authority on the Shenango River located at river mile 32.64 which is 12.03 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.011 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	8.5	17
(11-1 to 4-30)	25.5	17
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.5	3.5
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0101788.** Sewage. **Eldred Division of Ethan Allen, Inc.**, Rt. 446, Eldred, PA 16731.

This application is for renewal of an NPDES permit, to discharge treated sewage to an Unnamed Tributary to Carpenter Creek in Eldred Township, **McKean County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is State of New York on the Allegheny River located at River Mile 264.03, approximately 9 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.0024 mgd, are:

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

The EPA waiver is in effect.

**PA 0100838.** Industrial waste, SIC: 4941. **Barkeyville Municipal Authority**.

This application is for renewal of an NPDES permit, to discharge treated industrial waste to an Unnamed Tributary to North Branch Slippery Rock Creek in Barkeyville Borough, **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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Slippery Rock Creek and Camp Allegheny-Salvation Army located at Wayne Township, approximately 35 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.0063 mgd, are:

<i>Parameters</i>	<i>Monthly Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
(MO) Flow (mgd)			
(BPJ) TSS	30	60	75
(*) Aluminum	1.0	2.0	2.5
(BPJ) Iron	2.0	4.0	5.0
(BPJ) Manganese	1.0	2.0	2.5
pH	within limits of 6.0 to 9.0 standard units at all times		

Samples taken at the following locations: Outfall 001 (discharge from waste treatment facility prior to mixing with any other waste).

\* Aluminum limit is from previous permit which is being met. TSS, iron, manganese and pH limits are from "Development of Technology Based Control Requirements for Water Treatment Plants in Pennsylvania."

The EPA waiver is in effect.



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

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

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

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Operations

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

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

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

*Southcentral Regional Office: Water Management Program, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.*

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0080918	Rick Long 101 Speedwell Forge Rd. Lititz, PA 17543	Lancaster Elizabeth Twp.	Kettle Run	TRC

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

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. 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 (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.*

**WQM Permit No. 4698431.** Sewerage. **Upper Moreland Hatboro Joint Sewer Authority**, P. O. Box 535, Willow Grove, PA 19090. This project is for the expansion of the Upper Moreland Hatboro Joint Sewer Authority wastewater treatment plant located in Upper Moreland Township, **Montgomery County**.

**WQM Permit No. 4698432.** Sewerage. **Bruce K. Entwisle**, 500 Swedesford Road, Ambler, PA 19002. This project is for the installation of a small flow treatment facility with stream discharge to serve the Entwisle residence located in Lower Gwynedd Township, **Montgomery County**.

**WQM Permit No. 0998418.** Sewerage. **Warrington Township**, 852 Easton Road, Warrington, PA 18976. This project is for the construction of a new pump station and force main to extend public sewer service to serve a proposed residential known as Legacy Oaks Pump Station located in Warrington Township, **Bucks County**.

**WQM Permit No. 1598419.** Sewerage. **London Grove Township**, 550 Baltimore Pike, West Grove, PA 19390.

This project is for the construction to install gravity sewers with a collection system connecting to a proposed pump station to serve Avonwheel Estates Mobile Home Park located in London Grove Township, **Chester County**.

**WQM Permit No. 469830.** Sewerage. **Horsham Township Sewer Authority**, 617B Horsham Road, Horsham, PA 19044. This project is for the construction and operation for sewer extension and pump station to serve Bevinino Tract located in Horsham Township, **Montgomery County**.

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

**A. 4898402.** Sewerage. **Easton Area Joint Sewer Authority**, Route 611, 50A South Delaware Avenue, Easton, PA 18042. Application to modify existing wastewater treatment plant, located in City of Easton, **Northampton County**. Application received in the Regional Office—September 23, 1998.

*Southcentral Regional Office: Water Management Program Manager, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707. Persons who wish to review any of these applications should contact Mary DiSanto at (717) 705-4732.*

**A. 0694418(98-1).** Sewage amendment submitted by the **Borough of Kutztown**, 45 Railroad Street, Kutztown, PA 19530-1112 in Maxatawny Township and Kutztown Borough, **Berks County** to construct a chlorination/dechlorination and Floor Protection Project was received in the Southcentral Region on September 25, 1998.

**A. 0798405.** Sewage submitted by **Charter Behavioral Health System at Cove Forge**, New Beginnings Road, Williamsburg, PA 16693 in Woodbury Township, **Blair County** to construct a package sewer treatment system to correct malfunctioning onlot systems was received in the Southcentral Region on September 29, 1998.

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

**A. 1198201.** Industrial waste. **New Enterprise Stone & Lime Co., Inc.**, P. O. Box 77, New Enterprise, PA 16664-0077. Application for the construction and operation of a wastewater treatment plant to serve the Ebensburg Batch Plant located in Cambria Township, **Cambria County**.

**A. 0298411.** Sewerage. **South Fayette Municipal Authority**, P. O. Box 171, Morgan, PA 15064. Application for the construction and operation of approximately 17,000' of sanitary sewer, approximately 1,000' of sewage force main and a raw sewage pumping station located in South Fayette Township, **Allegheny County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

**A. 3098405.** Sewerage. **Rices Landing Borough**, P. O. Box 185, 100 Water Street, Rices Landing, PA 15357. Application for the construction and operation of a sewage treatment plant, pumping stations, force mains, sewer lines and appurtenances located in Rices Landing Borough, **Greene County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

**A. 6398405.** Sewerage. **Fallowfield Township Municipal Authority**, R. D. 1, Box 475, Charleroi, PA 15022. Application for the construction and operation of a sanitary sewerage system including nine pumping stations and approximately 160,000 lf of sewers and force mains located in Fallowfield Township, **Washington County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

**WQM Permit No. 2098414.** Sewage. **Faith Independent Baptist Church**, P. O. Box 863, Meadville, PA 16335. This project is for the construction and operation of a small flow treatment facility in Hayfield Township, **Crawford County**.

**WQM Permit No. 1098408.** Sewage, **David and Laurie McClevish, SRSTP**, 355 Sunbury Drive, Slippery Rock, PA 16057. This project is for the construction of a single residence sewage treatment plant in Clay Township, **Butler County**.

**WQM Permit No. 2598415.** Sewage, **Bill and Nadine Powell, SRSTP**, 6853 Katahdin Drive, Poland, OH 44514. This project is for the construction of a single residence sewage treatment plant in Harborcreek Township, **Erie County**.

#### INDIVIDUAL PERMITS (PAS)

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#### NPDES Individual

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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. The proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments 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

Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the office noted above the application.

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

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

**NPDES Permit PAS10-PAS10-G342.** Stormwater. **WWD, INC.**, 1244 West Chester Pike, Suite No. 402, West Chester, PA 19382, has applied to discharge stormwater from a construction activity located in East Goshen Township, **Chester County**, to Unnamed Tributary to Ridley Creek.

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

*Monroe County Conservation District, District Manager, 8050 Running Valley Road, Stroudsburg, PA 18360, (717) 629-3060.*

**NPDES Permit PAS10S073.** Stormwater. **Mountaintop Estates at Tunkhannock, KAL-TAC, Inc.**, P. O. Box 378, Brodheadsville, PA 18322, has applied to discharge stormwater from a construction activity located in Tunkhannock Township, **Monroe County**, to Poplar Creek.

*Northampton County Conservation District, District Manager, R. R. 4, Greystone Building, Nazareth, PA 18064-9211.*

**NPDES Permit PAS10U100.** Stormwater. **Jack Calahan**, 2767 Mill Road, Doylestown, PA 18901, has applied to discharge stormwater from a construction activity located in Forks Township, **Northampton County**, to Bushkill Creek.

**NPDES Permit PAS10U101.** Stormwater. **Richard Groff**, 3831 Forester Drive, Doylestown, PA 18901, has applied to discharge stormwater from a construction activity located in Forks Township, **Northampton County**, to Bushkill Creek.

*Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 657-4707.*

*Lancaster County Conservation District, District Manager, 1383 Arcadia Rd. Room 6, Lancaster, PA 17601, (717) 299-5361.*

**NPDES Permit PAS-10-O-074.** Stormwater. **Lancaster County Turf Products**, P. O. Box 1037, 649 W. South Street, has applied to discharge stormwater from a

construction activity located in Little Britain Township, **Lancaster County**, to Reynolds Run.

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

**NPDES Permit PAS10X093.** Stormwater. **Highridge Water Authority**, 17 Maple Avenue, Blairsville, PA 15717 has applied to discharge from a construction activity located in Derry Township, **Westmoreland County** to Spruce Run.

## SAFE DRINKING WATER

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

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

**5498505.** Public water supply. **Minersville Borough Municipal Authority**, 2 E. Sunbury Street, Minersville, PA 17954. This proposal involves conversion of the Minersville Slow Sand Filtration Plant to a Package Filtration Plant with associated system modifications. It is located in Cass Township, **Schuylkill County**. *Engineer: Michael J. Daschbach, P.E./Entech Engineering Inc.*

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

**A. 1498504.** The Department has received an operating/construction permit application from **Martha Furnace Mobile Home Park** (107 Peppermint Lane, Julian, PA 16844; Huston Township, **Clearfield County**) for revising the green sand filters, chlorination system and treated water storage tank; delete the upper well and add booster pumps.

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

**A. 1698501.** Public water supply. **Hartzell's Mobile Home Park**, R. D. 1, Box 115, Tionesta, PA 16353. Hartzell's Mobile Home Park owns and operates its own unpermitted public water supply system. A new source well was drilled in 1997. This application is to permit the existing system to utilize the new well and to modify the system in conformance with the Safe Drinking Water Act. This is a certified mobile home park located in Washington Township, **Clarion 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 provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

*Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.*

**East Penn Manufacturing Co.**, Richmond Township, **Berks County**. East Penn Manufacturing Co., Inc., Deka Road, Lyon Stations, PA 19536, has submitted a Notice of Intent to Remediate site soils contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the background standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Kutztown Patriot* on October 1, 1998.

**James Reinhart Property**, Richmond Township, **Berks County**. East Penn Manufacturing Co., Inc., Deka Road, Lyon Stations, PA 19536, has submitted a Notice of Intent to Remediate site soils contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the background standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Kutztown Patriot* on September 17, 1998.

**Clarence H. Heffner Property**, Richmond Township, **Berks County**. East Penn Manufacturing Co., Inc., Deka Road, Lyon Stations, PA 19536, has submitted a Notice of Intent to Remediate site soils contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the background standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Kutztown Patriot* on September 17, 1998.

**Dean Kohler Property**, Richmond Township, **Berks County**. East Penn Manufacturing Co., Inc., Deka Road, Lyon Stations, PA 19536, has submitted a Notice of Intent to Remediate site soils contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the background standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Kutztown Patriot* on September 17, 1998.

**Consolidated Rail Corporation Right-of-Way**, Richmond Township, **Berks County**. East Penn Manufacturing Co., Inc., Deka Road, Lyon Stations, PA 19536, has submitted a Notice of Intent to Remediate site soils contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the background

standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Kutztown Patriot* on September 17, 1998.

**Former LeMac Foundry**, Decatur Township, **Mifflin County**. PREDCO, Inc., 3900 River Road, Pennsauken, NJ 08110, has submitted a Notice of Intent to Remediate site soils contaminated with lead. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lewistown Sentinel* on September 18, 21 and 23, 1998.

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6525.*

**Costy's Used Truck & Auto Parts, Inc.**, Richmond Township, **Tioga County**. Howard M. Rutledge, Jr., Brooks Petroleum Contracting Company, on behalf of David Kurzejewski, R. D. 1, Box 87, Mansfield, PA 16933 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Wellsboro-Gazette* on September 16, 1998.

*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 # 71688N53690**, Berlin Township, **Wayne County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The applicant proposes to remediate the site to meet the Statewide human health standard.

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

**Former Sears Roebuck Automotive Center and Retail Store, No. 1054**. City of Pittsburgh, East Liberty Neighborhood, **Allegheny County**. John E. Coyne, Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 and Scott M. Demuth, Sears Roebuck & Company, Department 824EV, A2-245A, 3333 Beverly Road, Hoffman Estates, IL 60179 has submitted a Notice of Intent to Remediate soil contaminated with lead, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on September 9, 1998.

## 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 (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.*

**Defense Supply Center Philadelphia**, City of Philadelphia, **Philadelphia County**. Kenneth N. Klass, Blank, Rome, Comisky & McCauley, LLP, One Logan Square, Philadelphia, PA 19103-6998, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, pesticides, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons; and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The site is located in a Special Industrial Area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on September 17, 1998.

*Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.*

**Electric Motor Supply**, East Hempfield Township, **Lancaster County**. Electric Motor Supply, 1000 Fifth Street, Altoona, PA 16601 has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster New Era/Intelligencer Journal* on September 30, 1998.

## SOLID AND HAZARDOUS WASTE BENEFICIAL USE DETERMINATIONS

**Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and municipal waste regulations for a General Permit to operate municipal waste processing facilities and the beneficial use of municipal waste.**

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

**General Permit Application No. WMGM005. Teradyne Ceramics of Pennsylvania LLC**, 405 North Providence Road, Media, PA 19063. An application for the processing and beneficial use of municipal waste ash or coal ash or a blend of municipal waste ash and coal ash, for production of frit to be used in the manufacturing of ceramic tile bodies. The municipal waste/coal ash processing facility is proposed to be located in New Morgan Borough, **Berks County**. Comments on the general permit application may be submitted to Ronald C. Hasinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in examining the application may make arrangements by calling the Division of Municipal and Residual Waste at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Arrangements can also be made for persons with disabilities who wish to inspect the application. Public comments must be submitted to the Department within 60 days of the date of this notice and may recommend revisions to, and approval or denial of the application.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 101187**. An application to increase the average and maximum daily volume restrictions and to change the final site grades at the landfill was received from **County Landfill, Inc.**, State Route 36, Township Road 620, Leeper, PA 16233, located in Farmington Township, **Clarion County**. This application was deter-

mined to be administratively complete in the Regional Office on September 29, 1998.

## AIR QUALITY

### Plan Approval and Operating Permit Applications

#### Nonmajor Sources and Modifications

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities. Although the sources covered by these applications may be located at a major facility, the sources being installed or modified do not trigger major new source review or prevention of significant deterioration requirements.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Offices identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department's Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act and regulations adopted under the act.

### OPERATING PERMITS

#### Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001-4015).

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

**39-321-011: HAB Industries Inc.** (15 South Albert Avenue, Allentown, PA 18103) for operation of five finishing frames and one printer in Allentown, **Lehigh County**.

**48-309-102: Keystone Cement Co.** (P. O. Box A, Bath, PA 18014) for operation of Clinker Cooler # 2 in East Allen Township, **Northampton County**.

**48-315-001A: Fort James Operating Co.** (605 Kuebler Road, Easton, PA 18040) for operation of three cup trimming systems in Forks Township, **Northampton County**.

**54-322-003: Commonwealth Environmental Systems** (P. O. Box 249, Dunmore, PA 18512) for operation of a landfill gas collection system on Route 25 in Plainfield Township, **Schuylkill County**.

**54-399-026: Gilberton Power Co.** (50 Eleanor Avenue, Frackville, PA 17931) for operation of a bottom ash classifier in West Mahanoy Township, **Schuylkill County**.

*Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.*

**36-320-014D: R. R. Donnelley & Sons Co.** (1375 Harrisburg Pike, Lancaster, PA 17601) for operation of seven heatset web offset printing presses controlled by thermal oxidizers in Lancaster City, **Lancaster County**.

**67-320-026A: GTY, Inc.** (2075 Loucks Road, York, PA 17404) for the operation of vinyl wallcovering printing presses in West Manchester Township, **York County**. Two presses are subject to 40 CFR 60, Subpart FFF, New Source Performance Standards for flexible vinyl and urethane coating and printing.

*Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.*

**60-318-009C: New Columbia Joist Co.** (P. O. Box 31, New Columbia, PA 17856) for operation of a vacuum coating operation (bridging line) in White Deer Township, **Union County**.

**47-310-002A: Royer Limestone Co.** (c/o HRI, Inc., P. O. Box 155, State College, PA 16804) for operation of a stone crushing plant and associated air cleaning device (a water spray dust suppression system) previously owned and operated by Royer Lime Quarries in Limestone Township, **Montour County**.

**49-399-021: Arcos Alloys** (One Arcos Drive, Mt. Carmel, PA 17851) for operation of a welding electrode baking furnace and associated air cleaning device (a cartridge collector) in Mt. Carmel Township, **Northumberland County**.

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

**04-00480: The Medical Center** (1000 Dutch Ridge Road, Beaver, PA 15009) for operation of a hospital in Brighton Township, **Beaver County**.

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

**10-310-011: North Washington Limestone** (P. O. Box 305, Calico Road, West Sunbury, PA 16061) for operation of crushing/processing in Washington Township, **Butler County**.

**20-232A: Meadville Plating Co.** (10775 Franklin Pike, Meadville, PA 16335) for operation of six chrome plating tanks in West Mead Township, **Crawford County**.

**25-028B: International Paper Co.** (P. O. Box 10050, Erie, PA 16533) for operation of a lime silo and lime slaker in Erie, **Erie County**.

**25-069A: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) for operation of Blender # 3 Loader in Erie, **Erie County**.

**25-978A: National Fabricators & Machining, Inc.** (9209 West Main Street, North East, PA 16428) for operation of a heat stress oven in North East, **Erie County**.

**61-187A: A. G. Industries, Inc.** (P. O. Box 1107, Oil City, PA 16301) for operation of a hvof powder coat system in Oil City, **Venango County**.

#### PLAN APPROVALS

**Applications received and intent to issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**35-313-009: ATO Findley Inc.** (11320 Watertown Plank Road, Wauwatosa, WI 53226) for construction of an adhesives manufacturing process at 1200 Griffin Pond Road in South Abington Township, **Lackawanna County**.

**40-310-007B: American Asphalt Paving Co.** (500 Chase Road, Shavertown, PA 18708) for modification of three stone crushers in Jackson Township, **Luzerne County**.

**66-302-005A: Procter and Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) for modification of Boiler # 3 on Route 87 in Washington Township, **Wyoming County**.

*Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.*

**47-310-002B: Royer Limestone Co.** (c/o HRI, Inc., P. O. Box 155, State College, PA 16804) for construction of stone crushing and conveying equipment and associated air cleaning device (a water spray dust suppression system) in Limestone Township, **Montour County**. Some of the equipment is subject to Subpart 000 of the Federal Standards of Performance For New Stationary Sources.

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

**10-028B: Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023) for a minor modification to Plan Approval No. 10-028A to amend daily monitoring of baghouse magnehelic gauge monitoring (for ball-mill) from a daily schedule to weekly schedule in Cabot, **Butler County**.

**10-028C: Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023) for construction of a new cement pump (75 ton/hr) with baghouse control in Cabot, **Butler County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

#### Proposed Revision to the State Implementation Plan for Nitrogen Oxides (NOx); Approval of a Reasonably Available Control Technology Plan and Operating Permit; Public Hearing

##### Dauphin County

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for Hershey Chocolate USA's chocolate candy and confectionery manufacturing facility located in Derry Township, Dauphin County.

The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 22-2004A for the existing Hershey East Plant to comply with current regulations. Upon final approval, the operating permit will include emission limits, fuel usage restrictions, recordkeeping and reporting requirements for four boilers. The permit will also establish emission reduction credits (ERC) available to the company from the previous shutdown of one boiler and the reduced operation of two of the remaining boilers.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed operating permit and SIP revisions. The hearing will be held on December 2, 1998, at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 from 1 p.m. until all scheduled comments on the proposed action are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentors are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Gary Lenz, Air Pollution Control Engineer, DEP, 909 Elmerton Avenue, Harrisburg, PA 17110 during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for December 2, 1998, at the DEP Southcentral Regional Office and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly at (717) 705-4931 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

#### Proposed Revision to the State Implementation Plan for Oxides of Nitrogen (NOx) and Volatile Organic Compounds (VOC); Public Hearing

Approval of Reasonably Available Control Technology (RACT) Plans for: Stoney Creek Technologies, LLC (previously Witco Corp.) (Trainer Borough, Delaware County) Woodbridge Group/Cartex Corp. (Falls Township, Bucks

County) Superpac, Inc. (Upper Southampton Township, Bucks County) Congoleum Corp. (Trainer Borough, Delaware County) NVF Co. (Kennett Square Borough, Chester County)

The Department of Environmental Protection (Department) has made a preliminary determination to approve RACT plans as amendments to the State Implementation Plan (SIP) for the above facilities. The proposed SIP revisions do not adopt new regulations. They incorporate the provisions and requirements contained in RACT

approvals for these facilities to comply with current regulations.

These preliminary determinations, if finally approved, will be incorporated into Plan Approvals and/or Operating Permits for the facilities and will be submitted to the United States Environmental Protection Agency (EPA) as revisions to Pennsylvania's SIP.

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

**Stoney Creek Technologies, LLC (previously Witco Corp.) (Operating Permit OP-23-0002)**

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Boilers 1 and 2	56 NOx	Fuel Switching	6 months after permit issuance
Severe Atmospheric Corrosion Inhibitor	14 VOC	Existing Flare	6 months after permit issuance
(SACI) Process Storage Tanks	5 VOC	Solvent Recovery Unit	6 months after permit issuance

**Woodbridge Group/Cartex Corp. (Operating Permit OP-09-0076)**

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Polyurethane Foam Line	49 VOC	Current Work Practices	Implemented
Cleanup Solvents	2.7 VOC	Commitment to Restrict Emissions	Implemented

The facility is not a major NOx emitter.

**Superpac, Inc. (Operating Permit OP-09-0003)**

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Hazardous Waste Storage Area, Cleaning Operations, Boilers and Heaters	2.7 VOC	Manufacturer Specifications and Good Work Practices	Implemented

The facility is not a major NOx emitter.

**Congoleum Corp. (Operating Permit OP-23-0021)**

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Ink Mixing Operation	12.6 VOC	Manufacturer Specifications and Good Work Practices	Implemented
Cleaning Operations	15.9 VOC	Manufacturer Specifications and Good Work Practices	Implemented

**NVF Co. (Operating Permit OP-15-0030)**

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Boiler	60 NOx	Presumptive	180 days after permit issuance
Thermal Oxidizer	67 NOx	Presumptive	Implemented
Cleanup Solvents	2.9 VOC	Good Housekeeping	Implemented

This facility also has the following de minimis categories for VOC: six storage tanks, seven hot presses and eight mixing tanks.

One public hearing will be held for the purpose of receiving comments on the proposed SIP revisions. The hearing will be held at 2 p.m. on November 10, 1998, at the DEP Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA. The hearing will represent the opportunity for oral comment to the Department on the proposed SIP revisions and will not be a question and answer session. Persons wishing to present testimony at the hearing are encouraged to contact Clarke Rupert, DEP Community Relations Coordinator, at (610) 832-6020 to register prior to the hearing, but may also register at the hearing. Those unable to attend the

hearing but who wish to comment should send their written comments to Francine Carlini, Air Quality Program Manager, Department of Environmental Protection, Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428 on or before November 10, 1998.

Individuals in need of accommodations as provided for in the Americans With Disabilities Act who would like to attend the hearing should contact Clarke Rupert at (610) 832-6020 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

Copies of the pertinent documents are available for review at the Department's Southeast Regional Office.



Appointments for scheduling a review may be made by calling (610) 832-6268.

## 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 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*

**56813006.** Permit Renewal, **NSM Coals, Inc.** (P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine for reclamation, only in Stoneycreek Township, **Somerset County**, affecting 929.7 acres, receiving stream to unnamed tributaries to Clear Run and to Clear Run; and to Boone Run. Application received September 24, 1998.

**56733038.** Permit Renewal, **PBS Coals, Inc.** (P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine for reclamation, only in Somerset Township, **Somerset County**, affecting 518.6 acres, receiving stream unnamed tributary to East Branch Coxes Creek. Application received September 24, 1998.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**33900116.** **Fairview Coal Company** (P. O. Box R, Ridgway, PA 15853) Renewal of an existing bituminous surface strip and auger operation in Snyder Township, **Jefferson County** affecting 192.0 acres. Receiving streams: Unnamed tributary to Baghdad Run, Baghdad Run, Unnamed tributary to Walburn River and an unnamed tributary to West Branch of Walburn Run. Application received September 29, 1998.

**24880105.** **Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838) Renewal of an existing bituminous surface strip operation in Horton and Snyder Townships, **Elk and Jefferson Counties** affecting 241.4 acres. Receiving streams: Unnamed tributary to West Branch Little Toby Creek, West Branch Little Toby Creek, an unnamed tributary to Little Toby Creek and Little Toby Creek and an unnamed tributary to Rattlesnake Run and Rattlesnake Run. Application received October 1, 1998.

**33820121.** **Terry Coal Sales, Inc.** (P. O. Box 58, Disant, PA 16223) Renewal of an existing bituminous surface strip and auger operation in Knox Township, **Jefferson County** affecting 144.0 acres. Receiving streams: Unnamed tributaries to Sandy Lick Creek and Sandy Lick Creek. Application for reclamation only. Application received October 2, 1998.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

#### *Noncoal Applications Received*

**25980302.** **Afton Trucking, Inc.** (8923 Wattsburg Road, Erie, PA 16509) Commencement, operation and restoration of a sand and gravel operation in Greene Township, **Erie County** affecting 100.7 acres. Receiving streams: An unnamed tributary to LeBoeuf Creek and LeBoeuf Creek. Application to include a stream encroachment application to upgrade and use an existing livestock crossing across an unnamed tributary to LeBoeuf Creek. Application received September 21, 1998.

### **Bureau of Deep Mine Safety Mountain Spring Coal Company**

The Bureau of Deep Mine Safety has received a request for variance from Mountain Spring Coal Company. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (724) 439-7469.

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

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

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

*Summary of the request:* Mountain Spring Coal Company requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Mine No. 1.

#### **Genesis, Inc.**

The Bureau of Deep Mine Safety has received a request for variance from Genesis, Inc. The following notification contains a summary of this request. Complete copies of the variance request may be obtained from Matthew A. Bertovich by calling (724) 439-7469.

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

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

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

*Summary of the request:* Genesis, Inc. Company requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Solar No. 7 Mine.

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

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the

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

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

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

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

**E35-303. Encroachment. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501.** To remove the existing structure and to construct and maintain a road crossing of Gardner Creek (CWF), consisting of an adjacent box beam bridge having a clear span of 84.5 feet and a minimum underclearance of 7.5 feet. The project includes channel cleaning, extending from approximately 100 feet upstream to 75 feet downstream of the structure. The bridge is located on S. R. 3007 (Evergreen Drive), Section 270, Segment 0020, Offset 2361, approximately 100 feet south of the intersection of S. R. 3007 and S. R. 3001 (Newton Ransom Boulevard) (Ransom, PA Quadrangle N: 6.1 inches; W: 8.5 inches), in Ransom Township, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

**E48-274. Encroachment. Pennsylvania Department of Transportation, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103.** To remove the existing structure and to construct and maintain a prestressed concrete I-beam bridge having a single span of 59 feet and underclearance of approximately 18 feet on a 35° skew across Frya Run (HQ-CWF, MF). The project is located along S. R. 0611, Section 01B between Township Roads T409 (Coffetown Road) and T418 (Royal Manner Road) (Riegelsville, PA Quadrangle N: 21.6 inches; W: 10.8 inches), in Williams Township, **Northampton County** (Philadelphia District, U. S. Army Corps of Engineers).

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

**E15-594. Encroachment. Michael A. Himsworth, 31 Longview Drive, Linfield, PA 19468.** To excavate 0.23 acre of wetland (PEM) associated with the construction of a desiltation forbay area. The application also requests authorization for a modification of a nonjurisdictional dam which will impact 0.18 acre of wetland (PEM). The site is located approximately 900 feet east of the intersection of Conestoga Road (SR 0401) and Chester Springs

Road (LR 15216). (Downingtown, PA Quadrangle N: 18.5 inches; W: 3.5 inches) in West Vincent Township, **Chester County**.

**E15-595.** Encroachment. **Chester County**, 601 West-town Road, Suite 160, West Chester, PA 19382-2913. To replace the existing deteriorated Chester County Bridge No. 275 which spans Beaver Creek (TSF-MF) along Hadfield Road (T-415). The proposed single span, steel I-beam with concrete deck bridge will have 35 feet of clear span, 4.75 feet of minimum underclearance and 26 feet in roadway width providing two lane traffic. The abutments and wing walls will be from reinforced concrete and have rip-rap stone protection. Approximately 600 feet of roadway will be reconstructed at the bridge approaches. The project also includes construction of a temporary cofferdam structure. The site is located approximately 1,000 feet west from the intersection of Hadfield Road and Bondsville Road (Wagontown, PA Quadrangle N: 3.7 inches; W: 2.5 inches) in East Brandywine Township, **Chester County**.

**E46-820.** Encroachment. **Plymouth Township**, 2910 Jolly Road, Norristown, PA 19401-2325. To construct and maintain timber deck bridge with concrete abutments and wing walls across an unnamed tributary to Plymouth Creek (WWF). The proposed bridge will provide access to the Harriet Wetherill Park. The 22.5 foot clear span bridge will have a 15-foot roadway width, and have 4 feet 8 inches of minimum underclearance. The work also includes placing rip-rap stone protection along abutments and wing walls. A temporary road crossing of the aforementioned stream will also be installed. The site is located approximately 1,000 feet south from the intersection of Narcissa Road and Hickory Road at the entrance to Wetherill Park off Narcissa Road (Norristown, PA Quadrangle N: 21.4 inches; W: 3.2 inches) in Plymouth Township, **Montgomery County**.

*Southcentral Regional Office: Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.*

**E05-216.** Encroachment. **Monroe Township**, Ron May, P. O. Box 38, Clearville, PA 15535. To reissue and extend the time limit on Permit No. E05-216 which authorized the realignment and maintenance of 90 feet of channel reach of an unnamed tributary to Elk Lick Creek located upstream of T-352 culvert and about 0.4 mile from its intersection with T-351 to redirect the flow into the culvert (Clearville, PA Quadrangle N: 3.5 inches; W: 11.05 inches) in Monroe Township, **Bedford County**.

**E67-640.** Encroachment. **Washington Township**, Daniel McGregor, 14 Creek Road, East Berlin, PA 17316. To remove an existing structure and to construct and maintain a 24-foot, 6-inch span concrete bridge having an average underclearance of 5 feet, 2 inches across an unnamed tributary to Bermudian Creek on Barren's Church Road (T-862) approximately 200 feet north of Mount Top Road (SR 4034) (Dillsburg, PA Quadrangle N: 7.9 inches; W: 2.4 inches) in Washington Township, **York County**.

**E67-641.** Encroachment. **Donald Rodger**, 139 Butter Road, York, PA 17404. To maintain approximately 50 linear feet of channelized stream section of Oak Run and an excavated de minimis area of wetlands equal to 0.02 acre of work that was done to create a pond at a site located on Butter Road 1.3 miles west of Copenhafer Road (Dover, PA Quadrangle N: 11 inches; W: 6 inches) in Conewago Township, **York County**.

**E67-642.** Encroachment. **Timothy F. Pasch**, 4535 Lincoln Hwy, York, PA 17406. To construct and maintain a

5-foot wide by 45-foot long pedestrian bridge over Kreutz Creek directly downstream of Old Church Road for the purpose of providing access and the proposed Stone Run Farms development (Columbia West, PA Quadrangle N: 0.4 inch; W: 16.7 inches) in Hellam Township, **York County**.

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

**E47-065.** Encroachment. **Pa. Dept. of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove the existing structure and to construct and maintain a 24 foot by 6 foot by 30 foot long precast reinforced concrete box culvert on a 90 degree skew, depressed one foot in the streambed with an effective waterway opening of 24 foot by 5 foot. The project is located on SR 3004 over Beaver Run approximately 0.5 mile west of the intersection of SR 3004 with RT 45 (Riverside, PA Quadrangle N: 19.0 inches; W: 17.2 inches) in Liberty Township, **Montour County**. Estimated stream disturbance is approximately 50 feet with no wetland impact; stream classification Warm Water Fishery.

**E49-221.** Encroachment. **Pa. Dept. of Transportation**, P. O. Box 218, Montoursville, PA 17754. To replace and maintain an existing 6.25' by 5' reinforced concrete box culvert with a 10' x 8' precast reinforced concrete box culvert in an unnamed tributary to the Susquehanna River located 1 mile north of the intersection of SR 147 and SR 405 along SR 405 (Northumberland, PA Quadrangle N: 12.5 inches; W: 15.95 inches) in West Chillisquaque Township, **Northumberland County**. Estimated stream disturbance is 50 linear feet with no wetland impact; stream classification Warm Water Fishery.

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

**E26-247.** Encroachment. **James W. Faith**, 101 Tanyard Hollow Road, Connellsville, PA 15425. To operate and maintain fill in the floodway of Breakneck Run (WWF) for the purpose of construction of Breakneck Road and Tanyard Hollow Road (Connellsville, PA Quadrangle N: 5.91 inches; W: 8.33 inches) in Bullskin Township, **Fayette County**.

**E02-1252.** Encroachment. **Allegheny County Department of Public Works**, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2904. To remove the existing bridge (Jacks Run Bridge No. 3) and to construct and maintain a culvert having a span of 10.0 feet with an underclearance of 9.0 feet in the channel of Jacks Run (WWF). The bridge is located on Brighton Road, just east from the intersection of Brighton Road and Farragut Street (Pittsburgh West, PA Quadrangle N: 20.92 inches; W: 6.35 inches) in Ross Township and Bellevue Borough, **Allegheny County**.

**E04-259.** Encroachment. **Brenda L. Tarbell**, 350 Rt. 30, Lot 2A, Clinton, PA 15026. To construct and maintain a bridge having a span of 42.0 feet with an underclearance of 3.0 feet across Service Creek (WWF) to provide access to applicant property. The bridge is located on the south side of Service Creek Road, approximately 3,000 feet west from the intersection of Service Creek Road and Parrish Road (Aliquippa, PA Quadrangle N: 14.8 inches; W: 10.5 inches) in Independence Township, **Beaver County**.

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

**E24-206.** Encroachment. **Mr. and Mrs. David Q. Steele**, R. D. 1, Box 96B, Wilcox, PA 15870. To construct and maintain a 3-inch diameter PVC outfall and rock rip rap from a small flow sewage treatment facility into the East Branch Clarion River (HQ-CWF, trout stocked, wild trout). The project is located on the eastern bank of the East Branch Clarion River approximately 2,000 feet north of the intersection of S. R. 1001 and S. R. 1004 in the village of Glen Hazel (Glen Hazel, PA Quadrangle N: 7.5 inches; W: 15.7 inches) located in Jones Township, **Elk County**.

**E61-217.** Encroachment. **National Fuel Gas Distribution Corporation**, P. O. Box 2081, Erie, PA 16512. To operate and maintain an 8-inch diameter natural gas pipeline across French Creek approximately 800 feet downstream of SR 322 bridge (Franklin, PA Quadrangle N: 4.75 inches, W: 10.75 inches) located in the City of Franklin, **Venango County**. Installation of this pipeline by directional drilling was authorized by DEP Emergency Permit No. EP6198602 issued September 10, 1998.

## 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 Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on 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 (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.*

**NPDES Permit No. PA0050504, Amendment No. 1.** Sewage. **East Goshen Municipal Authority**, 1580 Paoli Pike, West Chester, PA 19380. Approval for an amendment to discharge 0.4 mgd to Ridley Creek located in East Goshen Township, **Chester County**.

**NPDES Permit No. PA0055816.** Sewage. **Walter W. Holmes**, 138 Kirk Road, Boothwyn, PA 19061 is authorized to discharge from a facility located in Concord Township, **Delaware County** into an unnamed tributary to Green Creek.

**WQM Permit No. 4698428.** Sewerage. **Borough of Ambler**, 122 East Butler Avenue, Ambler, PA 19002. Construction and operation of ultraviolet (U. V.) disinfection system at Borough of Ambler Wastewater treatment plant located in Upper Dublin Township, **Montgomery County**.

**WQM Permit No. 0998413.** Sewerage. **Warrington Township**, 852 Easton Road, Warrington, PA 18976. Construction and operation of a sewage pump station and force main to serve Stauffer Tract Subdivision located in Warrington Township, **Bucks County**.

**WQM Permit No. 2398401.** Sewerage. **Middletown Township Delaware County Sewer Authority**, P. O. Box 9, Lima, PA 19037-0009. Approval to upgrade an existing pump station known as Fair Acres pump station located in Middletown Township, **Delaware County**.

**WQM Permit No. 2398404.** Sewerage. **Pantos Corporation**, 202 Black Mat Road, Douglassville, PA 19518. Approval for the installation of dechlorination system to existing Coventry Crossing STP located in Chester Heights Borough, **Delaware County**.

**WQM Permit No. 0998409.** Sewerage. **William P. Adams**, 452 Stone Bride Road, Perkasié, PA 18944. Approval for the construction and operation of the small flow STP to serve the Adams Residence located in Haycock Township, **Bucks County**.

**WQM Permit No. 0997411.** Sewerage. **Lower Bucks County Joint Municipal Authority**, 7811 New Falls Road, P. O. Box 460, Levittown, PA 19058-0460. Approval for the construction and operation of Laurel Bend Sewage Pump Station to serve existing residential dwelling units located in Bristol Township, **Bucks County**.

**WQM Permit No. 4698426.** Sewerage. **William J. Irvin**, 26 Juniper Court East, Harleysville, PA 19438. Approval for the construction and operation of the small flow STP to serve a duplex dwelling located in Upper Salford Township, **Montgomery County**.

**WQM Permit No. 1598418.** Sewerage. **Willistown Township**, 688 Sugartown Road, Malvern, PA 19355. Approval for the construction and operation of an alternative sewer system to serve 12 single family residences and one commercial building in the Waynesbrook Subdivision located in Willistown Township, **Chester County**.

**NPDES Permit No. PA0057533.** Industrial waste. **Jack Schmidt**, 405 West County Line Road, Hatboro, PA 19040 is authorized to discharge from a facility located in Horsham Township, **Montgomery County** to an unnamed tributary to Pennypack Creek.

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

**NPDES Permit No. PA-0034631.** Sewerage. **One Time, Inc.**, 3400 Birchwood Drive, East Stroudsburg, PA 18301 is authorized to discharge from a facility located in Pocono Township, **Monroe County**, to Cranberry Creek.

**NPDES Permit No. PA-0060356.** Sewerage. **Camp Wayne for Boys, Inc.**, 55 Channel Drive, Port Washington, NY 11050-1604 is authorized to discharge from a facility located in Buckingham Township, **Wayne County**, to Lower Twin Lake.

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

**NPDES Permit No. PA0222551.** Sewerage. **Woodberry Development, Inc.**, Tannery Road Subdivision, 4720 Wattsburg Road, Erie, PA 16504 is authorized to discharge from a facility located in Fairview Township, **Erie County** to an unnamed tributary to Brandy Run.

**NPDES Permit No. PA0222691.** Industrial waste. **United Refining Company**, P. O. Box 780, Warren, PA 16365 is authorized to discharge from a facility located in Glade Township, **Warren County** to Glade Run.

**NPDES Permit No. PA0220841.** Sewerage, **Dale E. Wellman**, 13621 Arneman Rd., Edinboro, PA 16412 is authorized to discharge from a facility located in Washington Township, **Erie County** to an Unnamed Tributary to Conneauttee Creek.

**WQM Permit No. 3393404.** Sewerage. **DCNR, Bureau of Facility Design and Construction**, Clear Creek State Park, P. O. Box 387, Prospect, PA 16052-0387. This project is for the modification of an existing wastewater treatment system in Barnett Township, **Jefferson County**.

**WQM Permit No. 1069205.** Industrial waste. **Witco Corporation**, 100 Witco Lane, Petrolia, PA 16050-0335. This project is for the addition of an ultraviolet disinfection unit to an existing wastewater treatment plant in Fairview Township, **Butler County**.

**WQM Permit No. 6298407.** Sewerage. **Glade Township, Front Street Pump Station**, 99 Cobham Road, Warren, PA 16365. This project is for a sanitary sewer along Front Street in Glade Township, **Warren County**.

**WQM Permit No. 6298408.** Sewerage, **Howard P. Jones, SRSTP**, R. R. 1, Box 19, Bear Lake, PA 16402. Construction of Howard P. Jones SRSTP located in Freehold Township, **Warren County**.

**WQM Permit No. 6298409.** Sewerage, **April M. and Daniel Helmuth, SRSTP**, R. R. 2, Box 258, Corry, PA 16407. Construction of April M. and Daniel Helmuth SRSTP located in Columbus Township, **Warren County**.

**DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER FROM OIL AND GAS ACTIVITIES**

*Southwest Regional Office: Regional Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4024.*

**NPDES Permit No. PA0206075.** Industrial, **Canton Oil and Gas Company**, 22811 Titusville Road, Pleasantville, PA 16341. Approval granted to discharge treated industrial waste from a facility in Burrell Township, **Indiana County** into Blacklick Creek.

**INDIVIDUAL PERMITS (PAS)**

The following approvals for coverage under NPDES Individual Permit for discharges of stormwater from construction activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS102511	Byzantine Inc. 1198 Mulberry St. Bridgewater, PA 15009	Elk County St. Marys	Tributary to South Fork, West Creek, and Unnamed Tributary to Elk Creek

**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

*List of NPDES and/or other  
General Permit Type*

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 Quality 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*

<i>Facility Location</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>
Hilltown, West Rockhill, and Richland Townships Bucks County	PAR-10-D400	PA DOT 200 Radnor-Chester Rd. St. Davids, PA 19087	East Branch Perkiomen Creek	Bucks County CD 924 Town Center New Britain, PA 18901 (215) 345-7577
Solebury Township Bucks County	PAR-10-D376	George E. Michael, Inc. 328 S. Main Street New Hope, PA 18938	Mill Creek	Bucks County CD 924 Town Center New Britain, PA 18901 (215) 345-7577
Bedminster Township Bucks County	PAR-10-D371	Kathleen James 1211 Kellers Church Road P. O. Box 162 Bedminster, PA 18910	Wolf Run	Bucks County CD 924 Town Center New Britain, PA 18901 (215) 345-7577
Warrington Township Bucks County	PAR-10-D346	Pickertown Partnership GP 2421 Bristol Rd. Warrington, PA 18976	Tributary to Mill Creek	Bucks County CD 924 Town Center New Britain, PA 18901 (215) 345-7577
Lower Makefield Township Bucks County	PAR-10-D334	Elliot Building Group 10 Kingswood Drive New Hope, PA 18938	Tributary to Buck Creek	Bucks County CD 924 Town Center New Britain, PA 18901 (215) 345-7577
Dublin Borough Bucks County	PAR-10-D336	Heritage Building Group 3326 Old York Road Furlong, PA 18925	Morris Run Creek	Bucks County CD 924 Town Center New Britain, PA 18901 (215) 345-7577
Durham and Nockamixon Townships Bucks County	PAR-10-D338	Lachlan Pitciarn P. O. Box 25 Bryn Athyn, PA 19009	Gallows Run	Bucks County CD 924 Town Center New Britain, PA 18901 (215) 345-7577
Radnor Twp. Delaware County	PAR-10-J121	Goshen Holding Company 110 Gallagher Rd. Wayne, PA 19087	Darby Creek	Delaware County CD Rose Tree Park—Hunt Club 1521 N. Providence Road Media, PA 19063 (610) 892-9484

<i>Facility Location</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>
Newtown Township Delaware County	PAR-10-J126	Brandywine Operating Partnership 500 North Gulph Road, Ste. 220 King of Prussia, PA 19406	Preston Run	Delaware County CD Rose Tree Park—Hunt Club 1521 N. Providence Road Media, PA 19063 (610) 892-9484
Erie County Millcreek Township	PAR10K116	Sesler, Inc. 107 East 10th St. Erie, PA 16502	Millers Run Lake Erie	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Centre County Patton Township	PAR10F062-1	Williamsburg Square Shaner Family Partners, LLC 303 Science Park Rd. State College, PA 16803	Unt. Spring Creek (Big Hollow)	Centre County CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Patton Township	PAR10F073	K-Mart Plaza F&W Partnership c/o Leonard Fiore R. 5506 Sixth Ave. Altoona, PA 16602	Unt. to Big Hollow	Centre County CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
<i>General Permit Type—PAG-3</i>				
<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>
Washington County Cecil Township	PAR206103	Clad Metals, Inc. All-Clad Metalcrafters, Inc. 424 Morganza Road Canonsburg, PA 15317	Chartiers Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-4</i>				
<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 County Economy Borough	PAG046159	Martin Diel 713 Timberidge Drive Bethel Park, PA 15102	North Fork of Big Sewickley Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Columbus Twp. Warren County	PAG048539	April M. and Daniel Helmuth R. R. 2, Box 258 Corry, PA 16407	Unnamed Tributary of Brokenstraw Creek	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Freehold Township Warren County	PAG048537	Howard P. Jones R. R. 1, Box 19 Bear Lake, PA 16402	Unnamed Tributary to Little Brokenstraw	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-6**Facility Location**County and Municipality**Permit No.**Applicant Name and Address**Receiving Stream or Body of Water**Contact Office and Telephone No.*Northampton County  
City of Easton

PAG062201

City of Easton  
City Hall, Government  
Center  
One South Third Street  
Easton, PA 18042Delaware River  
Lehigh RiverNortheast Regional  
Office  
Water Management  
Program  
2 Public Square  
Wilkes-Barre, PA  
18711  
(717) 826-2553**SEWAGE FACILITIES ACT  
PLAN APPROVAL****Actions under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

The Department of Environmental Protection (Department) has taken actions on municipal requests for Act 537 Plan Approval.

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, Market Street State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure 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.

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

The Plan Approval is granted for a revision to the Official Sewage Facilities Plan of **Upper Pottsgrove Township, Montgomery County** to provide for:

To incorporate the recently built Pine Ford Road Pump Station and associated sewers into the Upper Pottsgrove Township sewer system.

The Pine Ford Road Pump Station is permitted for sewage flows of 52,000 gallons per day. It was built to service the Greengate Development, the Chestnut Grove Development and seven additional homes on Pine Ford Road.

The Pine Ford Road Pump Station pumps sewage by way of a force main along Pine Ford Road to the sewer on Farmington Avenue, at Halfway House, and ultimately to the Pottstown Borough Wastewater Treatment Facility.

The Plan Approval is granted for a revision to the Official Sewage Facilities Plan of **Sadsbury Township, Chester County** to provide for:

1) The immediate implementation of the proposed collection/conveyance system with ultimate treatment at the City of Coatesville Authority's wastewater treatment plant.

2) The separation of the project's financing and construction into several phases.

3) The implementation of sewage management program.

**SAFE DRINKING WATER****Actions taken 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.*

**Permit No. 1598507.** Public water supply. **Philadelphia Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. A permit has been issued to the Philadelphia Suburban Water Company granting permission to install a corrosion control treatment system at the Manorwood Well Station in West Bradford Township, **Chester County**.

*Type of Facility:* Public Water Supply System

*Consulting Engineer:* Philadelphia Suburban Water Company, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3489

*Permit to Construct Issued:* September 22, 1998

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

Public water supply. Transfers of **Jim Thorpe Municipal Authority** to the **Borough of Jim Thorpe** for the East Side PWS facilities and for the West Side Filtration Plant were issued for operations of these facilities. Both facilities are located in **Carbon County**.

*Permit to Operate:* September 14, 1998.

**Permit No. 3130030.** Public water supply. An operations permit was issued to the **D's Water Company**, Frank DePaulo, President, 264 Harvard Avenue, Palmerton, PA 18071, for water system serving D-Estates, Borough of Palmerton, **Carbon County**.

*Permit to Operate:* September 4, 1998.

**Permit No. 2359008.** Public water supply. An operations permit was issued to **Pennsylvania American Water Company**, David Kaufman, Operations Manager, 20 East Union Street, Wilkes-Barre, PA 18701, for the Scranton Area Water Treatment Plant/Glen Maura Corporation Center Pumping Station, Moosic Borough, **Lackawanna County**.

*Permit to Operate:* September 1, 1998.

Minor Permit Amendment for a construction permit was issued to **PAWC** for modifications to an existing



public water supply system located in Delaware Township, **Pike County**. System modifications concern rebuilding well No. 5's PWS facilities in PAWC's Hickory Water System.

*Permit for Construction:* September 2, 1998.

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

**Application No. M.A.** The Department issued an operation permit to **Ralston Area Joint Authority** (P. O. Box 93, Ralston, PA 17763; McIntyre Township, **Lycoming County**) for operation of the distribution lines for the Ralston Area Joint Authority.

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

**Permit No. 1098502.** Public water supply. **Shelbourne Inc.**, 296 Dinnerbell Road, Butler, PA 16002, has been issued a construction permit for two new ion exchange water softeners; and an ultraviolet (UV) light has replaced the previously permitted chlorination system in Penn Township, **Butler County**.

*Type of Facility:* Community Water Supply

*Consulting Engineer:* Don A. Gilmore, Dakota Engineering Assoc., Inc., 35 Wilson St., Suite 200, Pittsburgh, PA 15223.

*Permit to Construct Issued:* October 2, 1998

## 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 (800) 654-5984.

The Department has received the following final reports:

*Southcentral Regional Office: Environmental Cleanup Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.*

**Grove North America**, Antrim Township, **Franklin County**. Grove North American, 1565 Buchanan Trail East, Shady Grove, PA 17256 has submitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

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

**Graphic Controls Corporation** (Pittsburgh Facility), Borough of Wilmerding, **Allegheny County**. Graphic Controls Corporation, 189 Van Renffelaer Street, P. O. Box 1271, Buffalo, NY 14240 and Harry Klodowski, Suite 3321 Grant Building, 330 Grant Street, Pittsburgh, PA 15219 has submitted a Final Report addressing soil and groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 4

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program.**

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the Act 2 (Land Recycling and Environmental Remediation Standards Act) remediation standards. Plans and reports required by provisions of Act 2 for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. 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. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program in the

Department's Regional Office under which the notice of the plan or 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 (800) 654-5984.

The Department has acted upon the following plans and reports:

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

**The Korman Company**, West Norriton Township and Norristown Borough, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on September 15, 1998.

*Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.*

**Burle Industries, Inc.**, City of Lancaster, **Lancaster County**. Burle Industries, Inc., 1000 New Holland Avenue, Lancaster, PA 17601 has submitted remedial investigation, risk assessment and cleanup plan reports concerning remediation of site groundwater contaminated with solvents. The site is being remediated to meet the site-specific standard. The remedial investigation, risk assessment and cleanup plan reports were approved by the Department on September 30, 1998.

## SOLID AND HAZARDOUS WASTE

### RESIDUAL WASTE PROCESSING FACILITIES

**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 the residual waste regulations for a general permit to operate residual waste processing facilities.**

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

**Permit No. 301165. Domino Salvage Tire Division, Inc.**, 1251 Conshohocken Road, Conshohocken, PA 19428. This permit was issued for the 10-year renewal and modification, under the residual waste regulations, of the existing tire processing facility located in Plymouth Township, **Montgomery County**. Permit was issued in the Southeast Regional Office on September 29, 1998.

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

**Permit ID No. 301225. Thermal-Clean Services Corp.**, 896 East National Pike, Washington, PA 15301-7175. Operation of the Thermal-Clean Residual Waste Processing and Recycling Facility in Amwell Township, **Washington County**. Permit issued in the Regional Office on September 30, 1998.

**Permit revoked 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 the residual waste regulations for a general permit to operate residual waste processing facilities.**

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

**Permit No. 300694. Republic Environmental Systems (PA) Inc. (RESPA)**, 2337 North Penn Road, Hatfield, PA 19440. This permit has been revoked as the permit was never renewed, nor reissued, to RESPA, the successor to Waste Conversion, the original permittee. Also, the permit is no longer necessary as residual waste activities are managed under RESPA's permit no. PAD085690592. The permit was revoked in the Southeast Regional Office on October 1, 1998.

### 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. 400633. Wheelabrator Falls, Inc.**, 1201 New Ford Mill Road, Morrisville, PA 19067. This permit was amended to include the acceptance of Form R (Residual) and Form S (Municipal-Like Residual) wastes, increase allowable waste storage volumes and approval of additional ash storage facilities. The permit was amended in the Southeast Regional Office on September 25, 1998.

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

**Permit No. 101217. Major Modification. Wellsboro Area Transfer Station, Casella Waste Management of PA, Inc.** (16 State St., Montpelier, VT 05601). Permit modification for acceptance of municipal-like residual waste for transfer through the Wellsboro Area Transfer Station located in Delmar Township, **Tioga County**, with ultimate disposal at the Hyland Facility Associates' Landfill in Angelica, Allegheny County, New York. Modification received on May 14, 1998, and issued in the regional office on October 1, 1998.

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

**Permit ID No. 100620. BFI Waste Systems of North America, Inc.**, 11 Boggs Road, P. O. Box 47, Imperial, PA 15126. This permit modification approves revisions to the final elevations and corresponding increase in the disposal capacity of the BFI—Imperial Landfill in Findlay Township, **Allegheny County**. Permit issued in the Regional Office on October 1, 1998.

## AIR QUALITY OPERATING PERMITS

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

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

**32-000-200: Indiana University of Pennsylvania** (425 Pratt Drive, Indiana, PA 15705) issued September 24, 1998, for operation of a cogeneration facility at S. W. Jack Cogeneration Facility in Indiana Borough, **Indiana County**.

**63-399-002: McGrew Welding & Fabricating Inc.** (P. O. Box 87, Donora, PA 15033) issued September 28, 1998, for operation of materials handling at Donora Site in Donora Borough, **Washington County**.

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

**10-319A: Main Steel Polishing Co., Inc.** (6 Whitney Drive, P. O. Box 277, Harmony, PA 16037) issued August 31, 1998, for operation of a steel polishing process in Jackson Township, **Butler County**.

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

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

**46-0013A: Hatfield, Inc.** (2700 Funks Road, Hatfield, PA 19440) issued October 1, 1998, for Facility VOC/NOX RACT in Hatfield Township, **Montgomery County**.

### PLAN APPROVALS

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

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

**39-321-011: HAB Industries Inc.** (15 South Albert Street, Allentown, PA 18103) issued September 23, 1998, for modification of five finishing frames and one printer in Allentown, **Lehigh County**.

**54-399-026: Gilberton Power Co.** (50 Eleanor Avenue, Frackville, PA 17931) issued September 21, 1998, for construction of a bottom ash classifier in West Mahanoy Township, **Schuylkill County**.

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

**65-817A: Davison Sand & Gravel Co.** (400 Industrial Blvd., New Kensington, PA 15068) issued September 24,

1998, for installation of recycled asphalt pavement system at Davison Asphalt Supply in Lower Burrell City, **Westmoreland County**.

**30-089A: CNG Transmission Corp.** (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222) issued September 24, 1998, for construction of natural gas turbine no. 1 at Crayne Station in Franklin Township, **Greene County**.

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

**10-293A: Quality Aggregates, Inc., Tiche Mine** (R. D. 1, Boyers, PA 16020) issued September 24, 1998, for modification to the crushing and washing operations in Marion Township, **Butler County**.

**10-047B: Mine Safety Appliances Co., Callery Chemical Division** (1420 Mars-Evans City Road, Evans City, PA 16033) issued September 24, 1998, for installation of a scrubber/flare emission abatement system in Forward Township, **Butler County**.

**37-300A: North American Forgemasters, Inc.** (Moravia Street, New Castle, PA 16101) issued September 24, 1998, for construction of a steel forging operation in New Castle, **Lawrence County**.

**37-264A: Ellwood Quality Steels Co.** (700 Moravia Street, New Castle, PA 16101) issued September 24, 1998, for installation of a ladle furnace and baghouse in New Castle, **Lawrence County**.

**25-981A: Thunder Port Industries, Inc.** (Pennsylvania Avenue, Corry, PA 16407) issued September 29, 1998, for construction of a paint booth in Corry, **Erie County**.

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

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

**09-320-044: Moore Business Forms** (100 American Drive, Quakertown, PA 18951) issued September 30, 1998, for operation of three web offset printing presses in Quakertown Borough, **Bucks County**.

**23-313-044: Rhone-Poulenc Surfactants Specialties** (Blue Ball Avenue and 2nd Street, Marcus Hook, PA 19061) issued September 30, 1998, for operation of a surfactants manufacturing in Marcus Hook Borough, **Delaware County**.

*Southcentral Regional Office, Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.*

**21-317-056A: ADM Milling Co.** (Box 3100, Camp Hill, PA 17011) issued October 1, 1998, to authorize temporary operation of the Grain Processing Plant, under this Plan Approval until January 28, 1999, in Camp Hill Borough, **Cumberland County**.

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

**56-307-001F: FirstMiss Steel, Inc.** (230 Box 509, Hollsopple, PA 15935) issued September 24, 1998, for operation of oxygen converter at Creek Plant in Quemahoning Borough, **Somerset County**.

## 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:*

**07920101, Permit Renewal. Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630) commencement, operation and restoration of a bituminous strip mine in Allegheny Township, **Blair County**, affecting 474.0 acres, receiving stream two unnamed tributaries to and Sugar Run. Application received July 17, 1998. Permit issued September 28, 1998.

**11823003, Permit Renewal. Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), commencement, operation and restoration of a bituminous strip mine in Summerhill Township, **Cambria County**, affecting 125.6 acres, receiving stream Beaverdam Run. Application received July 17, 1998. Permit issued September 28, 1998.

**11860107, Permit Renewal. Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), commencement, operation and restoration of a bituminous strip mine in Dean Township, **Cambria County**, affecting 201.0 acres, receiving stream Clearfield Creek and two unnamed tributaries to Clearfield Creek and Brubaker Run and one unnamed tributary to Brubaker Run. Application received July 17, 1998. Permit issued September 28, 1998.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**16980103. Milestone Crushed, Inc.** (521 South Street, Clarion, PA 16214) Commencement, operation and restoration of a bituminous strip operation in Ashland Township, **Clarion County** affecting 48.1 acres. Receiving streams: Little East Sandy Creek and unnamed tributary to Little East Sandy Creek. Application received February 9, 1998. Permit issued September 23, 1998.

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

**54941303T. D.J.T. Coal Company** (R. R. 4, Box 358D, Pine Grove, PA 17963), transfer of an existing underground mine operation in Frailey Township, **Schuylkill County** affecting 3.0 acres, receiving stream—Rausch Creek. Transfer issued September 29, 1998.

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

#### *Noncoal Permits Issued*

**6275SM2C2. Milestone Materials, Inc.** (P. O. Box 231, 1900 Sullivan Trail, Easton, PA 18044-0231), correction to an existing quarry operation in Limestone and

Liberty Townships, **Montour County** affecting 285.5 acres, receiving stream—Chillisquaque Creek. Correction issued September 28, 1998.

**45980301. Sonie's Mine, Inc.** (R. R. 2, Box 2206A, Stroudsburg, PA 18360), commencement, operation and restoration of a quarry operation in Hamilton Township, **Monroe County** affecting 57.9 acres, receiving stream—none. Permit issued October 2, 1998.

### 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 Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. 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 the written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**E46-815.** Encroachment Permit. **Upper Dublin Township Commissioners**, 801 Losh Alsh Avenue, Fort Washington, PA 19034. To remove an existing pedestrian bridge and to construct and maintain a 76.5 foot long prefabricated bridge, with an underclearance of 10.5 feet, which spans Sandy Run (TSF) at a point just upstream of the Jenkintown Road culvert crossing (Ambler, PA Quadrangle N: 0.5 inch; W: 5.8 inches) in Upper Dublin Township, **Montgomery County**.

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

**E40-492.** Encroachment. **Dale E. and Colleen C. Fitch**, R. R. 1, Box 284A, Dallas, PA 18612. To enlarge and maintain a pile-supported dock/boathouse in Harveys Lake. The proposed structure has overall dimensions of

50 feet (lakeward) x 66 feet, and a total area coverage of approximately 2,060 square feet. The project is located at Pole No. 12, Lakeside Drive (Harveys Lake, PA Quadrangle N: 18.5 inches; W: 5.4 inches), in Harveys Lake Borough, **Luzerne County**.

**E45-354.** Encroachment. **S.I.D.E. Corporation**, P. O. Box 1050, Blakeslee, PA 18610. To construct and maintain an aluminum box culvert, having a span of 9.6 feet and underclearance of approximately 4.1 feet across Goose Run, to regrade a 40-foot long section of stream channel upstream of the proposed culvert and to construct and maintain a 15-inch stormwater outfall structure and associated energy dissipator. The project is located at New Ventures Park industrial subdivision along proposed Park Avenue, northeast of the intersection of S. R. 0080 and S. R. 0115 (Blakeslee, PA Quadrangle N: 14.4 inches; W: 11.0 inches) in Tobyhanna Township, **Monroe County**.

**E45-357.** Encroachment. **Eldred Township**, P. O. Box 600, Kunkletown, PA 18058. To remove the existing structure and to construct and maintain an open-bottom, corrugated aluminum box culvert having a span of 22'-1" and underclearance of approximately 4.5 feet in Princess Run. The project is located along Township Road T369 (Beagle Run Road) (Kunkletown, PA Quadrangle N: 22.3 inches; W: 6.3 inches) in Eldred Township, **Monroe County**.

*Southcentral Regional Office, Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.*

**E07-292.** Encroachment. **PA Department of Transportation, District 9-0**, Robert Heim, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove a single span bridge and to construct and maintain a single span prestressed adjacent box beam bridge having a clear span of 48.40 feet and an underclearance of 8.64 feet over Sinking Run for purposes of highway maintenance located on S. R. 1013, Section 008, Segment 0330, Offset 0000, about 1.0 mile from its intersection with S. R. 0453 (Spruce Creek, PA Quadrangle N: 20.2 inches; W: 8.7 inches) in Tyrone Township, **Blair County**. This permit also includes 401 Water Quality Certification.

**E07-294.** Encroachment. **PA Department of Transportation, Engineering District 9-0**, Robert Heim, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove an existing bridge and to construct and maintain a single span prestressed concrete adjacent box beam bridge having a normal clear span of 77.29 feet and an underclearance of 11.1 feet across Sinking Run located on S. R. 1013, Section 009, Segment 0350, Offset 0000 about 0.3 mile west of the Blair and Huntingdon County line (Spruce Creek, PA Quadrangle N: 20.7 inches; W: 7.1 inches) in Tyrone Township, **Blair County**. This permit also includes 401 Water Quality Certification.

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

**E14-323.** Encroachment. **Pa. Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a prestressed concrete box beam bridge with a span of 80 feet and underclearance of 8 feet across Spring Creek

located on S. R. 3006, Section A01 just west of S. R. 0150 (Bellefonte, PA Quadrangle N: 6.6 inches; W: 4.3 inches) in Bellefonte Borough, **Centre County**.

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

**E03-371.** Encroachment. **Armstrong County Commissioners**, Administration Building, 450 Market Street, Kittanning, PA 16201. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 19.2 meters and a minimum underclearance of 2.5 meters across South Branch Plum Creek for the purpose of improving transportation safety and roadway standards. The project is located on T-666, approximately 0.3 mile south of its intersection with S. R. 2004 (Elderton, PA Quadrangle N: 18.0 inches; W: 3.65 inches) in Plumcreek Township, **Armstrong County**.

**E02-1211.** Encroachment. **Dominic and Maria Gigliotti**, 11279 Perry Highway, Suite 509, Wexford, PA 15090. To amend Permit E02-1211 to revise Special Condition D which required monitoring of all private water supply wells within 2,000 feet of the Manor Plaza Development. An alternate groundwater monitoring plan has been approved and is incorporated into the permit as revised Special Condition D. This project is located on the west side of S. R. 19 approximately 700 feet north of its intersection with Manor Road (Mars, PA Quadrangle N: 8.5 inches; W: 1.1 inches) in Pine Township, **Allegheny County**.

*Permits Issued and Actions on 401 Certification*

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

**E16-105.** 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 58 meter long, twin 4.5 meter wide by 2.7 meter high concrete box culvert on a 56.5 degree skew with each barrel being depressed 0.3 meter into the stream bed and one barrel having a 0.3 meter high baffle in Brush Run, and to fill 0.89 acre of wetland associated with the stream enclosure and roadway realignment on S. R. 0068, Segment 0540, Offset 0570, approximately 1.4 kilometers south of I-80 (Clarion, PA Quadrangle N: 8.8 inches; W: 3.3 inches) located in Monroe Township, **Clarion County**. Project includes construction of 0.89 acre of replacement wetland on site.

**E42-258.** Encroachment. **Crosby Dairy Products, Inc.**, 495 South Kendall Avenue, Bradford, PA 16701. To fill 0.19 acre of wetland for the construction of Crosby MiniMart, a commercial development, along Owen's Way approximately 800 feet east of the intersection of S. R. 0219, South Avenue (S. R. 4007) and T-330 (Bradford, PA-NY Quadrangle N: 9.8 inches; W: 3.45 inches) located in Bradford Township, **McKean County**. Project includes contribution to the Pennsylvania Wetland Replacement Fund for replacement of 0.19 acre of wetland.

#### WATER ALLOCATIONS

**Actions taken on Permit issued under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the Acquisition of Rights to divert waters of the Commonwealth.**

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

*Change of Ownership*

**WA13-69B.** Succession to Water Rights. The Department has acknowledged that the **Borough of Jim Thorpe, Carbon County**, has given notice that succeeded to all rights and obligations under the Water Allocation Permit issued to the former Jim Thorpe Municipal Authority, Borough of Jim Thorpe, Carbon County on June 16, 1998.

**SPECIAL NOTICES****Notice of Denial to Perform Radon-Related Activities in Pennsylvania**

In the month of September 1998, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code § 240.201, denied the person or persons listed from performing radon-related activities in Pennsylvania.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Nick Gromicko	501 Eland Village Phoenixville, PA 19460	Testing

**Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of September 1998, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Alan Aulson The Aulson Co., Inc.	49 Danton Drive Methuen, MA 01844	Mitigation
James Bucciarelli Certified Testing Services, Inc.	474 Easton Road Horsham, PA 19044	Testing Mitigation
Roger Burens, Jr.	241 King Manor Drive, Suite D King of Prussia, PA 19406	Mitigation
Stephen Fiorelli	506 Sylvan Avenue Glenolden, PA 19036	Testing
Gregory Foust	244 High Street, Suite 103 New York Plaza Pottstown, PA 19464	Testing
John Gogal Keystone Inspection Service	P. O. Box 204 Sciota, PA 18354	Testing
Dennis Huson	P. O. Box 23 Mifflinburg, PA 17844	Testing
J. L. Camp Inspection Services, Inc.	6028 Forest Drive Monaca, PA 15061	Testing
Kenneth Leath	P. O. Box 10095 State College, PA 16805-0095	Mitigation
Austin O'Toole	502 West 7th Street Erie, PA 16502	Testing
Warren Riddle	11210 East Dishman-Mica Road Spokane, WA 99206	Mitigation Testing
Raymond Rowe	735 Municipal Street Pittsburgh, PA 15204	Mitigation
Ronald Simon	2 Hayes Street Elmsford, NY 10523	Mitigation
Edmund Springer	120 South Jefferson Circle, Suite A Oak Ridge, TN 37830	Testing Mitigation
Mark Tafeen, M.D. MTMM, Inc.	1040 Weston Road, Suite 316 Weston, FL 33326	Laboratory

### Availability of Revised NPDES Permit and Related Permit Handbooks for Municipal, Nonmunicipal and Industrial Wastewater Dischargers

The Department of Environmental Protection's Process Improvement Team (PIT) comprised of individuals from public and private interests has completed review and proposed revisions to the Department's NPDES permit and developed two detailed explanatory NPDES Permit Handbooks to be distributed with all new and renewed NPDES permits.

A notice requesting public comments on the proposed permit revisions and handbooks was published in the *Pennsylvania Bulletin* on July 25, 1998 for a 30-day comment period. The Department requested comments on the following PIT proposed revisions and/or additions to NPDES documents.

1. *NPDES Permit for Wastewater Discharges (3620-PM-WQ0003 Rev 10/98)*. Final draft of a one permit format system that will be used for municipal, nonmunicipal and industrial discharges. This new permit document will replace the current permit (*3600-PM-WQ0003 Rev 8/95*).

2. *Permittee Handbook for POTW and Nonmunicipal Wastewater Dischargers. (2000-0300-005 Rev 10/98)*. This handbook contains information related to POTW dischargers.

3. *Permittee Handbook for Industrial Wastewater Dischargers (2000-0300-006 Rev 10/98)*. This handbook contains information related to industrial dischargers.

Before publishing these documents, PIT made extensive efforts to carefully prepare and review them internally within the Department, EPA and some outside groups through a special NPDES Advisory Committee set up by SRBC under contract to the Department to help write the documents. In addition, PIT set up a display booth at the June 14-17, 1998, WEF/PWEA Annual Conference at Seven Springs, PA and distributed over 125 permits and handbooks to the conference attendees to provide exposure of these documents to municipal government officials and consultants.

The 30-day comment period ended on August 24, 1998. All comments received were reviewed and considered. Many useful suggestions and editorial changes have been incorporated. Several of the comments dealt with clarifying the terminology used in the revised permit or permit handbooks. The revised documents are simple, easy to read and understand while providing detailed explanations and regulatory citations within the permit handbooks.

The final permit documents package will be available for downloading from the Department's Web Site at: <http://www.dep.state.pa.us>. The documents are also available by contacting the appropriate Department Regional Office having jurisdiction over the county with the proposed discharge.

#### Implementation of New Permit Documents

Three training sessions are being scheduled for the Department central and field office staff on processing and use of the new permit documents. Use of the new documents will not begin until this training is completed. The tentative date for implementation of the new documents is January 1, 1999, with a full transition to the new forms by April 1, 1999.

### Intent to Reissue Pennsylvania General NPDES Permit for Wastewater Discharges from Single Family Residence Sewage Treatment Plants (PAG#4)

In compliance with the provisions of the Federal Clean Water Act, The Pennsylvania Clean Streams Law (35 P. S. §§ 691.1-691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice announces its intent to review and reissue the Pennsylvania General NPDES Permit for Wastewater Discharges from Single Family Residence Sewage Treatment Plants (PAG#4) for a 5 year period. The general permit was initially issued on February 4, 1994, and is scheduled to expire on February 4, 1999. The current general permit is valid until revised and issued in final after reviewing and addressing comments from this public notice.

The Department has reviewed and updated the general permit and related documents with only minor editorial changes reflecting the Department's name change and the Water Management reorganization. The NOI and instructions have been reformatted to the standard of other general permits used by the Department. No technical or substantive changes have been made to the documents.

The proposed draft permit documents are available for downloading from the Department's Web Site at: <http://www.dep.state.pa.us>. The documents can also be obtained by writing or contacting the Division of Wastewater Management, Bureau of Water Quality Protection, Rachel Carson State Office Building (RCSOB), 11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184, fax: (717) 772-5156.

By this notice, the Department is requesting public comments on the proposed permit documents. All comments must be received no later than 30 days from the date of this notice. Written comments and suggestions on the proposed documents can also be sent to Dan Helfrich at the above address or emailed at [Daniel@a1.dep.state.pa.us](mailto:Daniel@a1.dep.state.pa.us).

Persons with a disability with questions regarding the general permit or seeking information about the general permit or copy of the general permit and associated materials, may use the AT&T Relay Service by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (voice users).

Following the comment period, the Department will consider all comments received and prepare the final set of permit documents. The final availability of the documents will be announced through a public notice in the *Pennsylvania Bulletin*.

[Pa.B. Doc. No. 98-1712. Filed for public inspection October 16, 1998, 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 "July 1998 Inventory" heading is the Governor's List of Non-regulatory 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 continue to revise its documents, as necessary, throughout 1998.

#### *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 Joe Sieber at (717) 783-8727.

#### *Final Technical Guidance*

DEP ID: 391-2000-023 Title: Design Stream Flows Description: This document acts to assist in establishing the assimilation capacity in the mass balance equation of the PENTOXSD model. This guidance will be used by the Department in the analyzing wasteload allocations and NPDES effluent limitations. Effective Date: September 14, 1998 Contact: Clarence E. Yingling, Jr. at (717) 787-9637

#### *Draft Technical Guidance*

DEP ID: 012-0900-004 Title: Revised General Permit Guidance Description: This document provides the general guidelines to be used by DEP staff to develop, receive, review and approve general permits. This process includes public notice of Department decisions and procedures to facilitate greater public accessibility to general permits. This document also provides the process for receiving and issuing authorization to operate under a DEP general permit. Anticipated Effective Date: December 17, 1998, Deadline for Submittal of Comments: November 17, 1998 Contact: Joe Sieber at (717) 783-8727

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-1713. Filed for public inspection October 16, 1998, 9:00 a.m.]

### **Final Section 111(d)/129 State Plan for Hospital/Medical/Infectious Waste Incinerators**

On September 15, 1997, the United States Environmental Protection Agency (EPA) promulgated new source performance standards (NSPS) for new Hospital/Medical/Infectious Waste Incinerators (HMIWI) and emission guidelines (EG) for existing HMIWI under sections 111 and 129 of the Federal Clean Air Act (CAA). The standards of performance for new stationary sources and the Emission Guidelines for existing HMIWI are codified at 40 CFR Part 60, Subpart Ec and Subpart Ce, respectively (62 FR 48348). The Emission Guidelines apply to incinerators that combust any amount of medical, infectious or hospital waste as defined in 40 CFR 60.51c. Each indi-

vidual existing HMIWI constructed on or before June 20, 1996 must comply with the Subpart Ce requirements.

According to 40 CFR Part 60, Subparts B and Ce, states are required to prepare and submit a State Plan to the EPA to implement the Emission Guidelines for Hospital/Medical/Infectious Waste Incinerators. The State Plans for HMIWI should have been submitted to EPA for approval by September 15, 1998.

The Pennsylvania Department of Environmental Protection (PADEP) has developed a Section 111(d)/129 State Plan for existing designated Hospital/Medical/Infectious Waste Incinerators in accordance with 40 CFR Part 60 Subparts B and Ce. A public hearing notice and opportunity to provide written comments on the HMIWI State Plan was published in the following newspapers of general circulation on June 12, 1998: *Philadelphia Inquirer*, *Patriot News*, *Pittsburgh-Post Gazette*, *Wilkes-Barre Times Leader*, *Erie Daily Times* and the *Williamsport Sun-Gazette*. On June 13, 1998, PADEP published a notice of public hearings on the State Plan and provided a 30-day public comment period in the *Pennsylvania Bulletin* (28 Pa. B. 2728). The hearings were held in Conshohocken, PA on July 15, 1998, Harrisburg, PA on July 16, 1998, and Pittsburgh, PA on July 21, 1998.

The Section 111(d)/129 State Plan was submitted to EPA for approval on September 18, 1998. New or revised Federally enforceable state operating permits (FESOPs) will be issued to designated HMIWI facilities, incorporating the applicable requirements in 40 CFR Part 60, Subparts A, B, Ce, and Ec. The Department will submit FESOPs, as revisions to the State Plan, to EPA no later than March 30, 1999.

In Pennsylvania, at least 61 existing designated HMIWI facilities including incinerators located in Philadelphia County must comply with the Subpart Ce requirements. The designated HMIWI facilities located in Allegheny County will be covered by a separate HMIWI plan developed by Allegheny County Health Department. All the designated existing HMIWI must comply with the emission standards no later than 1 year after EPA approval of the State Plan. Designated existing HMIWI facilities may apply for an extension for up to 3 years after EPA approval of the State Plan for retrofit of emissions controls or shut-down, but no later than September 15, 2002, whichever occurs first.

To obtain a copy of the State Plan for HMIWI, including the comment/response document, contact Kimberly Maneval, Bureau of Air Quality, Division of Permits, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-4325 or by e-mail at maneval.kimberly@a1.dep.state.pa.us.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-1714. Filed for public inspection October 16, 1998, 9:00 a.m.]

### **Pennsylvania Wetland Replacement Project; Public Notice of Wetland Restoration Projects**

The Department of Environmental Protection (Department) has approved the following wetland restoration projects for funding under the Pennsylvania Wetland Replacement Project (PWRP). The PWRP is a jointly managed fund between the Department and the National Fish and Wildlife Foundation established to offset wetland losses. Construction for the three projects is



anticipated to begin in early fall, 1998. Further information may be obtained by contacting Kelly Heffner, Department of Environmental Protection, Division of Waterways, Wetlands and Erosion Control, P. O. Box 8775, Harrisburg, PA 17105-8775; (717) 787-6827 or E-mail Heffner.Kelly@a1.dep.state.pa.us.

*Project No. P13D01-001*

Sponsored by Mr. and Mrs. Charles Skopic, the primary objective of the 5-acre wetland restoration in Subbasin 13D (the Potomac Watershed) is wildlife habitat. An additional benefit is water quality improvement to Marsh Creek by intercepting runoff from adjacent farm fields buffering the tributary to Marsh Creek by detaining sediment and nutrients associated with agriculture. Also, in the area adjacent to the creek, trees and shrubs will be planted to create a wooded floodplain. The project is located in Adams County.

*Project No. D03H15-001*

Sponsored by the Piersol family and in conjunction with the construction of the Honey Brook Golf Club, the primary objective of the 1.5 acre wetland restoration in Subbasin 3H (the Lower Delaware Watershed) is wildlife habitat. This project will restore wetlands previously drained by agricultural activities. The site will be seeded with an emergent wetland seed mix. The project is located in Honey Brook Township, Chester County.

*Project No. S07J36-001*

Sponsored by Lititz Run Watershed Alliance, the objective of the 1.9 acre wetland restoration in Warwick Township, Lancaster County in Subbasin 7, the Lower Susquehanna River Watershed, is to improve water quality. The Lititz Run Watershed is identified as impaired waters on the Commonwealth's Section 303(d) list as a stream that does not meet water quality standards. The goal of this project is to improve the water quality of the Santo Domingo Creek by polishing stormwater from adjacent stormwater basins and trapping nutrients from adjacent agricultural land runoff. The restored wetlands will be part of a riparian buffer restoration and will provide wildlife habitat and educational opportunities within an industrial setting. The project is located in Warwick Township, Lancaster County.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-1715. Filed for public inspection October 16, 1998, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Decrease in the Food Stamp Heating and Nonheating Standard Utility Allowances

Regulations at 55 Pa. Code § 501.7(a)(2), establish the amounts for the heating and nonheating standard utility allowances (SUAs) for the Food Stamp Program and provide for the revision of these amounts by publication of a notice in the *Pennsylvania Bulletin*. Decreases for these allowances have been approved by the Food and Nutrition Service of the United States Department of Agriculture and are effective October 1, 1998.

The heating and nonheating SUAs are established in accord with the requirements of 7 CFR 273.9(d)(6)(iii) and (iv). Notice is hereby given that the Department of Public Welfare (Department) is decreasing the heating SUA from \$289 to \$287 and the nonheating SUA from \$158 to \$156.

The Department recommends these revisions for codification in 55 Pa. Code § 501.7(a)(2).

Public comments may be made by contacting Edward J. Zogby, Acting Director, Bureau of Policy, Office of Income Maintenance, Room 431, Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users).

FEATHER O. HOUSTOUN,  
*Secretary*

[Pa.B. Doc. No. 98-1716. Filed for public inspection October 16, 1998, 9:00 a.m.]

### Intent to Amend the Medicaid State Plan for Payments to Federally Qualified Health Centers

The purpose of this announcement is to provide prior public notice of the Department of Public Welfare's (Department) intent to amend the Medicaid State Plan for payments to Federally Qualified Health Centers (FQHCs).

The Department intends to make a correction to the Medicaid State Plan to reflect the Department's historic rate setting practice for FQHCs. Under the State Plan, payments to FQHCs are made on the basis of an all-inclusive visit fee, which represents 100% of the FQHC's reasonable costs. The visit fee is calculated using the FQHC's audited cost report submitted to the Department. This method of payment meets the Federal reimbursement requirements for FQHCs. The Department's payment method and standards are not changed by this correction.

The current State Plan states that the visit fee is calculated by the Medicare carrier, rather than by the Department which actually makes this calculation. The State Plan will be corrected to reflect that the Department, rather than the Medicare carrier, is responsible for calculating the FQHC's visit fee according to the methods and standards described in the State Plan.

#### *Fiscal Impact*

There will be no fiscal impact as a result of this amendment because it is a technical correction, and it does not represent a significant change in the payment methods or standards.

#### *Contact Person*

A copy of this notice is available for review at local County Assistance Offices. Interested persons are invited to submit written comments to this notice within 30 days of this publication. These comments should be sent to the Department of Public Welfare, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Persons requiring an alternate

format, should contact Thomas Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-179. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 98-1717. Filed for public inspection October 16, 1998, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Addendum and Revision of the Listing of Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

#### *Addendum*

The Department of Transportation, Bureau of Motor Vehicles, under the authority of Section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), published at 28 Pa. B. 167 on January 10, 1998, a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

#### *Addition*

As an addendum to the listing of approved Official Speedometer Testing Stations, the Department hereby gives notice of the addition of a mobile unit to the following station:

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, Pennsylvania 17601—Also authorized to use mobile units (Appointed: 06/09/97, Station S82).

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Processing Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by telephoning (717) 787-2895.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 28 Pa. B. 167 (January 10, 1998), 28 Pa. B. 2327 (May 16, 1998), 28 Pa. B. 4576 (September 5, 1998) and 28 Pa. B. 4677 (September 12, 1998).

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-1718. Filed for public inspection October 16, 1998, 9:00 a.m.]

### Retention of Engineering Firms

#### Armstrong, Butler, Clarion, Indiana and Jefferson Counties

##### Project Reference No. 08430AG2253

The Department of Transportation will retain an engineering firm for an Open-End Contract for various engineering and/or environmental services on various projects located in Engineering District 10-0, that is Armstrong, Butler, Clarion, Indiana and Jefferson Counties. The

Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$1.0 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the 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.
- b. Preference will be given to a small business as described on Standard Form 254.
- c. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on Open-End Contracts.
- d. The specific experience of individuals who constitute the firm.
- e. Available staffing for this assignment related to workload.
- f. Location of consultant in respect to the District.

The work and services required under this Contract may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under this Contract include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened

and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations. The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

The second copy of the letter of interest and required forms (see "General Requirements and Information" section) shall be sent to: Mr. Richard H. Hogg, P.E., District Engineer, District 10-0, P. O. Box 429, Route 286 South, Indiana, PA 15701.

Any technical questions concerning the requirements for this project should be directed to: Mr. Craig Chelednik, P.E., District 10-0, at (724) 357-2842.

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

**Fayette, Greene, Washington and Westmoreland Counties**

**Project Reference No. 08430AG2254**

The Department of Transportation will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff, under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 12-0, that is Fayette, Greene, Washington and Westmoreland Counties. The Contract will include roadway and bridge construction projects, and material plant inspection. The Contract will be for a period of sixty (60) months, with a maximum cost \$750 thousand dollars.

It is anticipated that a maximum supplementary construction inspection staff of twenty (20) inspectors will be required for this assignment.

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 acceptable letters of interest:

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Number of available inspectors in each payroll classification.
- c. Number of NICET certified inspectors in each payroll classification.
- d. Previous experience.

- e. Understanding of Department's requirements, policies and specifications.
- f. Ability to provide CDS operators.
- g. Past performance.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	12 (8)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	4 (0)

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1998:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$44.93
(TCIS)	\$39.36
(TCI)	\$34.43
(TA)	\$23.67

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

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

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

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	4
TCI	15

No resumes are required for the TA Classification.

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

Any technical questions concerning the requirements for this project should be directed to: Mr. Anthony M. Dzurko, P.E., District 12-0, at (724) 439-7137.

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 are 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 twenty (20) 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 twentieth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual, firm, or corporate which is permitted under the state law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The Act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act, WBEs or combinations thereof.

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

The Department requests that each Letter of Interest include the following information and that the information be packaged and presented in the order indicated below to facilitate the Department's review and evaluation.

The firm's ability and willingness to package and present the requested information in the above order to facilitate the Department's review and evaluation will be the first factor considered in the evaluation process.

1. Transmittal Letter (Maximum of two (2) 8 1/2" x 11" typed pages, one side)

2. A fact sheet that includes 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 should indicate on this fact sheet 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. If the project advertisement indicated the Department will retain an Land Surveying firm for the project, the applicant should indicate on this fact sheet the names and Professional Land Surveyor Registration Number of individuals who

are directing heads or employees of the firm who have responsible charge of the firm's land surveying activities, and whose names and seals shall be stamped on all plans, plats, and reports issued by the firm.

3. Project Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart should show key staff from the prime and each subconsultant and their area of responsibility.

4. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

The Standard Form 255 should 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 specify only the number of subconsultant personnel and Column B should specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do not include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant should not include more than one page each for Items 10 and 11.

If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

5. 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, should 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.

These Forms should 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 Standard Form 255.

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 should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Standard 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 registra-

tion 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 should 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 Accountant 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.

Letters of Interest will be rejected for the following reasons:

1. Received after the cut-off time and date specified above.
2. Failure to identify a Department Certified Disadvantaged Business Enterprise (DBE) if a DBE participation goal is identified in the advertised project.
3. Failure to include a copy of the registration to do business in the Commonwealth, if applicable.

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. 98-1719. Filed for public inspection October 16, 1998, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Welch Foods Inc., a Cooperative v. DEP and North East Borough, Permittee; EHB Doc. No. 98-188-R; 8/20/98 NPDES Permit**

Welch Foods, Inc., a Cooperative has appealed the denial by the Department of Environmental Protection of an NPDES permit to Same for a facility in North East Borough, Erie County.

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

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by an interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at

(717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

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

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 98-1720. Filed for public inspection October 16, 1998, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### 1999 Low-Income Housing Tax Credit Program; Public Hearing

The Housing Finance Agency (Agency) will conduct hearings in accordance with the Internal Revenue Code of 1986, as amended, to which all interested persons are invited. The Agency will conduct a public hearing at the following location:

<i>Location</i>	<i>Date</i>	<i>Time</i>
Pennsylvania Housing Finance Agency 2101 North Front Street Harrisburg	October 28, 1998	9 a.m.

#### *Purpose*

The purpose of the hearing is to solicit public comments concerning the proposed Pennsylvania 1999 Low-Income Housing Tax Credit Allocation Plan (Allocation Plan) for the Statewide distribution of the Federal low-income rental housing tax credits for projects to be placed-in-service after December 31, 1998.

The Allocation Plan contains changes and program amendments. A copy of the Allocation Plan may be requested through the Agency as noted below. Interested persons are invited to submit written comments before or at the public hearing and to present oral comments at the public hearing regarding the Allocation Plan. Individuals desiring to comment on the Allocation Plan, but unable to attend the public hearing, should provide written comments prior to or at the public hearing. Persons with a disability who wish to attend the above hearing and require an auxiliary aid service or other accommodation, should contact the Tax Credit Program at (717) 780-3948. Oral comments will only be accepted at the public hearing. Written comments and requests for a copy of the proposed Allocation Plan may be submitted to:

Manager, Tax Credit Program  
Pennsylvania Housing Finance Agency  
P. O. Box 8029  
Harrisburg, PA 17105-8029  
(717) 780-3948  
TDD for Hearing Impaired: (717) 780-1869

Please contact the Agency at (717) 780-3948 if you are planning on attending the public hearing.

WILLIAM C. BOSTIC,  
*Executive Director*

[Pa.B. Doc. No. 98-1721. Filed for public inspection October 16, 1998, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinion

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (act) (P. L. 744, No. 222) announces the publication of the stipulations of fact, findings of fact, conclusions of law, final decision and order, made after a public hearing under section 9(e)—(g) of the act, in the following case:

*Nancy Flaherty v. Cloverleaf Mobile Home Sales, David P. Miller, James Codispotti, and James and Anna Palumbo, Owners*; Doc. No. H5973 (Pennsylvania Human Relations Commission, September 29, 1998); Gender-based harassment; Ruling for Respondents, 7-0 decision; 15 pages.

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

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

HOMER C. FLOYD,  
*Executive Director*

[Pa.B. Doc. No. 98-1722. Filed for public inspection October 16, 1998, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final-Form Rulemakings

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7B-1	Department of Conservation and Natural Resources State Forests	10/5/98
16A-642	State Board of Auctioneer Examiners Biennial Renewal Fees	10/6/98
7-330	Environmental Quality Board New Motor Vehicle Emissions Control Program (NMVECP)	10/5/98

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 98-1723. Filed for public inspection October 16, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Capital Blue Cross and Pennsylvania Blue Shield; Rating Factors—Comprehensive Major Medical Program for Experience-Rated Groups; Filing No. 98-Y**

By Filing No. 98-Y, Capital Blue Cross and Pennsylvania Blue Shield have requested to update administrative expenses, costs and utilization trends and other retention elements for the Comprehensive Major Medical Program available to experience-rated groups of 51 or more contracts. An effective date of January 1, 1999, is proposed.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1724. Filed for public inspection October 16, 1998, 9:00 a.m.]

### **Capital Blue Cross and Pennsylvania Blue Shield; Rating Factors—CustomBlue Program for Experience-Rated Groups; Filing No. 98-V**

By Filing No. 98-V, Capital Blue Cross and Pennsylvania Blue Shield have requested to update administrative expenses, cost and utilization trends and other retention elements for the CustomBlue Program available to experience-rated groups of 51 or more contracts. An effective date of January 1, 1999, is proposed.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry

Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1725. Filed for public inspection October 16, 1998, 9:00 a.m.]

### **Capital Blue Cross and Pennsylvania Blue Shield; Rating Factors—Major Medical Program for Experience-Rated Groups; Filing No. 98-U**

By Filing No. 98-U, Capital Blue Cross and Pennsylvania Blue Shield have requested to update pure premium trends, administrative expenses and other retention elements for the Major Medical Program available to experience-rated groups of 51 or more contracts. An effective date of January 1, 1999, is proposed.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1726. Filed for public inspection October 16, 1998, 9:00 a.m.]

### **Capital Blue Cross and Pennsylvania Blue Shield; Rating Factors—Point of Service HealthOne Program for Experience-Rated Groups; Filing No. 98-W**

By Filing No. 98-W, Capital Blue Cross and Pennsylvania Blue Shield have requested to update pooling levels and other retention elements for the Point of Service HealthOne Program available to experience-rated groups of 51 or more contracts. An effective date of January 1, 1999, is proposed.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1727. Filed for public inspection October 16, 1998, 9:00 a.m.]

**Capital Blue Cross and Pennsylvania Blue Shield; Rating Factors—Wraparound Major Medical Program for Experience-Rated Groups; Filing No. 98-Z**

By Filing No. 98-Z, Capital Blue Cross and Pennsylvania Blue Shield have requested to update administrative expenses and other retention elements for the Wrap-around Major Medical Program available to experience-rated groups of 51 or more contracts. An effective date of January 1, 1999, is proposed.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1728. Filed for public inspection October 16, 1998, 9:00 a.m.]

**Capital Blue Cross; Rate Factors for Basic Blue Cross Program for Experience-Rated Groups; Filing No. 98-T**

By Filing No. 98-T, Capital Blue Cross is requesting to update administrative expenses, cost and utilization trends and other retention elements for the Basic Blue Cross Program available to experience-rated groups of 51 or more contracts. An effective date of January 1, 1999, is proposed.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1729. Filed for public inspection October 16, 1998, 9:00 a.m.]

**Capital Blue Cross; Rating Factors for Prescription Drug Program for Experience-Rated Groups; Filing No. 98-X**

By Filing No. 98-X, Capital Blue Cross is requesting to update administrative expenses and cost and utilization trends for the Prescription Drug Program available to experience-rated groups of 51 or more contracts. An effective date of January 1, 1999, is proposed.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1730. Filed for public inspection October 16, 1998, 9:00 a.m.]

**Medical Professional Liability Catastrophe Loss Fund; Surcharge Filing**

The Medical Professional Liability Catastrophe Loss fund has filed for a 55% surcharge under the Health Care Services Malpractice Act (40 P. S. §§ 1301.101—1301.1006), commonly known as Act 111, as amended by Act 135 of 1996. This represents a change from the 1997 surcharge of 64%.

The filing indicates the following:

"This year's surcharge percentage calculation is premised on the rates reflected in the Joint Underwriting Association (JUA) underwriting manual effective January 1, 1997, as amended by:

1. The JUA's September 26, 1997 filing, with respect to Partnerships, Associations and Corporations, effective January 1, 1999.

2. The JUA's May 1, 1998 filing, with respect to rate changes for orthopedic surgeons, otolaryngologists, gynecologists, on-surgical podiatrists, and non-institutional Montgomery County health care providers, description changes for radiologists, and limit changes to \$400,000 in primary coverage for all health care providers.

The filing also continues the reduction for part-time practice previously adopted by the Fund and includes a hospital experience modification plan as provided for by Act 135 of 1996.

The filing does not incorporate the following changes to the JUA underwriting manual:

1. The JUA's September 26, 1997 filing, with respect to colorectal surgeons and new physicians, and residents and fellows.

2. The JUA's November 25, 1997 filing, with respect to psychoanalysts."

The hospital experience modification plan would result in an average 13.7% revenue impact for hospitals over the expected 1999 hospital surcharge level.

The surcharge applies to any new policies effective on or after January 1, 1999.

Copies of the rate filing will be available for public inspection during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit comments, suggestions or objections to Nabila Audi, Actuary, Insurance Department, Bureau of Property and Casualty Insurance, 1311 Strawberry Square, Harrisburg, PA 17120,



or by e-mail at [naudi@ins.state.pa.us](mailto:naudi@ins.state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1731. Filed for public inspection October 16, 1998, 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. All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Carl and Brenda Bortz; file no. 98-121-06461; State Farm Fire and Casualty Insurance Company; doc. no. P98-09-028; October 29, 1998, at 1 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1732. Filed for public inspection October 16, 1998, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

#### *Department of Community Affairs*

Home Rule Charter Amendment (May 19, 1998) for (County of Northampton).

Home Rule Charter two Amendments (May 19, 1998) for (West Deer Township) (Allegheny County).

#### *Executive Board*

Resolution #CB-98-231, Dated September 16, 1998, the Commonwealth of Pennsylvania entered into a side letter with the American Federation of State, County, and Municipal Employees (AFSCME); this side letter established classification specifications and other conditions for employment for the classifications Real Estate Appraiser and Chief Real Estate Appraiser.

Resolution #CB-98-236, Dated September 16, 1998, the Commonwealth of Pennsylvania entered into a side letter with the American Federation of State, County, and Municipal Employees, AFL-CIO, to include the Game Conservation Officer Manager 1 and Wildlife Conservation Officer Manager 2 classifications in the Game Commission Act 111 Unit, collective bargaining agreement effective April 9, 1997 through June 30, 1999 by approving the 37.5 hour Game Conservation Officer Pay Schedule (Y). This side letter was previously approved by Resolution #CB-98-205, dated August 18, 1998.

#### *Governor's Office*

Manual M210.3 Index of Issuances—Directives Management System—Amended August 18, 1998.

Manual M310.2 Definitions of Major and Minor Objects of Expenditures—Amended August 27, 1998.

Management Directive No. 515.20—Reemployment of Commonwealth Annuitants—Amended September 3, 1998.

Management Directive No. 530.11—Benefit Rights of Permanent and Temporary Employees—Amended September 3, 1998.

Administrative Circular No. 98-28—1999-00 Program Policy Guidelines—Dated August 31, 1998.

GARY R. HOFFMAN,  
*Director,*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 98-1733. Filed for public inspection October 16, 1998, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Service of Notice of Motor Carrier Applications

### Motor Carrier Applications—Property, Excluding Household Goods in Use

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before November 9, 1998.

A-00115345 Donald F. & Jeffrey J. Andrews, Copts, t/a Andrews Trucking  
R. R. 2, Box 170, Forest City, PA 18421

A-00115344 Audrey O. Nolan, t/a JR's Sales and Parts  
46801 Dutch Lane, St. Clairsville, OH  
43950

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Roland Curtis Lawrence,  
t/a Lawrence's Limousine Service; Doc. No. A-  
00106558C98*

### Complaint

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

1. That Roland Curtis Lawrence, t/a Lawrence's Limousine Service, respondent, maintains a principal place of business at 282 Meadow Street, Meadville, PA 16335.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00106558.

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

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Roland Curtis Lawrence, t/a Lawrence's

Limousine Service at Docket No. A-00106558, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

### Verification

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

Date: \_\_\_\_\_

George T. Mahan

### Notice to Plead

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

James J. McNulty, Acting Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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

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

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

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Triple R. Haulers, Inc.;*  
*Doc. No. A-00110389C9801*

### Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission

has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Triple R. Haulers, Inc., respondent, maintains a principal place of business at 125 Hamburg Turnpike, Riverdale, NJ 07457.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00110389.

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

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

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

*Wherefore*, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Triple R. Haulers, Inc. at Docket No. A-00110389, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

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

Date: \_\_\_\_\_

George T. Mahan

*Notice to Plead*

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

James J. McNulty, Acting Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking

your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

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

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

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. World Wide Delivery, Inc.; Doc. No. A-00110883C9801*

**Complaint**

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

1. That World Wide Delivery, Inc., respondent, maintains a principal place of business at 8681 Cherry Lane, Laurel, MD 20707.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00110883.

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

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

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

*Wherefore*, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by World Wide Delivery, Inc. at Docket No. A-00110883, for failure to maintain current evidence of insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

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

Date: \_\_\_\_\_

George T. Mahan

*Notice to Plead*

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

James J. McNulty, Acting Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

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

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

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

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1734. Filed for public inspection October 16, 1998, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project #9827.9, Maintenance Dredging at PAMT, P96S, P84S, P82S, P80S, TMT-II & TMT-I until 2 p.m. on Thursday, November 5, 1998. The

bid documents can be obtained from the Procurement Administrator, PRPA, 210 West Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available October 20, 1998. The cost of the bid documents is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held October 29, 1998, 10 a.m. at PRPA, Port of Philadelphia Administrative Building, Room 201, 3460 N. Delaware Avenue, Philadelphia, PA 19134. The PRPA will consider only those bids received from parties who attend the prebid meeting.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 98-1735. Filed for public inspection October 16, 1998, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

November 13, 1998	Phyllis M. Strawn (Disability Eligibility)	10:30 a.m.
	Shawn P. Troast (D) (Payment of Death Benefit)	1:00 p.m.
	Larry O. LeBlanc (D) (Payment of Death Benefit)	2:30 p.m.
November 18, 1998	Michael J. Ciliberti (Purchase of Service)	1:00 p.m.
	Francis B. Lorson (Multiple Service Membership)	2:30 p.m.

Persons with a disability who wish to attend the above-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501-508 and 701-704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with

1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JAMES A. PERRY,  
*Secretary*

[Pa.B. Doc. No. 98-1736. Filed for public inspection October 16, 1998, 9:00 a.m.]

## STATE BOARD OF NURSING

**Commonwealth of Pennsylvania v. Sandra K. Shirk, L.P.N.**

*Notice to Sandra K. Shirk, L.P.N.:*

On July 31, 1998, the Commonwealth of Pennsylvania, State Board of Nursing instituted a formal administrative action against you, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law. Under 1 Pa. Code § 33.31 and Pa.R.C.P. Rule 430 providing for service of process upon you by publication:

If you wish to defend against the allegations in the order to show cause, or to present evidence on your behalf in mitigation of any penalties which may be imposed upon you or your license, certification, registration, permit or other authorization to practice your profession, the procedures for doing so are set forth in the order to show cause. You have the right to be represented by an attorney in this matter. Although you may represent yourself, you are advised to seek the advice of an attorney. All proceedings are conducted in accordance with the administrative agency law and the general rules of administrative practice and procedure.

You are directed to respond by filing an answer in writing within 30 days of the date of the order to show cause. An original and two copies must be submitted. Also, you must send a separate copy of the answer, and any other pleadings or documents, to the prosecuting attorney named in this document. If you do not file an answer, disciplinary action may be taken against you without a hearing.

Answers and any other pleadings should be filed with: Deanna S. Walton, Prothonotary, Bureau of Professional and Occupational Affairs, 124 Pine Street, Suite 200, Harrisburg, PA 17101.

M. CHRISTINE ALICHNIE, Ph.D., R.N.,  
*Chairperson*

[Pa.B. Doc. No. 98-1737. Filed for public inspection October 16, 1998, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement

Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, 5th Floor, Harrisburg, PA 17108:

October 21, 1998	George Soukup (Non-Intervening Military Service)	1 p.m.
October 29, 1998	Francis J. Hudak (Graduate Assistant)	1 p.m.
November 4, 1998	Yashpaul S. Parmar (Pension Forfeiture)	1 p.m.
November 18, 1998	Community College of Phila. (SERS Membership)	1 p.m.
December 2, 1998	John E. Merryman (Final Average Salary)	1 p.m.
December 14, 1998	Roslyn V. Harris (Disability)	1 p.m.
December 16, 1998	Patricia L. Sikora (Multiple Service)	1 p.m.

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

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 98-1738. Filed for public inspection October 16, 1998, 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. 98-018-RQ08**—Rehabilitation of Bridge No. NB-703 at M.P. A-099.3 in Lackawanna Co., PA

*Bid Opening Date*—November 17, 1998, 11 a.m.

*Bid Surety*—5%

Plans, specifications and contract documents will be available and open for public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per set by check or P. O. Money Order (No Cash) payable to the Pennsylvania Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. No refund for any reason will be made for plans, specifications and contract documents.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Pennsylvania Department of Transportation is a necessary prerequisite for bidding on this project.

Direct any questions for this project to Donald Klingensmith at (717) 939-9551, Ext. 5850.

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. 98-1739. Filed for public inspection October 16, 1998, 9:00 a.m.]

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