

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Notice of Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, December 9, 1998. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1 p.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

An informal conference among the Commissioners and staff will be held at 10 a.m. at the same location and will include a Corps of Engineers presentation on Section 22 proposals as well as discussions of correspondence concerning upper Basin reservoir releases and proposals for interim reorganization and formation of a Watershed Council.

In addition to the subjects summarized below which are scheduled for public hearing at the business meeting, the Commission will also address the following: Minutes of the October 7, 1998, business meeting; announcements; report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; consideration of resolutions concerning interim DRBC reorganization, establishment of a Water Management Advisory Committee, contract with the Northeast/Midwest Institute, interstate river basin commissions' role in Clean Water Action Plan and public dialogue.

The subjects of the hearing will be as follows:

*Current Expense and Capital Budgets.* A proposed current expense budget for the fiscal year beginning July 1, 1999, in the aggregate amount of \$4,106,600 and a capital budget reflecting revenues of \$2,508,748 and expenditures of \$2,331,242. Copies of the current expense and capital budgets are available from the Commission on request by contacting Richard C. Gore at (609) 883-9500 ext. 201.

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

1. *Summit Hill Water Authority D-84-3 CP RENEWAL*
2. An application for the renewal of a ground water withdrawal project to supply up to 13.8 million gallons (mg)/30 days of water to the applicant's distribution system from Well Nos. 1-4. Commission approval on December 14, 1988, was limited to 10 years and will expire unless renewed. The applicant requests that the total withdrawal from all wells remain limited to 13.8

mg/30 days. The project is located in Summit Hill Borough, Carbon County, PA.

2. *New Jersey-American Water Company D-90-108 CP Revised.* An application to revise an existing docket by the addition of Aquifer Storage and Recovery (ASR) Well No. 66 to recharge treated drinking water from the applicant's distribution system into the Middle PRM Aquifer during periods of low water demand. The stored high-quality water will be withdrawn and discharged to the distribution system during periods of high demand with no net withdrawal from the aquifer. The proposed ASR project will not increase monthly or annual allocation of ground water. The project is located in Cherry Hill Township, Camden County, New Jersey.

3. *West Goshen Sewer Authority D-98-20 CP.* A project to upgrade and expand the applicant's existing 4.5 million gallons per day (mgd) sewage treatment plant (STP) to 6.0 mgd to continue serving portions of East Goshen and West Goshen Townships, Chester County, PA. The STP is located off South Concord Road in West Goshen Township and will continue to discharge to Chester Creek (locally known as Goose Creek).

4. *Womelsdorf-Robeson Joint Authority D-98-23 CP.* An application for approval of a ground water withdrawal project to supply up to 8.1 mg/30 days of water to the applicant's distribution system from new Well No. 9, and to retain the existing withdrawal limit from all wells at 23 mg/30 days. The project is located in Millcreek Township, Lebanon County, PA.

*A Proposal to Adopt the 1999 Water Resources Program.* A proposal that the 1998 Water Resources Program and the activities, programs, initiatives, concerns, projections and proposals identified and set forth therein be extended and adopted as the 1999 Water Resources Program and that a staff report of progress during 1998 in completing elements of the program and policies in the 1998 Water Resources program be made a part thereof, in accordance with the requirements of Section 13.2 of the Delaware River Basin Compact.

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

SUSAN M. WEISMAN,  
Secretary

[Pa.B. Doc. No. 98-1986. Filed for public inspection December 4, 1998, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the

Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 24, 1998.

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
11-20-98	Harleysville National Corporation, Harleysville, to acquire 100% of the voting shares of Northern Lehigh Bancorp, Inc., Slatington	Harleysville	Filed

#### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-17-98	First National Bank of Jermyn Jermyn Lackawanna County <i>To:</i> First Liberty Bank & Trust Jermyn Lackawanna County	645 Washington Ave. Jermyn Lackawanna County	Filed

Application represents conversion from a nationally-chartered banking institution to a State-chartered banking institution.

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-17-98	Jersey Shore State Bank, Jersey Shore, and The First National Bank of Spring Mills, Spring Mills Surviving Institution—Jersey Shore State Bank, Jersey Shore	Jersey Shore	Approved
11-18-98	Minersville Safe Deposit Bank and Trust Company Minersville Schuylkill County Purchase of Assets/Assumption of Liabilities of the Office of Union Savings & Loan Association, Minersville, Located at: 156 Sunbury Street Minersville Schuylkill County	Minersville	Filed

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-28-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 1758 Allentown Road Lansdale Montgomery County	Opened
10-30-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 2850 Audubon Village Dr. Audubon Montgomery County	Opened
11-16-98	First Capitol Bank York York County	5 West High Street Red Lion York County	Opened
11-16-98	East Penn Bank Emmaus Lehigh County	951 State Street Mertztown Longswamp Township Berks County	Opened
11-17-98	1st Summit Bank Johnstown Cambria County	404 N. Center Ave. Somerset Somerset County	Filed

**NOTICES**

**5893**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-19-98	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 50 Lawrence Road Broomall Delaware County	Approved
11-19-98	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 420 McDade Boulevard Folsom Delaware County	Approved

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-19-98	Lafayette Ambassador Bank Easton Northampton County	<i>To:</i> 60 West Broad St. Bethlehem Northampton County  <i>From:</i> 231 East Broad St. Bethlehem Northampton County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-13-98	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	2700 Eastern Blvd. York York County  1200 Greensprings Dr. York York County	Effective
11-13-98	The York Bank and Trust Company York York County 2220 South Queen Street York York County  West Manchester Mall 1800 Loucks Road York York County  Weis Market 800 South 12th Street Lebanon Lebanon County  Weis Market 1651 East Cumberland St. Lebanon Lebanon County	Effective 11-13-98, Dauphin Deposit merged with and into The First National Bank of Maryland, Baltimore, Maryland.  Eight Branch Offices at the Following locations:  Weis Market 4300 Linglestown Road Harrisburg Dauphin County  Weis Market 3885 Union Deposit Road Harrisburg Dauphin County  Weis Market 5000 Jonestown Road Harrisburg Dauphin County  Weis Market 2160 White Street York York County	Effective
11-17-98	Fulton Bank Lancaster Lancaster County	38 E. Roseville Rd. Lancaster Lancaster County	Filed

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-1987. Filed for public inspection December 4, 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.

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

#### PA 0038482. Sewage. Fox Township Sewer Authority, Gahr Road, Kersey, PA 15846.

This application is for a renewal of an NPDES Permit to discharge treated sewage to the Unnamed Tributary to Daguscahonda Run in Fox Township, **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 PA-American Water Company intake on the Clarion River located at Clarion, approximately 71 miles below point of discharge.

The proposed effluent limits, based on a design flow of 0.15 mgd, are:

*Outfall No. 001*

Parameter	Average Monthly (mg/l)	Weekly Average (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	40	60	80
TSS	30	45	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen		minimum 3.0 mg/l at all times	
Ammonia-Nitrogen (5-1 to 10-31)	18		36
Copper	0.107		0.214
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0101800.** Industrial waste, SIC: 2851. **Lord Corporation**, 601 South Street, P. O. Box 1050, Saegertown, PA 16433.

This application is for renewal of an NPDES Permit, to discharge of noncontact cooling water and stormwater to French Creek (Outfall 001) and Woodcock Creek (Outfalls 002 and 003) in Saegertown Borough, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes (Outfall 001) and cold water fishes (Outfall 002 and 003), 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 City of Franklin on French Creek located at Franklin, approximately 33 miles below point of discharge.

The proposed discharge limits, based on a design flow of 0.461 mgd, are:

*Outfall No. 001*

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
Temperature	XX	XX	
Total Residual Chlorine (TRC)	XX		XX
pH		6.0—9.0 at all times	

XX—Monitor and Report on Monthly DMRs.

The proposed discharge limits, based on a design flow of n/a mgd, are:

*Outfall Nos. 002 and 003*

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>

These discharges shall consist of uncontaminated stormwater runoff only. Refer to Special Condition 3 in Part C.

The EPA waiver is in effect.

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

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given 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 proceeding should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

**WQM Permit No. 4398420.** Sewage, **James and Laura Carlson SRSTP**, 340 Vernon Road, Greenville, PA 16125. This project is for the construction of a Single Residence Sewage Treatment Plant in West Salem Township, **Mercer County**.

**WQM Permit No. 4398421.** Sewage, **Jeri L. Sauer, SRSTP**, 325 Fredonia Road, Greenville, PA 16125. This project is for the construction of a Single Residence Sewage Treatment Plant in Hempfield Township, **Mercer 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 effluent limitations set forth in the permit and special conditions. These proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharge.

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

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

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

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

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

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

*Northampton County Conservation District, District Manager; R. R. 4, Nazareth, PA 18064-9211, (610) 746-1971.*

**NPDES Permit PAS10U103.** Stormwater. **Charles Conroy**, 6835 Franklin Hill Road, Bangor, PA 18013, has applied to discharge stormwater from a construction activity located in Plainfield Township, **Northampton County**, to Bushkill Creek.

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

*Berks County Conservation District, District Manager; Berks County CD, P. O. Box 520, 1238 County Welfare Road, Leesport, PA 19533, (610) 372-4657.*

**NPDES Permit PAS-10-C039.** Stormwater. **New Morgan Academy**, Thomas Rathjen, Managing Director, Cornell Corrections, Inc., 4801 Woodway, Suite 100-E, Houston, Texas 77056-1805 has applied to discharge stormwater from a construction activity located in New Morgan Borough, **Berks County**, to Conestoga and Hay Creeks.

## SAFE DRINKING WATER

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

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

**A. 1098507.** Public water supply. **CSC Academy (Summit Academy)**, 839 Herman Road, Herman, PA 16036. This proposal involves the permitting of two existing wells (No. 1 and No. 3) and relocating the chlorination equipment to an adjacent building in Herman, **Butler County**.

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

**A. 5398501.** The Department has received a construction permit application from **Galeton Borough** (2 Sherman Street, P. O. Box 222, Galeton, PA 16922; Galeton Borough, **Potter County**) for permitting of a polyphosphate addition system for corrosion control.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 1

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department 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.*

**Xpress Lube Site**, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, P.G., Trimpi Associates, Inc.,

889 Seminary Street, Pennsburg, PA 18073, has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard. A Final Report was simultaneously submitted.

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

**Helfrich Residence**, Palmyra Township, **Pike County**. Kevin Van Kuren, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Notice of Intent to Remediate (on behalf of his client, Carson Helfrich, HCR No. 1, Box 59, Paupack, PA 18451) concerning the remediation of site soils found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polycyclic aromatic hydrocarbons. The applicant proposes to meet the Statewide human health standard. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole No. 57416N46725 (Mylert Street)**, City of Scranton, **Lackawanna 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. A Final Report was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

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

**Kephart Property**, Decatur Township, **Clearfield County**. Patty Kephart, 607 Kate Street, Osceola Mills, PA 16666 has submitted a Notice of Intent to Remediate soil contaminated with BTEX 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 Progress* on October 19, 1998. Also note Bulletin notice for Final Report submission in another section of this *Pennsylvania Bulletin*.

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

The Department 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.*

**Avondale Manufactured Gas Plant Site**, Borough of Avondale, **Chester County**. Michael F. Heisler, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19101, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with heavy metals, BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Kennett Paper* on November 5, 1998.

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

**Anchor/Darling Valve Company**, City of Williamsport, **Lycoming County**. Anchor/Darling Industries, Inc., Suite 400, 3 Radnor Corp. Center, Radnor, PA 19807 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with heavy metals, solvents, BTEX, PHCs and PAHs. 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 *Williamsport Sun-Gazette* on October 21, 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.

Notice is hereby given that 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 permit 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).

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

**21-329-001: Naval Inventory Control Point** (P. O. Box 2020, Mechanicsburg, PA 17055) for operation of five uncontrolled emergency generators in Hampden Township, **Cumberland County**.

**36-303-011A: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506) for operation of a modified asphalt batch plant in East Cocalico Township, **Lancaster County**.

**67-399-021: American Ash Recycling Corp. of America** (1072 Roosevelt Avenue, York, PA 17404) for operation of an ash recycling facility in West Manchester Township, **York County**.

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

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

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the regional office telephone number noted below. For additional information, contact the regional office noted below.

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

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

*Southeast Regional Office: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Attn: Edward Brown, (610) 832-6242.*

**46-00096: Connelly Containers, Inc.** (Righters Ferry Road, Bala Cynwyd, PA 19004) located in Lower Merion Township, **Montgomery County**. The facility's significant emission points are two boilers.

**23-00025: Fibre-Metal Products Company** (Route 1 and Brinton Lake Road, Concordville, PA) located in Concord Township, **Delaware County**. The facility's major emission points include paint booths and compression molding which emit major levels of Volatile Organic Compounds (VOCs).

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

**67-05020: PECO Energy Co.** (1848 Lay Road, Delta, PA 17314) located in Peach Bottom Township, **York County**. The facility is an electrical generating facility. The operations primarily emit nitrogen oxides (NO<sub>x</sub>).

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

#### Notice of Intent to Revise Title V Operating Permits 16-00021

**16-00021: Crawford Furniture Mfg. Corp.** (Route 28 North, New Bethlehem, PA 16242) located in Redbank Township, **Clarion County**. The facility is taking an emission limit on their HAPs. This limit will make the facility minor for HAP emissions, thus 40 CFR 63 Part JJ is not applicable. The revision to the existing Title V



permit is to delete the nonapplicable NESHAP requirements and to add the emission limitations for HAPs and the associated recordkeeping and reporting requirements to ensure compliance.

#### PLAN APPROVALS

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

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

**06-3001A: Unicast Corp.** (241 Washington Street, Boyertown, PA 19512) for a foundry sand system controlled by a fabric collector in Boyertown Borough, **Berks County**.

**22-03025: John M. Shultz Funeral Home** (406 Market Street, Lykens, PA 17048) for installation of a human remains crematorium in Lykens, **Dauphin County**.

**28-03018: CECO/Taylor Co.** (150 Derbyshire Street, Chambersburg, PA 17201) for installation of two paint spray booths in Chambersburg Borough, **Franklin County**.

**36-05004A: M&M/MARS, Inc.** (295 Brown Street, Elizabethtown, PA 17022) for modification of the existing chocolate and cocoa products manufacturing facility, to include the installation of a replacement fabric filter, in Elizabethtown, **Lancaster County**.

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

**49-313-035M: Merck & Co., Inc.** (P. O. Box 600, Danville, PA 17821-0600) for modification of a dedicated pharmaceutical process facility to a campaign basis antibiotic production facility in Riverside Borough, **Northumberland County**.

**41-303-006A: Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16804) for modification of a drum mix asphalt plant and associated air cleaning device (a fabric collector) by increasing the maximum allowable production rate from 150 tons per hour to 220 tons per hour and for the construction of a dust additive system in Fairfield Township, **Lycoming County**. This asphalt plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

**47-310-002C: Royer Limestone Co.** (c/o HRI, Inc., P. O. Box 155, State College, PA 16804-0155) for construction of a batch asphalt plant and associated air cleaning device (a fabric collector) in Limestone Township, **Montour County**. This plant will be subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

**19-320-001E: Haddon Craftsmen, Inc.** (4411 Old Berwick Road, Bloomsburg, PA 17815) for construction of a heatset web offset printing press, a book block binding line and a scrap handling system in South Centre Township, **Columbia County**.

**41-310-011: Milestone Materials, Inc.** (P. O. Box 231, Easton, PA 18044-0231) for construction of a sand and gravel processing plant and associated air cleaning device (a water spray dust suppression system) in Montoursville Borough and Fairfield Township, **Lycoming County**. This plant will be subject to Subpart OOO of the Federal Standards of Performance for New Stationary Sources.

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

**65-837A: CNG Transmission Corp.** (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222) for operation of two convective heaters at Oakford Compressor Station in Salem Township, **Westmoreland County**.

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

**10-313-028A: Indspec Chemical Corp.** (133 Main Street, P. O. Box 307, Petrolia, PA 16050) for installation of a new scrubber system to replace the existing scrubber under permit No. 10-313-028 in the Borough of Petrolia, **Butler County**.

**42-399-017A: Borden Chemical, Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) for minor modification to quantify emissions based on testing of the resin kettle located on Hutchins Road in Sergeant Township, **McKean County**.

**42-302-021A: Borden Chemical, Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) for minor modification to increase the hours of operation of the boiler located on Hutchins Road in Sergeant Township, **McKean County**.

**42-399-018D: Borden Chemical, Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) for minor modification to increase tank throughput from 135,000 lb/yr to 400,000 lb/yr located on Hutchins Road in Sergeant Township, **McKean County**.

**PA-20-284A: Multi-Tool, Inc.** (Route 198 South Street, P. O. Box 708, Saegertown, PA 16433) for installation of a mist eliminator to the facility's hard chromium plating system in the borough of Saegertown, **Crawford County**. This source is subject to 40 CFR 63 Subpart N (MACT Standard for Chrome plating).

**PA-20-272A: Universal Stainless & Alloy Products, Inc.** (121 Caldwell Street, Titusville, PA 16354) for installation of a baghouse (750 acfm) on an existing mold cleaning operation in Titusville, **Crawford County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

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

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

**52-0024: The Miller Group—Pottsville Bleaching & Dyeing Co.** (P. O. Box 348, Schuylkill Haven, PA 17972) for Combustion Units in Port Carbon Borough, **Schuylkill County**.

**39-00002: Tarkett, Inc.** (1139 Lehigh Avenue, Whitehall, PA 18052) in Whitehall Township, **Lehigh County**. This modification to the RACT Operating Permit will establish specific recordkeeping and emission limit requirements. This RACT Operating Permit will be submitted to the United States Environmental Protection Agency as a revision to Pennsylvania's State Implementation Plan (SIP).

**54-00022: Alumax Extrusion, Inc.** (53 Pottsville Street, P. O. Box 129, Cressona, PA 17929-0129) in Cres-

sona Borough, **Schuylkill County**. This RACT Operating Permit will establish specific inspection, maintenance and recordkeeping requirements. This RACT Operating Permit will be submitted to the United States Environmental Protection Agency as a revision to Pennsylvania's State Implementation Plan (SIP).

The Department of Environmental Protection has made a preliminary determination to approve the RACT plan and amendments to the State Implementation Plan (SIP) for the following facility:

**The Miller Group—Pottsville Bleaching and Dyeing Co., Port Carbon Borough, Schuylkill County**

The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in the RACT approval for this facility to comply with current regulations.

The RACT plan, if finally approved, will be incorporated into an operating permit for this facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The following are the main sources at Pottsville Bleach & Dye's Port Carbon Plant subject to operating permit requirements. The following is the summary of the preliminary RACT determination for this facility:

<i>Source</i>	<i>Emissions</i>
Two (2) Boilers	NO <sub>x</sub> Emissions
Three (3) Textile Dryers	NO <sub>x</sub> Emissions
Two (2) Air Make Up Units	NO <sub>x</sub> Emissions
Nineteen (19) Unit Heaters	NO <sub>x</sub> Emissions

For the above facility, the public hearing will be held for the purpose of receiving comments on the proposed issuance of a RACT operating permit and the proposed SIP revisions. This public hearing is scheduled as follows:

<i>Facility Name</i>	<i>Location of Hearing</i>	<i>Date and Time</i>
The Miller Group—Pottsville Bleaching & Dyeing Co.	DEP Wilkes-Barre Regional Office	December 28, 1998, 1 p.m.

Persons wishing to present testimony at the hearing listed above should contact: Mark Carmon, Community Relations Coordinator, (717) 826-2511 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony. Each organization is requested to designate one witness to present testimony on its behalf.

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

Persons wishing to present testimony at the hearing should contact: Richard Shudak, (717) 826-2060 or the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD).

Those unable to attend the hearing, but wishing to comment, should provide written comments to Michael S. Saffo, Engineering Services Chief, Pennsylvania DEP, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. Comments should be submitted within 30 days of the date of this publication notice.

All pertinent documents are also available for review from 8 a.m. to 4 p.m. at the DEP Regional Office, 2 Public

Square, Wilkes-Barre. Appointments for scheduling a review must be made by calling the DEP contact person noted previously.

## 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 such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52, and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief sum-

mary 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:*

**56920111, Permit Renewal. Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650), commencement, operation and restoration of bituminous strip mine, coal preparation plant, and coal refuse disposal in Jenner Township, **Somerset County**, affecting 80.0 acres, receiving stream unnamed tributary to Quemahoning Creek, application received November 13, 1998.

**56830107, Permit Renewal. PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), commencement, operation and restoration of bituminous strip mine, for reclamation, only in Stonycreek Township, **Somerset County**, affecting 165.3 acres, receiving stream unnamed tributary to/and Glades Creek, application received November 16, 1998.

**4173SM5, Permit Revision. G. M. & W. Coal Company** (P. O. Box 68, Boswell, PA 15531), to change the land use from forestland to wildlife habitat in Stonycreek Township, **Somerset County**, affecting 13.41 acres, receiving stream unnamed run to Glades Creek to Stonycreek to Conemaugh River to Kiskiminetas River to Allegheny River to Ohio River, application received November 16, 1998.

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

**65980106. LMM, Inc.** (P. O. Box 517, Stoystown, PA 15563). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in South Huntingdon Township, **Westmoreland County**, proposed to affect 40.0 acres. Receiving streams: unnamed tributary to Sewickley Creek, Sewickley Creek to the Youghiogheny River. Application received November 16, 1998.

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

*General Permits:*

**24981801-GP101-01. Glenn O. Hawbaker, Inc.** (P. O. Box 135, State College, PA 16804). Application for a general permit to install and use a temporary crossing over Pete Buck Hollow Run in Horton Township, **Elk County**. Receiving streams: Pete Buck Hollow Run. Application received November 5, 1998. Permit granted November 19, 1998.

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

*Industrial Minerals NPDES Permit Renewal Applications Received:*

**56920302. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit No. PA0212326, in Shade Township, **Somerset County**, receiving stream Laurel Run, NPDES Renewal application received November 10, 1998.

**56940301 and 4074SM8. Keystone Lime Company, Inc.** (P. O. Box 278, Springs, PA 15562), renewal of NPDES Permit No. 0606197, in Addison and Elk Lick Townships, **Somerset County**, receiving stream Christner Run, NPDES Renewal application received November 13, 1998.

### **Bureau of Deep Mine Safety Maple Creek Mining Inc.**

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

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

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

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

*Summary of the request:* Maple Creek Mining, Inc. requests a variance to allow for the common ventilation of belt conveyor entries with other entries in the Sundust Shaft area of the Maple Creek 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 any questions to the office noted above the application.

**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.**

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

**E51-172.** Encroachment. **CCC Assoc., LP**, 1601 S. Christopher Columbus Blvd., Philadelphia, PA 19148-

1402. To operate and maintain a parking lot access road and associated potable water, sanitary sewer, and storm sewer lines for the proposed CVS Pharmacy in the floodway of Cobbs Creek (TSF), located west of the intersection of Saybrook Avenue and Island Avenue, (Philadelphia, PA Quadrangle N: 7.7 inches; W: 17.0 inches) in the City of Philadelphia, **Philadelphia County**.

**E46-824.** Encroachment. **Six Tower Bridge**, One Tower Bridge, 100 Front St., Ste. 900, West Conshohocken, PA 19428. To install and maintain a 36-inch outfall structure with associated R-5 riprap, to perform minor grading and to extend an existing sidewalk an additional 40 feet within the floodway of the Schuylkill River for the construction of a parking facility and walkway associated with the proposed Six Tower Bridge Complex located at the corner of Washington Street and Ash Street (Norristown Quadrangle N: 12.8 inches; W: 7.8 inches) in Conshohocken Borough, **Montgomery County**.

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

**E35-304.** Encroachment. **Bureau of Abandoned Mine Reclamation**, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18711-0790. To reconstruct approximately 1,610 linear feet of the channel of Lucky Run for the purpose of eliminating multiple deep mined infiltration points. The project (OSM 35 (2185) 101.1, Keyser Avenue/Scranton) is located in McDade Park approximately 0.3 mile northwest of the intersection of S. R. 3002 and S. R. 3011 (Scranton, PA Quadrangle N: 7.3 inches; W: 11.7 inches), Taylor Borough, City of Scranton, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

**E48-278.** Encroachment. **Ahold Real Estate Company**, One Atlanta Plaza, 950 East Paces Ferry Road, Suite 2575, Atlanta, GA 30326. To place fill in a de minimis area of PSS Wetlands equal to 0.01 acre and to construct and maintain: (1) a stream enclosure in a tributary to Saucon Creek consisting of a 5-foot × 3-foot concrete box culvert having a length of 640 feet; (2) a channel change in a tributary to Saucon Creek having a length of 335 feet; and (3) a retaining wall and earthfill having a maximum height of 15 feet in the 100-year floodway of Saucon Creek. This work is associated with the proposed Creek Side Marketplace Commercial Development, located southwest of the intersection of S. R. 0412 (Leighsville Road) and Township Road T376 (Meadows Road) (Hellertown, PA Quadrangle N: 11.5 inches; W: 12.7 inches), Lower Saucon Township, **Northampton County** (Philadelphia District, U. S. Army Corps of Engineers).

**E52-157.** Encroachment. **Donald P. Ziccardi**, 1700 Broadway, 35th Floor, New York, NY. To construct and maintain a single-span steel beam bridge, having a span of approximately 80 feet and an underclearance of approximately 12.5 feet, across Shohola Creek (HQ-CWF). The project includes the construction of a gravel approach roadway, including placement of fill in 0.07 acre of wetlands. The purpose of the project is to provide access to a 71.5-acre parcel for residential use. The project is located approximately 500 feet south of the western intersection of S. R. 0434 and T-401 (Shohola, PA-NY Quadrangle N: 9.0 inches; W: 12.7), Shohola Township, **Pike County** (Philadelphia District, U. S. Army Corps of Engineers).

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

**E07-301.** Encroachment. **Penn State University—Altoona Campus**, Rick Wareham, 3000 Ivyside Park, Altoona, PA 16601. To construct and maintain a pedestrian bridge having a span of 50 feet and an underclearance of about 8.5 feet across Spring Run (WWF) located at the Penn State University—Altoona Campus (Altoona, PA Quadrangle N: 7.4 inches; W: 5.1 inches) in Logan Township, **Blair County**.

**E36-662.** Encroachment. **East Hempfield Township**, George Marcinko, 1700 Nissley Rd., Landisville, PA 17538. To construct and maintain twin 8-foot high × 16-foot wide concrete box culverts in Brubaker Run to provide a connection between the two existing sections of Good Drive and link Columbia Avenue and Marietta Pike (Lancaster, PA Quadrangle N: 8.25 inches; W: 15.2 inches) in East Hempfield Township, **Lancaster County**.

**E07-302.** Encroachment. **Zane Johnsonbaugh**, 3200 S. 10th Avenue, P. O. Box 2326, Altoona, PA 16603. To place fill in 0.1 acre of wetlands for the purpose of developing a 8.671 acre commercial property to include a warehouse, general office building and maintenance structures for an existing trucking business located approximately 0.3 mile north of the I-99 Pincroft Interchange (Bellwood, PA Quadrangle N: 12.75 inches; W: 9.5 inches) in Antis Township, **Blair County**.

**E07-303.** Encroachment. **Tyrone Township**, John Burket, R. R. 1, Box 407, Tyrone, PA 16686. To permanently authorize the construction and maintenance of a corrugated metal arch culvert constructed under General Permit No. 8 (Minor Road Crossings) GP-08-07-98-102, having a radial span of 8.0 feet and a length of about 38.0 feet in Sinking Run for purposes of local highway maintenance located on Township Road T-526, 100 feet south of SR 1013, and about 2.2 miles west of the intersection of SR 1013 and SR 1008 (Spruce Creek, PA Quadrangle N: 17.75 inches; W: 14.75 inches) in Tyrone Township, **Blair County**.

**E22-394.** Encroachment. **Dermody Properties**, David Loring, 1200 Financial Blvd, Reno, NV 89502. To place fill in 0.36 acre of wetlands and 0.69 acre of open water to construct a warehouse distribution center along a tributary to Beaver Creek at a point west of the Route 81/Route 39 Intersection (Hershey, PA Quadrangle N: 18.5 inches; W: 15.8 inches) in West Hanover Township, **Dauphin County**.

**E50-195.** Encroachment. **Jackson Township**, Darlene Cauffman, R. D. 1, P. O. Box 21, Blain, PA 17006. To remove an existing structure and to construct and maintain a bridge having a clear span of 57 feet and an underclearance of 5 feet, 11 inches across the channel of Browns Run at a point at Mount Pleasant Road (T-304) (Blain, PA Quadrangle N: 11.6 inches; W: 6.45 inches) in Jackson Township, **Perry County**.

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

**E02-1259.** Encroachment. **Linmar Realty Company II, A Pennsylvania Partnership**, 1800 Moler Road, Columbus, OH 43207. To place and maintain fill in approximately 0.404 acre of wetlands (0.234 acre PEM and 0.17 acre PSS) associated with an unnamed tributary to Brush Creek (WWF) for the purpose of expanding an existing warehouse. The project is located approximately 900 feet south from the intersection of Thorn Hill Road

and Keystone Drive (Mars, PA Quadrangle N: 7.8 inches; W: 14.8 inches) in Marshall Township, **Allegheny County**.

#### ENVIRONMENTAL ASSESSMENT

#### Requests for Certification under Section 401 of the Federal Water Pollution Control Act

The following requests have been made to the Department of Environmental Protection (Department) for certification under section 401(a) of the 1972 amendments to the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), that there is reasonable assurance that the construction herein described will not violate applicable Federal and State water quality standards.

Prior to final approval or the proposed certification, consideration will be given to any comments, suggestions or objection which are submitted in writing 30 days of the date of this Notice. Comments should be submitted to the Department at the address indicated above each of the following requests for certification. All comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions in sufficient detail to inform the Department of the exact basis of the proposal 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 comments if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated above each request for certification between the hours of 8 a.m. and 4 p.m. on each working day.

*SSIP Application Number*

N/A

*Applicant Name and Address*

Ergon Trucking, Inc.  
P. O. Box 1639  
Jackson, MS 39215-1639

*County and Municipality*

Mercer County  
East Lackawannock Twp.

*Tank Type and Capacity*

3 Crude Oil AST's  
each totaling 37,800 gallons

#### ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

(Part I Permits)

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35

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

*Certification Request Initiated By: Dames and Moore, 2325 Maryland Road, Willow Grove, PA 19090.*

*Project Description/Location:* This activity involves low-pressure water cleaning prior to painting of the Betsy Ross Bridge. The request was submitted on behalf of the Delaware River Port Authority (DRPA), operator of the bridge which spans the Delaware River between Philadelphia, PA and Pennsauken, NJ. Best Management Practices for bridge painting projects are proposed. Potable wash water will be used without additives, at a flow rate of approximately 4 gpm from two spray wands and an average approximately 8,000 gpd over the 10-month project. Less than half of the cleaning is expected to occur over the Delaware River.

#### STORAGE TANKS

#### SITE SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site Specific Installation Permit application has been received by the Department and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Watershed Conservation, Division of Storage Tanks, P. O. Box 8555, Harrisburg, PA 17105-8555, within 30 days from the date of this publication. 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 the comment and the relevant facts upon which it is based.

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, 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 Services at (800) 654-5984.

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**Industrial waste and sewerage actions under The Clean Streams Law (35 P. S. §§ 69.1—69.1001).**


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*Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4795.*

**Permit No. 6798409.** Sewage. **West Manheim Township**, 31 Fairview Drive, Hanover, PA 17331. This permit approves the construction of sewers and appurtenances in Penn and West Manheim Townships in **York County**.

**Permit No. 2198408.** Sewage. **Silver Spring Township Authority**, 6475 Carlisle Pike, Mechanicsburg, PA 17055. This permit approves the construction of pump station in Silver Spring Township, **Cumberland County**.

**Permit No. 0572401.** Sewage. Amendment No. 1. **Municipal Authority of Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522. This permit approves treatment plant rerating in Bedford Borough, **Bedford County**.

**NPDES Permit No. PA0070343.** Sewerage. **The Multicare Companies, Inc.**, 227 West Lancaster Avenue, Devon, PA 19333 is authorized to discharge from a facility located in Tilden Township, **Berks County** to the receiving waters named Hassler Run.

**NPDES Permit No. PA0028975.** Sewerage. **Womelsdorf Sewer Authority**, 498 North Water Street, Womelsdorf, PA 19567-1108 is authorized to discharge from a facility located in Heidelberg Township, **Berks County** to the receiving waters named Tulpehocken Creek.

**NPDES Permit No. PA0030597. Amendment No. 1.** Sewerage. **Franklin County General Authority**, 5000 Letterkenny Road, Suite 320, Chambersburg, PA 17201-8382 is authorized to discharge from a facility located in Letterkenny Township, **Franklin County** to the receiving waters named Rocky Spring Branch.

**NPDES Permit No. 0084395. Amendment No. 1.** Sewerage. **Pennsylvania Department of Corrections**, P. O. Box 8837, Camp Hill, PA 17001-8837 is authorized to discharge from a facility located in Lower Allen Township, **Cumberland County** to the receiving waters named Cedar Run.

**NPDES Permit No. PA0083542.** Industrial. **Flight Systems, Inc.**, 505 Fishing Creek Road, Lewisberry, PA 17339-9517 is authorized to discharge from a facility located in Silver Spring Township, **Cumberland County** to a drainage swale to Hogestown Run.

**NPDES Permit No. PA0009776.** Industrial. **The Pfaltzgraff Company**, Thomasville Plant, Bowman Road, P. O. Box 244, Thomasville, PA 17364 is authorized to discharge from a facility located in West York Borough, **York County** to an unnamed tributary of Codorus Creek.

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

**WQM Permit No. 2598414.** Sewage. **Bob Smith Treatment Facility Association**, 10301 Lake Pleasant Road, Waterford, PA 16441. This project is for the construction and operation of a small flow treatment facility in Greene Township, **Erie County**.

**WQM Permit No. 1098408.** Sewerage, **David and Laurie McClevish, SRSTP**, 355 Sunbury Dr., Slippery Rock, PA 16057. Construction of David and Laurie McClevish SRSTP located in Clay Township, **Butler County**.

**WQM Permit No. 4398418.** Sewerage, **Verna D. Smith, SRSTP**, 66 Birchwood Dr., Transfer, PA 16154. Construction of Verna D. Smith SRSTP located in Pymatuning Township, **Mercer County**.

**NPDES Permit No. PA0004596.** Industrial waste. **Gleason Corporation, Penn Industrial Products, Inc.**, 1700 Orco Drive, Conneautville, PA 16406-0483 is authorized to discharge from a facility located in Conneautville Borough, **Crawford County** to Conneaut Creek.

**NPDES Permit No. PA0103772.** Sewage. **Patrick and Joseph Hodapp, Hodapp Apartments**, 9275 Kuhl Road, Erie, PA 16510 is authorized to discharge from a facility located in Greene Township, **Erie County** to an unnamed tributary to Four Mile Creek.

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**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 the 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  
PAG-2

General Permit For Discharge from Stripper Oil Well Facilities  
General Permit for Discharges of Stormwater From Construction Activities

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

PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional 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—PAG2*

*Facility Location  
County and  
Municipality*

<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>
Centre County College Township	PAR10F080 Kevin Zimmerman Birch Tree Assoc. 742 Benner Pike Bellefonte, PA 16823	Unt. Spring Creek	Centre County CD 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Union County Greg Township	PAR106827 Union County Industrial Dev. Joe Vetelj 219D Hafer Rd. Lewisburg, PA 17837	Unt. Susquehanna River	Union County CD 60 Bull Run Crossing Lewisburg, PA 17837
Tyrone Borough Snyder Township Blair County	PAR-10-0671 Reservoir Acres S & A Customs Homes, Inc. 501 Rolling Ridge Drive State College, PA 16801	Schell Run	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Antis Township Blair County	PAR-10-0672 Parkview Estates S & A Custom Homes, Inc. 501 Rolling Ridge Drive State College, PA 16801	Little Juniata River	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Logan Township Blair County	PAR-10-0673 Reservoir Acres S & A Custom Homes, Inc. 501 Rolling Ridge Drive State College, PA 16801	Brush Run	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
City of Altoona Blair County	PAR-10-0674 Cricket Knoll Yorkshire Group Ltd. 501 Rolling Ridge Drive State College, PA 16801	UNT Spring Run	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Logan Township Blair County	PAR-10-0675 Camelot Woods Yorkshire Group Ltd. 501 Rolling Ridge Drive State College, PA 16801	Unt. Little Juniata River	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Blair Township Blair County	PAR-10-0668 Blair Twp. Sewer & Water Auth. 577 Cedarcrest Drive Duncansville, PA 16635	Halter Creek Blair Gap Run Dry Run Frankstown Branch	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877

<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>
Snyder Township Blair County	PAR-10-0670	William E. Jones, Jr. 210 Main Street Tyrone, PA 16686	Unt Little Juniata	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
<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>
Washington Township, Erie County	PAG048551	John R. Suminski 3400 Crane Rd. Edinboro, PA 16412	Unnamed Tributary to Little Conneauttee Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Pymatuning Township Mercer County	PAG048554	Verna D. Smith 66 Birchwood Dr. Transfer, PA 16154	Tributary Shenango Reservoir	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG 8*

<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 Township Erie County	PAG088304	Washington Township 11800 Edinboro Rd. Edinboro, PA 16412	N/A	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942

**SEWAGE FACILITIES ACT****PLAN APPROVAL**

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Floor 2, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure 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.

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

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

**Borough of Thompson, Susquehanna County**

The Department of Environmental Protection has reviewed the Plan Update Revision amended on June 9, 1995 (received by the Department on September 29, 1998) in conjunction with Addendum No. 1-1998 (received by the Department on August 4, 1998), with additional supplemental materials dated September 15, 1998 (received by the Department on September 29, 1998) and October 22, 1998 (received by the Department on October 26, 1998) as prepared by Nassaux-Hemsley Inc. and the Borough of Thompson.

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

The wastewater disposal alternative chosen to be implemented is Alternative 7A as identified in the Plan Update Revision. This alternative proposes the construction of a 30,000 GPD wastewater treatment facility (sequencing batch reactor (SBR) system with stream discharge) and wastewater collection/conveyance system (with various appurtenances) to serve 130 Equivalent Dwelling Units (EDU's) located in the Borough of Thompson as shown on



Maps PS-1R, and 8-1 in the Plan Update Revision. The 130 EDU's includes 43 EDU's which currently discharge their untreated wastewater to a "wildcat" sewer system with two outfalls directly to Starrucca Creek. Sewer service will also be provided for an additional 19 EDU's which discharge untreated wastewater directly to Starrucca Creek or its immediate tributaries. In addition to eliminating all "wildcat" sewers within the Borough, the proposed wastewater collection system will serve 68 EDU's whose onlot wastewater disposal systems are currently malfunctioning or otherwise inadequate. The Plan Update Revision also provides for the establishment of an onlot sewage management program. The proposed program will provide for the long-term monitoring and continued safe operation of all remaining onlot wastewater disposal systems located within Thompson Borough.

Financing of the chosen wastewater disposal alternative's construction is proposed to be provided by the United States Department of Agriculture—Rural Utilities Service (RUS) in the form of a grant and long-term, low interest loan. A special appropriations grant administered by the United States Army Corps of Engineers will also be utilized to construct the proposed facilities. The Borough is also proposing a \$500 connection fee to reduce the total amount of funds required to be obtained through RUS.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20(a)) (Act 537), and Chapter 71 of the Department's regulations (25 Pa. Code Ch. 71) the Department will hold the Borough of Thompson responsible for the complete and timely implementation of the Plan Update Revision's chosen alternative, as listed in the Schedule of Implementation, contained in Addendum No. 1-1998 of the Plan Update Revision.

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

**Location: Stroud Township, Monroe County**

**Project Description:** The Department has completed its review of the Township's Act 537 Sewage Facilities Plan Update Revision for the S. R. 447 study area in the northeastern portion of Stroud Township, dated September 8, 1998, with revisions of September 30, 1998, and October 7, 1998. The Plan Update was prepared by Reilly Associates. The Department finds this Update Revision acceptable and hereby grants planning approval for the proposed modification of the municipality's Plan.

The study area is currently served by onlot sewage disposal systems with a potential health risk due to malfunction of the systems. To address existing and future sewage disposal needs of the study area, a centralized low pressure sewer collection system serving 127 EDU's from approximately 1,500 feet north of Learn Lane (Hayward Labs/United Steel) to the intersection of Business Rt. 209 and S. R. 447 is the recommended alternative of the Plan. The system will extend up Monroe Heights Road and continue south along B. R. 209 connection to an existing 12" diameter sewer line near the intersection of Oak Street and West Sixth Street in East Stroudsburg Borough, with subsequent treatment of the wastewater at the East Stroudsburg treatment plant. Estimated average daily sewage flow from the proposed system is 31,750 gpd.

The Department's review of the Plan Update Revision has not identified any significant environmental impacts

resulting from the proposal. In accordance with the provisions of the Pennsylvania Sewage Facilities Act, (35 P. S. §§ 750.1—750.20(a)) (Act 537), and Chapter 71 of the Department's Regulations (25 Pa. Code Ch. 71), the Department will hold the Township of Stroud responsible for the complete and timely implementation of this plan.

## **HAZARDOUS SITES CLEAN-UP**

**Under the Act of October 18, 1988**

**Proposed Consent Order and Agreement**

**DuPont/New Castle Junk Yard Site  
City of New Castle and Union Township, Lawrence  
County**

Under Section 1113 of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), notice is hereby provided that the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Anchor Hocking Corporation (Anchor) and Pfaltzgraff Company (Pfaltzgraff) concerning the cleanup of the DuPont/New Castle Junk Yard Site (Site).

In the past, hazardous substances were disposed at the Site and these substances contaminated the environment at the Site. The Department has incurred more than \$1,100,000 in response costs at the Site. The Department estimates that it will cost up to 14 million dollars more to abate the release and threatened release of hazardous substances at the Site. As an owner of a portion of the Site subsequent to hazardous substance disposal and initial releases at the Site, and during the time of the release and threatened release of hazardous substances at the Site, Anchor and Pfaltzgraff are each a "responsible party" as defined in section 103 of HSCA (35 P. S. § 6020.103). Under the terms of the CO&A, Anchor and Pfaltzgraff shall pay a total of \$804,945.59 to the Hazardous Sites Cleanup Fund in settlement of each of their shares of the responsibility for the cleanup of the Site. Anchor and Pfaltzgraff will also conduct a cleanup of the former China Manufacturing building under the terms of the CO&A. The Department anticipates that additional response actions will be conducted at the Site in 1999 to mitigate the threat to human health and the environment posed by the hazardous substances there.

The specific terms of this settlement are set forth in the CO&A between the Department and Anchor/Pfaltzgraff. The Department will receive and consider comments relating to the CO&A for 60 days from the date of this Public Notice. The Department has the right to withdraw its consent to the CO&A if the comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. After the public comment period, the Department's settlement with Anchor and Pfaltzgraff shall be effective upon the date that the Department notifies Anchor and Pfaltzgraff, in writing, that this Consent Order and Agreement is final and effective in its present form, and that the Department has filed a response to significant written comments to the CO&A, or that no such comments were received.

Copies of the CO&A are available for inspection at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted, in writing, to Harold Nye, Project Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335. Further information may be obtained by contacting Harold Nye at (814) 332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 645-5984.

**SETTLEMENT****Former Transicoil Property, Worcester Township,  
Montgomery County, PA****North Penn Area 12 Superfund Site, Worcester  
Township, Montgomery County, PA**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1304), hereby gives notice that it has entered into a Prospective Purchaser Agreement (PPA) with Techni-Tool, Inc. and T-Squared Realty, L.L.C. associated with the purchase of the former Transicoil Property (Property) in Worcester, Montgomery County, PA.

The Property is located at 1547 N. Trooper Road within North Penn Area 12 (Site), a National Priority List Superfund Site in Worcester, PA. Environmental investigations have revealed the presence of groundwater contamination beneath the Site, including beneath the Property. Techni-Tool, Inc. and T-Squared Realty, L.L.C. (together the Settling Parties), the prospective purchasers of the Property, are not presently responsible persons with regard to contamination at the Site. The Settling Parties have resolved any potential liability to the United States which may be associated with the purchase of the Property through a prospective purchaser agreement.

Through the PPA, the Settling Parties would resolve any potential liability to the Department and become eligible for protection from contribution claims relating to the Site that may stem from the purchase and ownership of the Property. Under the terms of the PPA, Settling Parties agreed to remit certain response costs to the Department, provide access to the Department, cooperate with any response actions, and not exacerbate any contamination at the Site.

This Notice is being provided under section 1113 of HSCA (35 P. S. § 6020.1113). The Department will provide for a 60 day public comment period on the proposed PPA from the date of publication of this Notice. Under section 1113 of HSCA, the PPA will become final when the Department files its response to any significant public comments received during the comment period. The PPA may be examined from 8 a.m. to 4 p.m. in the Department's Southeast Field Office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428. Interested persons may contact Timothy Cherry at (610) 832-6204, or Paul M. Schmidt at (610) 832-6300. Persons may submit written comments to Timothy Cherry at the above address.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION****Under Act 2, 1995****Preamble 3**

The following final reports were submitted to the Department of Environmental Protection (Department) 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 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 se-

lecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program in the Department'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:

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

**Xpress Lube Site**, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, P. G., Trimpi Associates, Inc. 889 Seminary St., Pottsville, PA 18073, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

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

**Helfrich Residence**, Palmyra Township, **Pike County**. Kevin Van Kuren, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Final Report (on behalf of his client, Carson Helfrich, HCR #1, Box 59, Paupack, PA 18451) concerning the remediation of site soils found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polycyclic aromatic hydrocarbons. The report was submitted to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole #57416N46725 (Mylert Street)**, City of Scranton, **Lackawanna County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (Polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard. A Notice of Intent to Remediate was simultaneously submitted. See additional *Pennsylvania Bulletin* notice.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole #59413N43623 (PA Route 307)**, Roaring Brook Township, **Lackawanna County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard.

**Pennsylvania Power & Light Company (PP&L)—Distribution Pole #61579N52067**, Carbondale Borough, **Lackawanna County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA

18101 has submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard.

**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 Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The report was submitted in order to document remediation of the site to meet the Statewide human health standard.

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

**Kephart Property**, Decatur Township, Clearfield County. Patty Kephart, 607 Kate Street, Osceola Mills, PA 16666 has submitted a Final Report concerning remediation of site soils contaminated with BTEX and PAHs. 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

Provisions of Chapter 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 Remediations 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 ability 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 facts, 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, please 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:

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

**Redevelopment Authority of the City of Titusville, Crawford County**, 701 E. Spring Street, Titusville, PA 16354, has submitted a Baseline Remedial Investigation Report which was approved by the Department on November 16, 1998.

## AIR QUALITY

### OPERATING PERMITS

**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.**

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

**09-330-011B: R3 Technologies, Inc.** (7 Steel Road East, Morrisville, PA 19067) issued for operation of an Asphalt Plant/Soil Remediation in Falls Township, **Bucks County**.

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

**TVOP-49-00011: Butter Krust Baking Co.** (249 North 11th Street, Sunbury, PA 17801) issued October 1, 1998, for sources used in the production of bread and rolls in Sunbury, **Northumberland County**.

**TVOP-59-00002: CNG Transmission Corp., Tioga Station** (5th Floor, 625 Liberty Street, Pittsburgh, PA 15222-3197) issued October 20, 1998, for sources used in the transmission of natural gas to customers in Farmington Township, **Tioga County**.

**TVOP-55-00002: Pennsylvania Dept. of Public Welfare, Selinsgrove Center** (P. O. Box 500, Selinsgrove, PA 17870) issued November 16, 1998, for operation of coal fired boilers, diesel and propane fueled emergency generators and other small miscellaneous combustion sources in Penn Township, **Snyder County**.

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

**63-641A: Regal Industrial Corp.** (P. O. Box 291, Donora, PA 15033) issued November 12, 1998, for installation of abrasive blasting at Donora Plant in Donora Boro, **Washington County**.

**11-423A: Johnstown Wire Technologies** (124 Laurel Avenue, Johnstown, PA 15906) issued November 12, 1998, for installation of automated cleaning house in Johnstown, **Cambria County**.

**Administrative Amendment of 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.**

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

**OP-46-0046A: Uniform Tubes, Inc.** (200 West 7th Avenue, Trappe, PA 19426) amended November 19, 1998, for Facility Operating Permit in Trappe Borough, **Montgomery County**.

**OP-09-0035: Coltec Industrial Products, Inc.** (23 Friends Lane, Newtown, PA 18940) amended November 19, 1998, for Facility Operating Permit in Newtown Township, **Bucks County**.

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

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

**GP3-06-5073: Warner Co.** (P. O. Box 188, Birdsboro, PA 19508) authorized use of the general permit for a portable/nonmetallic mineral processing plant in Robeson Township, **Berks County**.

**GP3-50-03001: Eastern Industries, Inc.** (P. O. Box 177, Winfield, PA 17889) authorized use of the general permit for a portable/nonmetallic mineral processing plant in Buffalo Township, **Perry County**.

**GP6-28-03015: Tip-Top Cleaners** (337 Wayne Avenue, Chambersburg, PA 17201) authorized use of the general permit for a petroleum dry cleaning unit in the Borough of Chambersburg, **Franklin 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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*Southeast Regional Office, Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**PA-09-0101: WM Rowen Grant Funeral Home, Inc.** (659 Street Road, Southampton, PA 18966) issued November 2, 1998, for operation of a Crematory for Human Remains in Upper Southampton Township, **Bucks County**.

**PA-15-0021: Glasgow, Inc.** (660 Morehall Road, Frazer, PA 19335) issued October 29, 1998, for operation of an Asphalt Plant and Quarry in East Whiteland Township, **Chester County**.

**PA-46-0043: Glasgow, Inc.** (Conshohocken Road, Conshohocken, PA 19428) issued October 29, 1998, for operation of an Asphalt Plant and Quarry in Plymouth Township, **Montgomery County**.

**PA-23-0066: Pyropure, Inc.** (5 Commerce Drive, Aston, PA 19014) issued November 9, 1998, for operation of a three Crucible and three Rotay Furnaces in Chester Township, **Delaware County**.

**PA-09-0022A: Cleveland Steel Container Corp.** (350 Mill Street, Quakertown, PA 18951) issued November 19, 1998, for operation of a Tellkamp Roxidizer Thermal Incinerator in Quakertown Borough, **Bucks County**.

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

**06-1007P: Carpenter Technology Corp.** (P. O. Box 14662, Reading, PA 19612) issued November 18, 1998, for modification of the fire heating furnaces at their Reading Plant in Reading/Muhlenberg Township, **Berks County**.

**06-1007Q: Carpenter Technology Corp.** (P. O. Box 14662, Reading, PA 19612) issued November 16, 1998, for modification of the specialty steel facility in Reading/Muhlenberg Township, **Berks County**.

**21-03031: Prepared Millwork, Inc.** (P. O. Box 422, New Kingstown, PA 17072) issued November 6, 1998, for installation of a wood surface finishing operation with complaint coatings and HVLP spray equipment in Silver Spring Township, **Cumberland County**.

**36-02017B: Conestoga Wood Specialties, Corp.** (P. O. Box 158, East Earl, PA 17519) issued November 19, 1998, for construction of a surface coating operation in East Earl Township, **Lancaster County**.

**36-05019A: Grinnell Corp.** (1411 Lancaster Avenue, Lancaster, PA 17512) issued November 17, 1998, for construction of foundry operations at their Columbia Plant in Columbia Borough, **Lancaster County**.

**67-03034: Brockway Standard, Inc.** (599 Davies Drive, York, PA 17402) issued November 16, 1998, for installation of metal press lines for the production of paint cans and components in Springettsbury Township, **York County**.

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

**63-632A: American Iron Oxide Co.** (Foster Plaza, 37, 661 Andersen Drive, Allenport, PA 15412) issued November 12, 1998, for installation of acid regeneration plant at Allenport Plant in Allenport Borough, **Washington County**.

**65-016D: Latrobe Steel Co.** (2626 Ligonier Street, P. O. Box 31, Latrobe, PA 15650) issued November 12, 1998, for installation of melt shop at Latrobe Plant in Latrobe Borough, **Westmoreland County**.

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

**PA-42-111A: Ethan Allen Mfg. Corp., Eldred Division** (Route 1, Eldred, PA 16731) issued October 14, 1998, for construction of a paint booth in Eldred Township, **McKean County**.

**PA-25-957A: Hanes Erie, Inc.** (2733 West 11th Street, Erie, PA 16505) issued November 4, 1998, for construction of a paint line in Erie, **Erie County**.

**PA-10-220A: ESM II, Inc.** issued November 10, 1998 for installation of a baghouse in Adams Township, **Butler County**.

**PA-37-302A: New Castle Battery Mfg. Co.** (3601 Wilmington Road, New Castle, PA 16105) issued October 13, 1998, for installation of air emission control devices in New Castle, **Lawrence County**.

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**Plan Approvals 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.*

**PA-09-0021: MRI Flexible Packaging** (122 Penns Trail, Newtown, PA 18940) issued November 9, 1998, for operation of a Flexographic Printing Press in Newtown Township, **Bucks County**.

**PA-46-0010: Montenay Energy Resources of Mont. Co.** (1155 Conshohocken Road, Conshohocken, PA 19428) issued November 13, 1998, for operation of a Residual waste and MW incinerators in Plymouth Township, **Montgomery County**.

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

**22-301-060: Pinnacle Health at Polyclinic Hospital** (2601 North Third Street, Harrisburg, PA 17110) issued November 6, 1998, to authorize temporary operation of the bio-oxidizer system, under this Plan Approval until March 6, 1999, in the City of Harrisburg, **Dauphin County**.

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

**65-800A: Columbia Gas Transmission Corp.** (P. O. Box 1273, Charleston, WV 25325) issued November 12, 1998, for operation of reciprocating engines at Delmont Compressor Station in Salem Township, **Westmoreland County**.

**63-307-027: American Iron Oxide Co.** (Foster Plaza #7, 661 Andersen Drive, Pittsburgh, PA 15220) issued November 12, 1998, for operation of iron oxide production at Allenport Plant in Allenport Borough, **Washington County**.

**REASONABLY AVAILABLE CONTROL  
TECHNOLOGY  
(RACT)**

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

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

**OP-23-0025: Fibre-Metal Products, Co.** (US Rt. 1 @ Brinton Lake Road, Concordville, PA 19331) issued November 9, 1998, for Facility VOC/NOx RACT in Concord Township, **Delaware 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:*

**56703124, Permit Revision. Diamond T Coal Company** (P. O. Box 260, Friedens, PA 15541), revision for a stream variance to relocate a portion of Lamberts Run beginning at a point approximately 7,900 feet upstream from the intersection of Lamberts Run and SR 1007 (south of Lambertsville) and continuing upstream approximately 800 feet to a point in Lamberts Run. Also to add 6.4 acres for support use, only to the western side of the existing permit. Total SMP acres goes from 562.1 to 568.5 in Stonycreek Township, **Somerset County**, receiving stream to Lamberts Run, application received May 19, 1998, issued November 16, 1998.

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

*Coal Permits Issued*

**26940102R. Bridgeview Coal Company** (Route 40, Box 257, Farmington, PA 15437). Renewal issued for reclamation only of a bituminous surface mining site located in German Township, **Fayette County**, affecting 99.0 acres. Receiving streams: unnamed tributaries to Dunlap Creek. Application received September 17, 1998. Renewal issued November 17, 1998.

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

**33980104. Cookport Coal Company, Inc.** (425 Market Street, Kittanning, PA 16201) Commencement, operation and restoration of a bituminous strip operation in Perry Township, **Jefferson County** affecting 18.4 acres. Receiving streams: Unnamed tributary to McCracken Run. Application received June 4, 1998. Permit issued November 13, 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.*

**E15-581.** Encroachment Permit. **West Grove Borough Authority**, P. O. Box 61, 117 Rosehill Avenue, West Grove, PA 19390. To replace approximately 840 linear feet of existing West Grove Borough Authority sanitary sewer line which crosses an unnamed tributary to the East Branch of the White Clay Creek (CWF) and associated 100 year floodplain and wetlands. The proposed 8-inch PVC pipe replacement will begin near the intersection of Rosehill Avenue and Oakland Avenue and continues south from this intersection. The site is located approximately 1,200 feet southeast of the intersection of Old Baltimore Pike with Oakland Avenue (West Grove, PA-DEL Quadrangle N: 12.5 inches; W: 10.1 inches) in West Grove Borough, **Chester County**.

**E09-760.** Encroachment Permit. **Tower Investments of Warminster, Inc.**, 932 West Street Road, Warminster, PA 18974. To perform the following activities associated with the construction of the Warminster Town and Retail Center: a. To relocate two unnamed tributaries to Little Neshaminy Creek (WWF), approximately 1,300 and 525 linear feet, respectively, through proposed storm water management facilities; b. To place and maintain fill in two unnamed tributaries to the Little Neshaminy Creek and (WWF) within three adjacent wetland totaling 0.58 acre; c. To construct and maintain a retaining wall with two outfalls and associated fill within the assumed 100-year floodway. This permit requires the construction of 0.58 acre of replacement wetlands. The project is situated approximately 3,800 feet west northwest of the intersection of Street Road (S. R. 0132) and York Road (S. R. 0263) located (Hatboro USGS Quadrangle N: 15.3 inches; W: 15.5 inches) in Warminster Township, **Bucks County**.

**E51-167.** Encroachment Permit. **Fairmount Park Commission**, Memorial Hall, West Park, P. O. Box 21601, Philadelphia, PA 19131-0901. To modify and maintain the Fairmount Water Works along the Schuylkill River (WWF-MF). Work will include interior modifications to the lower level of the existing Engine House to provide kitchen and bathroom facilities, which will be located below the 100-year flood elevation. Work may also include some minor grading within the 100-year floodplain associated with landscaping and utility work. The site is located along the east bank of the Schuylkill River, between Fairmount Dam and the Spring Garden Street Bridge (Philadelphia USGS Quadrangle N: 16.5 inches; W: 8.2 inches) in the **City and County of Philadelphia**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E51-168.** Encroachment Permit. **City of Philadelphia Water Department**, 1101 Market Street, Aramark Tower, 2nd Floor, Philadelphia, PA 19107. To perform the following activities along the Pennypack Creek (WWF-

MF) and within its 100-year floodway, and floodplain for the replacement of an undersized combined sewer overflow pipe associated with the Philadelphia Water Department Sheffield Avenue Flood Relief Project: 1. To abandon a 4.5-foot diameter brick sewer pipe system which conveys combined sewer overflow from the Pennypack Creek Interceptor. This pipe will be completely filled with cement-sand grout and a 24-inch wide reinforced concrete plug will be placed at the terminus; 2. To install, operate and maintain a replacement combined sewer overflow system, consisting of 15 linear feet of reinforced concrete flared section, attached to approximately 320 linear feet of 8-foot by 7-foot reinforced concrete box culvert, attached to two intercepting chamber manholes, attached to approximately 96 linear feet of 6.5-foot by 10-foot reinforced concrete box culvert, attached to approximately 10 linear feet of reinforced concrete stepped section, attached to approximately 106 linear feet of 5-foot by 10-foot reinforced concrete box culvert, and terminating at a reinforced concrete outfall structure. A flexible flap gate will also be installed at the downstream terminus. All proposed box culverts will have a V-shaped bottom; 3. To install and maintain approximately 33 linear feet of 24-inch reinforced concrete connector pipe, and an associated manhole between the proposed combined sewer overflow pipe and the Pennypack Creek Interceptor; 4. To install and maintain approximately 67 linear feet of flow censor conduit, consisting of 3-inch galvanized rigid steel pipe; 5. To install and maintain approximately 200 linear feet of R-7 riprap bank protection along the west side of Pennypack Creek, on both the upstream and downstream sides of the proposed outfall structure; 6. To perform minor grading associated with the placement of the outfall of the aforementioned combined sewer overflow system, and the relocation of approximately 140 linear feet of bituminous bike path. The project is situated just north of the intersection of Rhawn Street (S. R. 1014) and the Amtrak Northeast Corridor Mainline Railway (Frankford, PA USGS Quadrangle N: 6.1 inches; W: 3.2 inches) in the **City and County of Philadelphia**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E46-818.** Encroachment Permit. **Towamencin Township**, P. O. Box 303, Kulpville, PA 19443. To excavate in 0.14 acre of wetlands to provide storage for a stormwater detention facility associated with the proposed Towamencin Township Municipal Complex. The project is located immediately northwest of the intersection of Troxell Road (SR 46047) and Keeler Road (Lansdale, PA Quadrangle N: 21.0 inches; W: 10.0 inches) in Towamencin Township, **Montgomery County**. The permittee will create 0.20 acre of wetlands replacement on the site.

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

**E40-495.** Encroachment. **Samuel and Doreen Kasper**, 223 Sutherland Drive, Mountaintop, PA 18707. To place fill in a de minimis area of wetlands equal to 0.05 acre, within the drainage basin of Big Wapwallopen Creek, for the purpose of filling a depression to provide a section of usable yard area adjacent to a recently-constructed home. The project is located on Lot 137, Kirby Estates (Wilkes-Barre West, PA Quadrangle N: 6.9 inches; W: 0.6 inch), in Fairview Township, **Luzerne County**.

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

**E05-269.** Encroachment. **Pa. Dept of Transportation**, Engineering District 9-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a 4-span prestressed concrete I-beam bridge across the Raystown Branch Juniata River on SR 0030, Section 009, Segment 0630, Offset 0000 (Mench, PA Quadrangle N: 21.73 inches; W: 2.75 inches) in East Providence Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E07-298.** Encroachment. **Pennsylvania State University—Altoona Campus**, University Park, Physical Plant Bldg, University Park, PA 16802. To remove about 256 feet of existing collapsed gabion retaining wall and to construct and maintain about 180 feet of reinforced concrete retaining wall and approximately 106 feet of R-7 riprap slope protection along the south bank of Spring Run located at the Penn State University—Altoona Campus (Altoona, PA Quadrangle N: 7.3 inches; W: 5.0 inches) in Logan Township, **Blair County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E38-121.** Encroachment. **East Hanover Township**, William Duggan, R. D. 1, Box 6250, Grantville, PA 17028. To remove the existing bridge and to construct and maintain a bridge of reinforced concrete having a clear span of 15-foot on a 64 degree skew with an underclearance of 5-foot across Raccoon Creek on Zion Church Road (Indiantown Gap, PA Quadrangle N: 3.9 inches; W: 15.9 inches) in East Hanover Township, **Lebanon County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E01-181.** Encroachment. **Gettysburg Municipal Authority**, 601 East Middle Street, Gettysburg, PA 17325. To construct and maintain sewer lines under the streambed of Willoughby Run (Crossing #6) and other small stream Crossings #1 and #9 and de minimis wetlands (Wetlands 1 and 5) located within the boundary of Gettysburg National Military Park to convey wastewater to the Gettysburg Municipal Authority's Treatment Plant. (The stream crossings are located in Fairfield PA Quadrangle N: 16.3 inches; W: 0.95 inch and N: 7.7 inches; W: 1.98 inches) in Cumberland Township, Adams County. (The wetland crossings are located in Gettysburg, PA Quadrangle N: 10.56 inches; W: 14.95 inches) in Gettysburg Borough, **Adams County**. Permittee is not required to replace the de minimis wetlands. This permit also includes 401 Water Quality Certification.

**E01-195.** Encroachment. **Hamilton Township**, 272 Mummert's Church Road, Abbottstown, PA 17301. To remove an existing structure and to construct and maintain an 18-foot span precast concrete box culvert having an underclearance of 4 feet, 6 inches in Seven Hundred School Run (WWF) on 700 Road (T-523) west of Gun Club Road (T-493) (Hampton, PA Quadrangle N: 1.1 inches; W: 7.9 inches) in Hamilton Township, **Adams County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E01-196.** Encroachment. **Latimore Township**, David Myers, P. O. Box 218, York Springs, PA 17372. To remove

an existing structure and to construct and maintain a 14-foot, 6-inch single span timber bridge having an average underclearance of 3 feet, 6 inches for roadway improvements in Latimore Creek (CWF) on Myers Road (T-633) (Dillsburg, PA Quadrangle N: 10.1 inches; W: 14.5 inches) in Latimore Township, **Adams County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E05-268.** Encroachment. **Ivan Corle**, 1297 Burnt House Road, Imler, PA 16655. To remove a 250-foot long vegetated gravel bar to be used in constructing and maintaining a dike with 12-inch pipe rock riprap (R-4) in order to divert the flow of water to the original channel of Bob Creek located about 2.3 miles northeast of Weyant (Alum Bank, PA Quadrangle N: 21.5 inches; W: 10.5 inches) in Lincoln Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E21-282.** Encroachment. **Cumberland Valley School District**, Lee Brandt, 6746 Carlisle Pike, Mechanicsburg, PA 17055. To construct and maintain a 24-inch diameter outfall structure along the right bank of Conodoguinet Creek located about 180 feet west of Hampden Elementary School for the purpose of improving the storm drainage system (Harrisburg, PA Quadrangle N: 0.33 inch; W: 15.45 inches) in Hampden Township, **Cumberland County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E31-148.** Encroachment. **Timothy English**, 447 Willow Crossing Road, Greensburg, PA 15601. To construct a 12-foot long by 10.5-foot wide kitchen addition and a 24-foot long, 8-foot wide porch onto an existing private residence in the floodway of the Juniata River (WWF) located along the north side of the River at its confluence with the Frankstown Branch of the Juniata River (Mount Union, PA Quadrangle N: 14.5 inches; W: 13.9 inches) in Henderson Township, **Huntingdon County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E36-658.** Encroachment. **Manheim Township**, Philip Mellott, 1840 Municipal Drive, Lancaster, PA 17601. To demolish and remove the existing Shreiner Station Road bridge across the Little Conestoga Creek (TSF), including both roadway approaches, and to stabilize the channel banks with rock riprap. The permit also authorizes construction of approximately 450 feet of new Shreiner Station Road roadway located within the 100-year floodplain of the Little Conestoga Creek for access from an existing apartment complex to McGovernsville Road (SR 0741) (Lancaster, PA Quadrangle N: 13.3 inches; W: 13.5 inches) in Manheim Township, **Lancaster County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-630.** Encroachment. **Gerry Golden**, 201 S. Fileys Road, Dillsburg, PA 17019. To place fill in 0.094 acre of wetlands for the purpose of constructing the Hemlock Drive cul-de-sac and stormwater detention facility located in the proposed Hemlock Hollow subdivision west of Steigerwalt Hollow Road and south of Lewisberry Road (Lemoyne, PA Quadrangle N: 14.0 inches; W: 0.8 inch) in Fairview Township, **York County**. The permittee is required to provide a minimum of 0.094 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

**E67-635. Encroachment. PA Dept. of Transportation,** Engineering District 8-0, 1240 Herr Street, Harrisburg, PA 17103. To (1) remove an existing structure; (2) construct and maintain a 50-foot single span reinforced concrete box beam bridge with a minimum underclearance of 5 feet, 6 inches over Bald Eagle Creek (TSF) and (3) place fill in a de minimis amount of wetlands (.003 acre) associated with this project. The bridge will be located 6 feet west of its existing location on SR 2030 Segment 0040 Offset 2432 (Deer Road), approximately 150 feet west of SR 0425 (Woodbine Road) (Airville, PA Quadrangle N: 3.6 inches; W: 7.6 inches) in Fawn Township, **York County**. This permit also includes 401 Water Quality Certification.

[Pa.B. Doc. No. 98-1988. Filed for public inspection December 4, 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 Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will 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—Substantive Revision*

DEP ID: 562-2112-503 Title: Coal Surface Mining and Blasting Near Underground Utility Lines and Pipelines Description: This document clarifies the permitting procedures and safety guidelines that coal surface mine operators should follow to ensure the protection of underground utility lines and pipelines. Effective Date: November 23, 1998 Contact: Nevin Strock at (717) 783-8845.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-1989. Filed for public inspection December 4, 1998, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Allegheny University Hospital— Canonsburg for Exception to 28 Pa. Code § 107.25(b)(8)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Allegheny University Hospital—Canonsburg has requested an exception to the requirements of 28 Pa. Code § 107.25(b)(8) that it be permitted to hold Medical Executive Committee Meetings four times a year instead of at least ten times a year.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: [lvia@health.state.pa.us](mailto:lvia@health.state.pa.us).

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1990. Filed for public inspection December 4, 1998, 9:00 a.m.]

### Application of Clearfield Hospital for Exception to 28 Pa. Code § 107.25(b)(8)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Clearfield Hospital has requested an exception to the requirements of 28 Pa. Code § 107.25(b)(8) that it be permitted to hold Medical Executive Committee Meetings six times a year instead of at least ten times a year.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: [lvia@health.state.pa.us](mailto:lvia@health.state.pa.us).

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

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reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1991. Filed for public inspection December 4, 1998, 9:00 a.m.]

### **Application of Ellwood City Hospital for Exception to 28 Pa. Code § 153.12, Universal Accessibility Standards 4.21.6**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Ellwood City Hospital has requested an exception to the requirements of 28 Pa. Code § 153.12 Universal Accessibility Standards 4.21.6, that it be permitted to replace a shower hose in an A.D.A. shower with a fixed shower head in a Med-Surg Unit being renovated into a Psychiatric Unit.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: lvvia@health.state.pa.us.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1992. Filed for public inspection December 4, 1998, 9:00 a.m.]

### **Application of Hanover General Hospital for Exception to 28 Pa. Code § 139.12(a)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Hanover General Hospital has requested an exception to the requirements of 28

Pa. Code § 139.12(a) that it be permitted to have 16 Level I bassinets instead of the required 23 bassinets in a combined Ob-Gyn Unit.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: lvvia@health.state.pa.us.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

DANIEL L. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1993. Filed for public inspection December 4, 1998, 9:00 a.m.]

### **Application of Hanover General Hospital for Exception to 28 Pa. Code § 139.13(a) AIA 7.4B Table 5**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Hanover General Hospital has requested an exception to the requirements of 28 Pa. Code § 139.13(a) AIA 7.4B Table 5 that it be permitted to have fewer than one oxygen, vacuum and medical air outlet per Level I bassinet.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: lvvia@health.state.pa.us.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT:

(717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1994. Filed for public inspection December 4, 1998, 9:00 a.m.]

### Application of Healthsouth Rehabilitation Hospital of Altoona for Exception to 28 Pa. Code § 107.2

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Healthsouth Rehabilitation Hospital of Altoona has requested an exception to the requirements of 28 Pa. § 107.2 that it be permitted to allow speech-language pathologists to accept verbal orders.

The request is on file with the Department. Persons may receive a copy of request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: lvia@health.state.pa.us.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1995. Filed for public inspection December 4, 1998, 9:00 a.m.]

### Application of Warren General Hospital for Exception to 28 Pa. Code § 109.2

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Warren General Hospital has requested an exception to the requirements of 28 Pa. Code § 109.2 (relating to director of nursing services) that it be permitted to have a nursing council instead of a full-time director of nursing that reports to the hospital chief executive officer.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Division of Acute and Ambulatory Care, PA Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: LVIA@HEALTH.STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed above.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1996. Filed for public inspection December 4, 1998, 9:00 a.m.]

### Health Policy Board; Meeting Notice

The Health Policy Board is scheduled to hold a meeting on December 9, 1998, at 10 a.m. in Room 812, Health & Welfare Building, Seventh & Forster Streets, Harrisburg, PA.

This meeting is subject to cancellation without notice.

For additional information, or for persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Robin Bowman at (717) 783-2500, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1997. Filed for public inspection December 4, 1998, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Open-End Contract for Design Support Services

#### Fayette, Greene, Washington and Westmoreland Counties

#### Project Reference No. 08430AG2269

The Department of Transportation will retain an engineering firm for an Open-End Contract to perform various structure design tasks and/or the review of contractor and consultant structure design submissions in Engineering District 12-0; that is, Fayette, Greene, Washington and Westmoreland 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 one Million (\$1,000,000) dollars.

The Department will establish an order of ranking of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the acceptable Letters of Interest received in response to

this solicitation. The ranking will be established directly from the acceptable Letters of Interest.

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. Consultant management process and expertise as well as engineering review expertise in structural design.
- c. Specialized experience and technical competence of firm in structural design.
- d. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-End Contracts. The specific experience of individuals who constitute the firm's team shall be considered.
- e. Location of consultant with respect to the District.
- f. Available staffing for this assignment.
- g. Current Workload.
- h. Relative size of firm to size of projects that may be completed under this Contract.

The work and services required under this Contract shall encompass structure design tasks to include, but not be limited to, size, and location studies, foundation submissions, hydrologic reports, final plan, specification and estimate submissions; temporary shoring; or rafting only.

The work and services required under this Contract shall also encompass structure review tasks to include, but not be limited to, type, size, and location studies; foundation submissions; hydraulic reports; final plan, specification and estimate submissions; temporary shoring, and shop drawings.

The selected engineering firm must assure that the format and content of all document submissions are in conformance and consistent with all applicable Federal and State regulations, manuals, policies, guidelines, and procedures, and provide comments and follow-up in a timely manner, where appropriate.

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

The District 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, N. Gallatin Avenue, Extention, Uniontown, PA 15401, Attn: Jeffery S. Thompson, P.E.

Technical 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.

#### **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 registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

8. Overhead Rates (one page)

A single page summary 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. 98-1998. Filed for public inspection December 4, 1998, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Additional Restrictions on Fish and Boat Commission Property

The Executive Director of the Fish and Boat Commission, acting under the authority of 58 Pa. Code §§ 53.15 (relating to Commission lakes or access areas under special time regulations) and 53.18 (relating to additional restrictions), has established the following additional restrictions for Fish and Boat Commission property. These restrictions shall be effective when posted at the site and shall remain in effect until further notice.

<i>County</i>	<i>Area</i>	<i>Additional Restrictions</i>
Cumberland	Big Spring Access Area	Closed to all use from 10 p.m. to 5 a.m.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 98-1999. Filed for public inspection December 4, 1998, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Considered at the Historic Preservation Board Meeting

The December 8, 1998 meeting will start at 9:45 a.m. in Room 515, Pennsylvania Historical and Museum Commission, Third and North Streets, Harrisburg, PA.

Individuals with a disability who wish to attend this meeting, and require an auxiliary aid, service or other accommodation to participate, should contact Dan Deibler at (717) 783-8946 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the agency can accommodate their needs. If there are any questions or comments, please contact the Bureau of Historic Preservation at (717) 783-8946.

#### *Southwestern Pennsylvania*

1. *Moxham Historic District*, roughly bounded by Dupont Street, Linden Avenue, Village Street and Park and Coleman Avenues, Johnstown, Cambria County

#### *Allegheny Plateau*

2. *Ellen and Charles F. Welles House*, 1 Grovedale Lane, Wyalusing Township, Bradford County

#### *Ridge and Valley*

3. *Newport Historic District*, roughly bounded by Fickes Lane, Oliver Street, Front Street, Little Buffalo Run, Bloomfield Avenue and Sixth Street, Newport and Oliver Townships, Perry County

4. *F. D. Roosevelt Grade School/Greenfield High School*, Bedford Street, Claysburg, Greenfield Township, Blair County

5. *Hugh D. and Martha S. Seeds Farm*, L. R. 31061, Eden Hill, Spruce Creek Township, Huntingdon County  
*Great Valley and Piedmont Region*

6. *Erwinna Historic District*, encompasses Erwinna village and historic resources located on River, Headquarters, Geigel Hill, Upper Tincum Church, Tettemer, Permanent School and Roaring Rocks Roads, Tincum Township, Bucks County

7. *East York Historic District*, bounded by Oxford, Wallace and Royal Streets and Eastern Boulevard, Springettsbury Township, York County

8. *Griest Building*, 8 North Queen Street, Lancaster, Lancaster County

9. *Watt and Shand Department Store*, Penn Square, Lancaster, Lancaster County

10. *Johannes Harnish Farmstead*, 202 Woodfield Crossing, West Lampeter Township, Lancaster County (Historic Farming Resources of Lancaster County Multiple Property Submission)

11. *Isaac Kulp Farm*, North Swedesford Road at intersection with Hancock Road, Upper Gwynned Township, Montgomery County

12. *Lower North Philadelphia Speculative Housing Historic District*, roughly bounded by N. 15th Street, Sydenham Street, N. 16th Street, Berks Street, Montgomery Avenue, N. 19th Street, Jefferson Street, Willington Street and Oxford Street, Philadelphia

*Anthracite Region and Poconos—no nominations*

BRENT D. GLASS,  
*Executive Director*

[Pa.B. Doc. No. 98-2000. Filed for public inspection December 4, 1998, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Request for Proposals; 1999 Tax-Exempt Qualified Residential Rental Facilities Seeking Private Activity Bond Allocations

Private activity bonds to finance qualified residential rental facilities are subject to the limitations imposed through the Statewide unified private activity bond cap. The Department of Community and Economic Development (DCED) provides for the allocation of authority for the issuance of private activity bonds among the various qualified issuers in the Commonwealth of Pennsylvania. Certain allocations are made available to the Pennsylvania Housing Finance Agency (Agency) for the issuance of private activity bonds for housing purposes. The Agency has designed this Request for Proposals (RFP) to allow for a process of evaluation of qualified tax exempt residential

rental facilities funded through local issuers seeking allocations of 1999 private activity volume cap.

The RFP announces the limited availability of 1999 housing bond volume cap for the funding of selected qualified tax-exempt residential rental facilities that meet all qualifications of the Internal Revenue Code (Code). In the event additional volume cap becomes available in the Commonwealth for the provision of financing for qualified residential rental facilities, the Agency may determine to fund additional multifamily projects meeting the minimum qualifications set forth in the RFP.

In addition to meeting all requirements relating to private activity bonds set forth in all applicable sections of the Code, projects using Federal low income housing tax credits in their financing plan must also meet all requirements of section 42 of the Code, as amended, and the 1999 Agency tax credit program guide, processing guide and program submission deadlines.

The amount of volume cap available for multifamily projects is limited due to the competing uses of volume cap in the Commonwealth and among housing bond programs. Sponsors are advised and cautioned that funds will be competitive and many otherwise qualified projects may not receive funding due to the scarcity of resources. Any and all costs incurred in this application process are the sole responsibility of the sponsor.

Requests for a copy of the 1999 Request for Proposals and for an application for a 1999 private activity bond allocation may be submitted to:

Pennsylvania Housing Finance Agency  
Attn: Development Division  
P. O. Box 8029  
Harrisburg, PA 17105-8029  
(717) 780-3882  
TDD# (717) 780-1869

WILLIAM C. BOSTIC,  
*Executive Director*

[Pa.B. Doc. No. 98-2001. Filed for public inspection December 4, 1998, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11:30 a.m., Thursday, November 19, 1998, and took the following actions:

#### *Regulations Approved:*

Department of Public Welfare #14-438: Subsidized Child Day Care Eligibility (amends 55 Pa. Code Chapters 165, 168, 183 and 3040)

Pennsylvania Securities Commission #50-112: Registration of Securities; Registration of Broker-Dealers; Agents and Investment Advisers; Administration (amends 64 Pa. Code Chapters 202, 206, 302, 606, 609 and 610)

Pennsylvania Public Utility Commission #57-190: Advanced Meter Deployment for Electricity (amends 52 Pa. Code Chapter 57)

State Board of Education #6-265: Academic Standards and Assessment (adds Chapter 4 to 22 Pa. Code)

*Regulations Deemed Approved under section 5(g) of the Regulatory Review Act—Effective November 6, 1998:*

Insurance Department #11-172: Fees For Out-Of-State Companies (repeals Chapter 121 of 31 Pa. Code)

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

Public Meeting held  
November 19, 1998

*Department of Public Welfare—Subsidized Child Day Care Eligibility; Regulation No. 14-438*

#### Order

On August 25, 1997, the Independent Regulatory Review Commission (Commission) received these proposed amendments from the Department of Public Welfare (DPW). This rulemaking amends 55 Pa. Code Chapters 165, 168, 183 and 3040. The authority for this rulemaking is Articles II, IV and VII of the Public Welfare Code (62 P. S. §§ 201—211, 401—493 and 701—703), and Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), Pub.L.No. 104-193, known as the Child Care and Development Block Grant (CCDBG) (42 U.S.C.A. §§ 9858—9858q). The proposed amendments were published in the September 6, 1997, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulations were submitted to the Commission on October 29, 1998.

As a result of Title VI of the Federal PRWORA and Act 35 at the state level, DPW is integrating existing child care subsidy regulations for families receiving Transitional Assistance for Needy Families, with child care subsidy provisions for low-income families. Previously, these were two separate programs which received funding from separate sources. Both categories will now be funded from the federal CCDBG and by an additional state appropriation.

We have reviewed these final-form regulations and find them to be in the public interest. The final-form regulations integrate programs for cash assistance recipients and low-income families for continuity of subsidized child care services. More children will be served as a result of the revised copayment schedule. The eligibility requirements will ensure the most needy children will benefit from the program.

*Therefore, It Is Ordered That:*

1. Regulation No. 14-438 from DPW, as submitted to the Commission on October 29, 1998, is approved; and
2. The Commission will transmit a copy of this order to the Legislative Reference Bureau.

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

Public Meeting held  
November 19, 1998

*Pennsylvania Securities Commission—Registration of Securities; Registration of Broker-Dealers; Agents and Investment Advisers; Administration; Regulation No. 50-112*

**Order**

On July 27, 1998, the Independent Regulatory Review Commission (Commission) received these proposed amendments from the Securities Commission. This rulemaking amends 64 Pa. Code Chapters 202, 206, 302, 606, 609 and 610. The authority for this rulemaking is 70 P. S. §§ 1-202(i), 1-206 (b) and (d), 1-302(f), 1-606(d), 1-609(a) and (c), and 610. The proposed amendments were published in the August 15, 1998, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulations were submitted to the Commission on October 23, 1998.

This proposal makes omnibus revisions to update existing Securities Commission regulations. Major changes will: eliminate requirements for financial institutions to register as broker-dealers in some cases; allow a certified public accountant to give a tax opinion in offerings of limited partnership interests; allow some issuers filing a registration to submit 2 years, instead of 3 years, of financial statements; and allow small business issuers filing for a public offering of corporate equity securities aggregating \$1 million or less to use reviewed financial statements in lieu of an audit.

We have reviewed these final-form regulations and find them to be in the public interest. Financial institutions offering services through a network with a brokerage affiliate will no longer have to register as a broker-dealer. Small businesses filing an offering under the Small Corporate Offering Registration Program will save an estimated 25% in accounting services. There will also be a reduction in accounting costs for filings where 2 years, instead of 3 years, of financial statements will be permitted.

*Therefore, It Is Ordered That:*

1. Regulation No. 50-112 from the Securities Commission, as submitted to the Commission on October 23, 1998, is approved; and
2. The Commission will transmit a copy of this order to the Legislative Reference Bureau.

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

Public Meeting held  
November 19, 1998

*Pennsylvania Public Utility Commission Advanced Meter Deployment for Electricity; Regulation No. 57-190*

**Order**

On January 16, 1998, the Independent Regulatory Review Commission (Commission) received this proposed rulemaking from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 57. The authority for this rulemaking is 66 Pa.C.S. §§ 501 and 2807(a) and (d). The proposed rulemaking was published in the January 31, 1998, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulations were submitted to the Commission on May 18, 1998.

At its June 18, 1998, public meeting, the Commission voted to disapprove the final-form regulations. On September 24, 1998, the PUC notified the Commission of its intent to revise and resubmit the regulations. On November 2, 1998, the revised final-form regulations were submitted to the Commission.

These final-form regulations implement portions of the Electricity Generation Customer Choice and Competition Act by establishing procedures for making advanced meters available to customers. The rulemaking establishes uniform procedures and standards for the customer selection and deployment of advanced meters and provides coordination with any electric distribution company (EDC) for the installation of advanced meter networks.

We have reviewed the revised final-form regulations and find them to be in the public interest. The initial final-form regulations contained three clarity errors. The PUC has corrected those errors. The final-form regulations establish procedures for making advanced meters available to those customers that request them. The final-form regulations will impact the 11 EDCs under the PUC's jurisdiction and any electric generation suppliers that apply for a license to sell electricity to customers in this Commonwealth.

*Therefore, It Is Ordered That:*

1. Regulation No. 57-190 from the PUC, as resubmitted to the Commission on November 2, 1998, is approved;
2. The Commission's bar to final publication of Regulation No. 57-190 issued under section 6(b) of the Regulatory Review Act is hereby rescinded; and
3. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

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

Public Meeting held  
November 19, 1998

*State Board of Education—Academic Standards and Assessment; Regulation No. 6-265*

**Order**

On July 29, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking adds Chapter 4 to 22 Pa. Code. The authority for this rulemaking is found in the Public School Code of 1949 (24 P. S. §§ 1-101—27-2702). The proposed rulemaking was published in the August 8, 1998, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulations were submitted to the Commission on October 27, 1998.

In these final-form regulations, the Board is deleting existing Chapters 3 (School Profiles), 5 (Curriculum) and 6 (Vocational Education) and adding a new Chapter 4 (Academic Standards and Assessments). The purpose of replacing these three chapters with one new chapter is to replace student-learning outcomes with more specific academic standards. In the new Chapter 4, most of the general provisions of the existing three chapters have been consolidated and rewritten to conform to the academic standards concept.

We have reviewed these final-form regulations and find them to be in the public interest. The final-form regulations establish specific and measurable standards to assess students' performance in the Commonwealth's schools.

*Therefore, It Is Ordered That:*

1. Regulation No. 6-265 from the Board, as submitted to the Commission on October 27, 1998, is approved; and

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

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 98-2002. Filed for public inspection December 4, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Voluntary Surrender of Pennsylvania Certificate of Authority to Operate a Continuing Care Retirement Community

United Presbyterian Women's Association of North America Home for Aged People, a domestic provider of a Continuing Care Retirement Community, has submitted an application for approval to surrender its Pennsylvania Insurance Department Certificate of Authority. Persons wishing to comment on the grounds of public or private interest concerning the surrender, are invited to submit a written statement to the Pennsylvania Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Chief, Company Licensing Division, Room 1311 Strawberry Square, Harrisburg, Pennsylvania 17120, by fax to (717) 787-8557, or by e-mail to rbrackbi@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-2003. Filed for public inspection December 4, 1998, 9:00 a.m.]

### Children's Health Insurance Program; Meeting Notice

The Insurance Department has scheduled a meeting of the Children's Health Advisory Council on December 17, 1998, at 1 p.m. in Room 1125, 11th Floor, Strawberry Square, Harrisburg, PA 17120. The Children's Health Care Act (Act 68 of 1998), charges the Advisory Council with the responsibility of overseeing outreach activities and evaluating access and quality of services provided to children enrolled in the Children's Health Insurance Program (CHIP). The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meeting, should contact Tracey Pontius, Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120, or call (717) 787-4298, at least 24 hours in advance so that arrangements can be made.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-2004. Filed for public inspection December 4, 1998, 9:00 a.m.]

### List of Names of Qualified Unlicensed Reinsurers

Under section 319.1 of The Insurance Company Law of 1921 (40 P. S. § 442.1), the Insurance Commissioner hereby lists reinsurers not licensed by the Insurance Department which shall be considered qualified to accept reinsurance from insurers licensed by the Insurance Department.

This listing of qualified unlicensed reinsurers shall be published in the *Pennsylvania Bulletin* when additions to or deletions from such listing are made by the Insurance Commissioner. This present listing shall replace in their entirety previously published listings of qualified unlicensed reinsurers which appeared at 6 Pa.B. 2423 (September 25, 1976); 6 Pa.B. 3140 (December 18, 1976); 7 Pa.B. 501 (February 19, 1977); 7 Pa.B. 1766 (June 25, 1977); 8 Pa.B. 276 (January 28, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 3461 (December 2, 1978); 9 Pa.B. 4235 (December 22, 1979); 11 Pa.B. 38 (January 3, 1981); 12 Pa.B. 37 (January 2, 1982); 12 Pa.B. 2368 (July 23, 1982); 13 Pa.B. 657 (February 5, 1983); 13 Pa.B. 2826 (September 10, 1983); 14 Pa. B. 1053 (March 24, 1984); 14 Pa.B. 3065 (August 18, 1984); 15 Pa.B. 402 (February 2, 1985); 15 Pa.B. 3214 (September 7, 1985); 16 Pa.B. 290 (January 25, 1986); 17 Pa.B. 461 (January 24, 1987); 17 Pa.B. 5368 (December 26, 1987); 18 Pa.B. 5540 (December 10, 1988); 19 Pa.B. 713 (February 18, 1989); 19 Pa.B. 3129 (July 22, 1989); 19 Pa.B. 5476 (December 23, 1989); 20 Pa.B. 6227 (December 15, 1990); 21 Pa.B. 3286 (July 20, 1991); 21 Pa.B. 5445 (November 23, 1991); 22 Pa.B. 4591 (September 5, 1992); 23 Pa.B. 60 (January 2, 1993); 23 Pa.B. 48 (November 27, 1993); 24 Pa.B. 33 (August 13, 1994); 24 Pa.B. 49 (December 3, 1994); 25 Pa.B. 50 (December 16, 1995); 26 Pa.B. 46 (November 16, 1996); 27 Pa.B. 21 (May 24, 1997); 27 Pa.B. 46 (November 15, 1997) and 28 Pa.B. 46 (November 14, 1998).

#### Insurance Department's Qualified Unlicensed Reinsurers List

1. 37958 Acceptance Insurance Company, Omaha, Nebraska
2. 37532 Agricultural Excess and Surplus Insurance Company, Wilmington, Delaware
3. 10651 AIG Global Trade & Political Risk Insurance Company, Parsippany, New Jersey
4. 10103 American Agricultural Insurance Company, Indianapolis, Indiana
5. 41858 American Dynasty Surplus Lines Insurance Company, Wilmington, Delaware
6. 37990 American Empire Insurance Company, Cincinnati, Ohio
7. 88536 American Foundation Life Insurance Company, Birmingham, Alabama
8. 26883 American International Specialty Lines Insurance Company, Anchorage, Alaska
9. 91785 American Phoenix Life and Reassurance Company, Hartford, Connecticut
10. 27898 Americas Insurance Company, New Orleans, Louisiana
11. 10316 Appalachian Insurance Company, Johnston, Rhode Island
12. Assicurazioni General Di Trieste, Rome, Italy



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| 13. | 27189 | Associated International Insurance Company, Woodland Hills, California | 42. | 34991 | Genesis Indemnity Insurance Company, Bismarck, North Dakota                    |
| 14. | 50687 | Attorneys' Title Insurance Fund, Inc., Orlando, Florida                | 43. | 92673 | Gerling Global Life Insurance Company, Toronto, Canada                         |
| 15. | 19925 | Audubon Indemnity Company, Jackson, Mississippi                        | 44. | 87017 | Gerling Global Life Reinsurance Company, Los Angeles, California               |
| 16. | 18988 | Auto-Owners Insurance Company, Lansing, Michigan                       | 45. | 22098 | Grain Dealers Mutual Insurance Company, Indianapolis, Indiana                  |
| 17. | 36552 | Axa Reinsurance Company, Wilmington, Delaware                          | 46. |       | Guardian Royal Exchange Assurance Public Limited Company, London, England      |
| 18. | 61395 | Beneficial Life Insurance Company, Salt Lake City, Utah                | 47. | 42811 | Gulf Underwriters Insurance Company, Raleigh, North Carolina                   |
| 19. | 10021 | Capital Mortgage Reinsurance Company, New York, New York               | 48. |       | Hannover Ruckversicherungs-Aktiengesellschaft, Hannover, Germany               |
| 20. | 30180 | Capital Reinsurance Company, New York, New York                        | 49. | 39187 | Hansa Reinsurance Company of America, Tarrytown, New York                      |
| 21. | 36951 | Century Surety Company, Columbus, Ohio                                 | 50. | 87572 | Harbourton Reassurance, Inc., Wilmington, Delaware                             |
| 22. | 38989 | Chubb Custom Insurance Company, Dover, Delaware                        | 51. | 36200 | Health Providers Insurance Company, Deerfield, Illinois                        |
| 23. |       | CNA Reinsurance Company Limited, London, England                       | 52. | 78972 | Healthy Alliance Life Insurance Company, St. Louis, Missouri                   |
| 24. | 39993 | Colony Insurance Company, Richmond, Virginia                           | 53. | 42374 | Houston Casualty Company, Houston, Texas                                       |
| 25. | 40371 | Columbia Mutual Insurance Company, Columbia, Missouri                  | 54. | 27960 | Illinois Union Insurance Company, Chicago, Illinois                            |
| 26. | 27955 | Commercial Risk Re-Insurance Company, South Burlington, Vermont        | 55. |       | INEX Insurance Exchange, Chicago, Illinois                                     |
| 27. | 37567 | Commonwealth Insurance Company, Vancouver, British Columbia, Canada    | 56. | 10040 | Inner Harbor Reinsurance, Inc., Baltimore, Maryland                            |
| 28. | 20923 | Continental Reinsurance Corporation, San Francisco, California         | 57. | 22829 | Interstate Fire & Casualty Company, Chicago, Illinois                          |
| 29. | 17400 | Coregis Indemnity Company, Durham, North Carolina                      | 58. | 93505 | ITT Hartford International Life Reassurance Corporation, Westport, Connecticut |
| 30. | 42048 | Diamond State Insurance Company, Indianapolis, Indiana                 | 59. | 16187 | John Hancock Property and Casualty Insurance Company, Wilmington, Delaware     |
| 31. | 10928 | Eagle Insurance Company, Jersey City, New Jersey                       | 60. | 35637 | Landmark Insurance Company, San Francisco, California                          |
| 32. |       | E+S Ruckversicherungs-AG, Hannover, Germany                            | 61. | 29912 | Legion Indemnity Company, Chicago, Illinois                                    |
| 33. | 40509 | EMC Reinsurance Company, Des Moines, Iowa                              | 62. | 19437 | Lexington Insurance Company, Wilmington, Delaware                              |
| 34. | 90670 | ERC Life Reinsurance Corporation, Jefferson City, Missouri             | 63. |       | Lloyd's Underwriters, London, England  |
| 35. | 39020 | Essex Insurance Company, Wilmington, Delaware                          | 64. | 98078 | Manulife Reinsurance Corporation (USA), Buffalo, New York                      |
| 36. | 29700 | European Reinsurance Corporation of America, Manchester, New Hampshire | 65. | 32089 | Medmarc Mutual Insurance Company, Vergennes, Vermont                           |
| 37. | 35378 | Evanston Insurance Company, Evanston, Illinois                         | 66. | 97071 | Mercantile and General Life Reassurance Company of America, Lansing, Michigan  |
| 38. | 44792 | Executive Risk Specialty Insurance Company, Simsbury, Connecticut      | 67. | 23531 | Millers Mutual Fire Insurance Company, Ft. Worth, Texas                        |
| 39. | 32018 | First Excess and Reinsurance Corporation, Jefferson City, Missouri     | 68. | 33189 | Monticello Insurance Company, Wilmington, Delaware                             |
| 40. | 85472 | First ING Life Insurance Company of New York, New York                 | 69. | 20079 | National Fire & Marine Insurance Company, Omaha, Nebraska                      |
| 41. | 37362 | General Star Indemnity Company, Stamford, Connecticut                  | 70. | 41629 | New England Reinsurance Corporation, Hartford, Connecticut                     |

71. Odyssey Re (London) Limited, London, England
72. 31143 Old Republic Union Insurance Company, Montgomery, Alabama
73. 88099 Optimum Re Insurance Company, Dallas, Texas
74. 37338 Pacific Insurance Company, Los Angeles, California
75. 38636 Partner Reinsurance Company of the U.S., New York, New York
76. 29807 PXRE Reinsurance Company, Edison, New Jersey
77. 88340 Reassurance Company of Hannover, Orlando, Florida
78. 24481 Reliance Insurance Company of Illinois, Chicago, Illinois
79. River Thames Insurance Company, Ltd., London, England
80. St. Paul Reinsurance Company, Ltd., London, England
81. 21911 San Francisco Reinsurance Company, Novato, California
82. 41297 Scottsdale Insurance Company, Columbus, Ohio
83. 23388 Shelter Mutual Insurance Company, Columbia, Missouri
84. 93483 Swiss-Am Reassurance Company, Wilmington, Delaware
85. Terra Nova Insurance Company, Limited, London, England
86. 19887 Trinity Universal Insurance Company, Dallas, Texas
87. 37982 Tudor Insurance Company, Keene, New Hampshire
88. Unionamerica Insurance Company, Limited, London, England
89. 36048 Unione Italiana Reinsurance Company of America, Inc., New York, New York
90. 39330 United Capitol Insurance Company, Atlanta, Georgia
91. 28053 United Coastal Insurance Company, Phoenix, Arizona
92. 13021 United Fire & Casualty Company, Cedar Rapids, Iowa
93. 38032 US International Reinsurance Company, Manchester, New Hampshire
94. 21067 Westchester Surplus Lines Insurance Company, Honolulu, Hawaii
95. 29548 Western Indemnity Insurance Company, Houston, Texas
96. 13196 Western World Insurance Company, Keene, New Hampshire
97. 40193 X.L. Insurance Company, New York, New York
98. Zurich Reinsurance (London) Limited, London, England

### **Changes to the Qualified Unlicensed Reinsurers List Since It Was Published on November 14, 1998**

The following companies were omitted in error from the list which was published on November 14, 1998:

American Foundation Life Insurance Company, Birmingham, Alabama

Swiss-Am Reassurance Company, Wilmington, Delaware

Trinity Universal Insurance Company, Dallas, Texas

The following company has changed its name since the list was published on November 14, 1998:

SAFR Reinsurance Corporation of the U.S., New York, New York has changed its name to Partner Reinsurance Company of the U.S., New York, New York

The following company has been removed because it merged out of existence since the list was published on November 14, 1998:

Neumann Insurance Company, Denver, Colorado

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-2005. Filed for public inspection December 4, 1998, 9:00 a.m.]

### **Workers' Compensation Security Fund Assessment**

The Insurance Commissioner has determined that assessments for the Workers' Compensation Security Fund (WCSF) for 1998 will be required of all insurers writing workers' compensation insurance in this Commonwealth. Accordingly, an assessment equal to 1% of each insurers net written premiums determined as of June 30, 1998, will be imposed.

Under section 5 of the Workers' Compensation Security Fund Act (77 P.S. § 1055), the Commissioner shall impose an assessment equal to 1% of each insurer's net written premiums if the WCSF Balance minus the WCSF Loss Reserve is less than 5% of the Insurers' Loss Reserve. The Commissioner ascertained that the Insurers' Loss Reserve as of June 30, 1998, is \$6,812,364,846. Five percent of that reserve is \$340,618,242. The WCSF Balance minus the WCSF Loss Reserve is \$131,114,929. Accordingly, the WCSF Balance less the WCSF Loss Reserve is less than 5% of Insurers Loss Reserve, triggering the need for the assessment.

Payment of the assessment is due no later than December 31, 1998. Insurers will be billed by the WCSF on December 7, 1998. Questions or comments regarding the assessment may be directed to: Michael P. Sullivan, Claims Manager, Workers' Compensation Security Fund, 901 N. 7th Street, Harrisburg, PA 17102, (717) 783-8093, Fax: (717) 705-0140.

Insurers are reminded that any carrier which fails to pay the contribution when due is subject to a 5% penalty

on the total unpaid contribution. Thereafter, for each month (or portion thereof) in which the contribution remains unpaid, a 1% penalty will be imposed on the unpaid balance. Additional penalties for nonpayment can also include revocation of the insurer's certificate of authority. See 77 P.S. § 1059.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-2006. Filed for public inspection December 4, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of The Pennsylvania Telephone Association for Waiver of 52 Pa. Code § 64.41; Doc. No. P-00981357

Public meeting held  
November 4, 1998

*Commissioners Present:* John M. Quain, Chairperson;  
Robert K. Bloom, Vice Chairperson; David W. Rolka;  
Nora Mead Brownell; Aaron Wilson, Jr.

### Order

*By the Commission:*

By Petition filed April 3, 1998, The Pennsylvania Telephone Association (PTA) requests a waiver of the Commission's regulation found at 52 Pa. Code § 64.41, which reads:

#### § 64.41. Interest.

Interest at the rate of 9% per annum shall be payable on deposits without deductions for taxes thereon. Interest shall be paid annually to the customer or, at the option of either the LEC or the customer, shall be applied to the customer's bill.

This section was initially included in the proposed rulemaking to rescind obsolete regulations regarding telephone and residential telephone service, 52 Pa. Code Chapters 63 and 64, at Doc. No. L-00960113. We note that the proposed rulemaking intended to change the section to be consistent with § 56.57, which provides that the interest rate be determined by the average rate of 1-year Treasury Bills for the months of September, October and November of the previous year. Acting on PTA's comments, we were prepared to change our regulation from the current 9% to 6%, which is the current legal rate in the Commonwealth of Pennsylvania, despite OCA's comments that the rate should remain at 9% so that consumers will not be hurt if the market is paying higher interest.

We believed then, as we do now, that it is more important to set the interest rate at a level that provides incentive to collect a deposit in appropriate situations than to set the interest rate to ensure no loss in value to the consumer. Consumers who are dissatisfied with the interest paid on deposits need only pay their bills on time for 12 consecutive months to receive a refund of this money. See 52 Pa. Code § 64.37(3).

We removed this section from the rulemaking, however, when PTA filed this Petition, although removal was with the intent to include it in a future rulemaking. PTA states that its new position is justified

... in view of the increasingly competitive marketplace and the associated financial pressures that LECs now face. PTA requests that the Commission adopt a formula for the calculation of interest on deposits which mirrors the present financial climate faced by LECs. Specifically, the PTA requests that the Commission grant an immediate waiver of the current regulation and allow LECs to pay interest rates on customer deposits based on the rates of interest posted for one year U.S. Treasury bills for the months of September, October, and November, of the previous year. This method would allow for annual adjustment of interest rates to reflect accurately the current financial conditions faced by LECs and enjoyed by consumers, and is consistent with the Commission's regulations at 52 Pa. Code § 56.57. Petition, pp. 2—3.

The Petition further states that this

... waiver will ultimately benefit consumers of telecommunications services in the Commonwealth by reducing interest payments made by LECs. It also should foster an increased willingness on the part of LECs to require customer deposits in situations that warrant such measures. Both the LEC and the ultimate consumer should thereby benefit by possible reductions in uncollectable revenues. Petition, p. 3.

We agree. Notice of the PTA request was published on June 6, 1998, 28 Pa.B. 23, with a 20-day comment period set. Since there has been no response, hence no opposition filed to this Petition, we will grant it with the requirement that the affected utilities keep records indicating the effectiveness of this standard, which will aid us in determining how to best proceed in the future rulemaking; *Therefore,*

*It Is Ordered That:*

1. The Petition of the Pennsylvania Telephone Association in this docket is hereby granted.
2. The Commission's regulation appearing at 52 Pa. Code § 64.41 is hereby temporarily waived, consistent with the discussion in the body of this order, for all jurisdictional LECs and CLECS.
3. All jurisdictional LECs shall calculate interest rates on customer deposits based on the rates of the interest posted for 1-year U.S. Treasury bills for the months of September, October and November of the previous year.
4. To gauge the effectiveness of this standard, all jurisdictional LECs desiring to employ the revised interest rate standard permitted by this order shall keep records and shall submit a report comparing the customer deposits taken for the calendar year following entry of this order to the customer deposits taken for prior calendar years. Said report shall be filed at this docket by January 30, 2000.
5. The Secretary shall deposit this order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
6. This order shall become effective upon its publication in the *Pennsylvania Bulletin* and shall remain in

effect pending further Commission action, subsequent to review of reports filed under ordering paragraph no. 4, above.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-2007. Filed for public inspection December 4, 1998, 9:00 a.m.]

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## TURNPIKE COMMISSION

### Request for Bids

The Turnpike Commission is requesting sealed bids for:

1) Hazardous Waste Disposal for 20 Maintenance Facilities on PA Turnpike.

*Bid Opening:* December 21, 1998 at 11 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Dept., (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-2008. Filed for public inspection December 4, 1998, 9:00 a.m.]

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### Request for Bids

The Turnpike Commission is requesting sealed bids for:

1) Roof Renovation, Bowmansville Mtce. Facility, Lancaster County

*Mandatory Site Inspection:* December 11, 1998 at 10 a.m.

*Bid Opening:* December 21, 1998 at 11:30 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Dept., (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-2009. Filed for public inspection December 4, 1998, 9:00 a.m.]

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