

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 23, 1999.

#### BANKING INSTITUTIONS

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-17-99	Pennsylvania Business Bank Philadelphia Philadelphia County	7 Penn Center 1635 Market St. Philadelphia Philadelphia County	Commenced Operations

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-8-99	Abington Savings Bank Jenkintown Montgomery County	667 Welsh Road Huntingdon Valley Lower Moreland Twp. Montgomery County	Opened
3-15-99	Pittsburgh Home Savings Bank Pittsburgh Allegheny County	Lot Number 202 in the A&R Plan of Lots Number 3 North Fayette Township Allegheny County	Opened
3-15-99	FirstService Bank Lansdale Montgomery County	1494 Old York Road Abington Montgomery County	Opened
3-15-99	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	338 N. Washington Ave. Scranton Lackawanna County	Opened
3-15-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 1121 Bethlehem Pike Spring House Montgomery County	Opened
3-19-99	Wayne Bank Honesdale Wayne County	Stroud Mall U. S. Route 611 Stroud Township Monroe County	Approved
3-19-99	Northwest Savings Bank Warren Warren County	1903 Hubbard Road North Madison Lake County, Ohio	Approved
3-19-99	Northwest Savings Bank Warren Warren County	70 Richmond Street Painesville Lake County, Ohio	Approved
3-19-99	Northwest Savings Bank Warren Warren County	30 East Main Street Geneva Ashtabula County, Ohio	Approved
3-19-99	Northwest Savings Bank Warren Warren County	325 Center Street Chardon Geauga County, Ohio	Approved
3-20-99	Main Street Bank Reading Berks County	4001 Perkiomen Avenue Exeter Township Berks County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-23-99	First Commonwealth Bank Indiana Indiana County	<i>To:</i> 683 McMurray Road Bethel Park Allegheny County  <i>From:</i> 3400 South Park Road Bethel Park Allegheny County	Filed

**SAVINGS ASSOCIATIONS****Branch Applications**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
3-19-99	East Stroudsburg Savings Association Stroudsburg Monroe County	Mr. Z's Supermarket 695 N. Courtland St. East Stroudsburg Monroe County	Approved

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

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
3-10-99	Members 1st Federal Credit Union, Mechanicsburg, and Iceberg Credit Union, Emigsville Surviving Institution— Members 1st Federal Credit Union, Mechanicsburg	Mechanicsburg	Approved
3-11-99	Pennsylvania State Employees Credit Union, Harrisburg, and E.U.P. Employees Federal Credit Union, Edinboro Surviving Institution— Pennsylvania State Employees Credit Union, Harrisburg	Harrisburg	Effective

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 99-540. Filed for public inspection April 2, 1999, 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 Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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

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

**PA 0051012.** Sewage, **John Bradley and Theresa Breslin**, 107 Stenton Avenue, Plymouth Meeting, PA 19462.

This application is for renewal of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant in Whitmarsh Township, **Montgomery County**. This is an existing discharge to an unnamed tributary to Wissahickon Creek.

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

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

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

The EPA waiver is in effect.

**PA 0056065.** Sewage, **Enserv, Inc.**, 1145 King Road, Immaculata, PA 19345-0631.

This application is for renewal of an NPDES permit to discharge treated sewage from Immaculata College STP in East Whiteland Township, **Chester County**. This is an existing discharge to unnamed tributary to Valley Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of .0977 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	20	40
Suspended Solids	20	40
Ammonia (as N)		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	3.7	7.4
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 7.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0038903.** Industrial waste, SIC: 5171, **Sun Company, Inc. (R&M)**, Malvern Terminal, 1801 Market Street, Philadelphia, PA 19103.

This application is for renewal of an NPDES permit to discharge treated stormwater runoff from a Petroleum Marketing Terminal in East Whiteland Township, **Chester County**. This is an existing discharge to Little Valley Creek.

The receiving stream is classified for exceptional value waters, navigation and esthetics.

The proposed effluent limits for Outfall 001 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons			monitor/report

*Other Requirements:*

1. Product Contaminated Stormwater Runoff
2. Monitoring and Reporting
3. PPC Plan Requirements
4. Other Wastewaters
5. Definitions

The EPA waiver is in effect.

**PA 0038296.** Industrial waste, **Sun Company, Inc. (R&M)**, Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103.

This application is for renewal of an NPDES permit to discharge treated stormwater runoff from a petroleum marketing terminal in Upper Moreland Township, **Montgomery County**. This is an existing discharge to an unnamed tributary of Pennypack Creek.

The receiving stream is classified for trout stocking, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons			monitor/only

*Other Requirements:*

1. Product Contaminated Stormwater Runoff
2. Monitoring and Reporting
3. PPC Plan Requirements
4. Other Wastewaters
5. Definitions

The EPA waiver is in effect.

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*Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.*

**PA 0020435-A1.** Sewerage, **White Haven Municipal Authority**, 50 East Woodhaven Drive, White Haven, PA 18661.

This proposed action is for renewal issuance amendment of an NPDES permit to discharge treated sewage into Lehigh River in White Haven Borough, **Luzerne County**.

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

Effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics were evaluated at the point of discharge.

The proposed effluent limits for Outfall 001, based on a design flow of .45 mgd, are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	20	30	40
Total Suspended Solids	25	40	50
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.5		7
(11-1 to 4-30)	10.5		21
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine	.75		1.5

The EPA waiver is in effect.

**PA 0063886.** Sewerage, **David Bohning**, 102 West Main Street, Bath, PA 18014.

This proposed action is for issuance of an NPDES permit to discharge treated sewage from a single family residence sewage treatment plant into East Branch Saucon Creek in Lower Saucon Township, **Northampton County**.

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

Effluent limits for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics are evaluated at the Northampton Borough Water Authority intake on the Lehigh River.

The proposed effluent limits for Outfall 001, based on a design flow of .0004 mgd, are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times.	
Total Residual Chlorine	monitor and report	

The EPA waiver is in effect.

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

**PA 0070335.** Industrial waste, SIC: 3325, **McConway & Torley Corporation**, 230 Railroad Street, Kutztown, PA 19530.

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

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

The proposed effluent limits for Outfall 001 for a design flow of 0.203 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	6.0 to 9.0 s. u. at all times		
Temperature	110°F		

The proposed effluent limits for Outfall 002 for a design flow of 0.115 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Lead	0.034	0.068	0.085
Total Zinc	monitor and report	—	—
Total Aluminum	monitor and report	—	—
pH	6.0 to 9.0 s. u. at all times		

The proposed effluent limits for Outfall 101 for a design flow of 0.203 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Antimony	0.071	0.142	0.178
Total Copper	0.081	0.162	0.203
Total Lead	0.034	0.068	0.085
Total Mercury	0.00009	0.00018	0.00023
Total Zinc	0.123 lbs.	0.246 lbs.	0.308 lbs.
Oil and Grease	2.2 lbs.	4.4 lbs.	5.5 lbs.
Total Suspended Solids	3.3 lbs.	6.6 lbs.	8.25 lbs.
pH	6.0 to 9.0 at all times		

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

The EPA waiver is in effect.

**PA 0042137.** Industrial waste, SIC: 2851, **The Glidden Company (t/a ICI Paints)**, 301 Bern Street, Reading, PA 19601-1252.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Bernhart Creek, in Reading City, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		6—9 at all times	

The proposed effluent limits for Outfalls 005 and 006 are:

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

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

The EPA waiver is in effect.

**PA 0025381.** Sewage, SIC: 4952, **Saxton Borough Municipal Authority**, P. O. Box 173, Saxton, PA 16678.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Raystown Branch Juniata River, in Liberty Township, **Bedford County**.

The receiving stream is classified for trout stocking fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was U. S. Army Corps of Engineers located in Hopewell Township, Huntingdon County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.40 mgd are:

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

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

The EPA waiver is in effect.

**PA 0037711.** Sewage, SIC: 4952, **Borough of Everett Area Municipal Authority**, 100 Mechanic Street, Everett, PA 15537-1177.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Raystown Branch Juniata River, in Everett Borough, **Bedford County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.87 mgd (annual average) and 1.08 mgd (monthly maximum) are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	0.79	XXX	2.58
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0—9.0 inclusive	
Fecal Coliforms			

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	44,000/100 ml as a geometric average		

Outfalls 002, 003, 004, 005 and 006 are combined sewer overflows and Part C includes special requirements for these outfalls.

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

The EPA waiver is in effect.

**PA 0022209.** Sewage, SIC: 4952, **Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Raystown Branch Juniata River, in Bedford Township, **Bedford County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 1.5 mgd (annual average) and 1.8 mgd (monthly maximum) are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	7.5	XXX	15
(11-1 to 4-30)	monitor and report	XXX	monitor and report
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	0.44	XXX	1.43
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0—9.0 inclusive		
Fecal Coliforms			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	10,000/100 ml as a geometric average		

Outfalls 002 and 003 are combined sewer overflows that are subject to special requirements presented in Part C of the permit.

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

The EPA waiver is not in effect.

**PA 0082741.** Industrial waste, SIC: 4941, **Elizabethtown Borough**, 600 South Hanover Street, Elizabethtown, PA 17022.

This application is for renewal of an NPDES permit for an existing diversion of water from the Conewago Creek to an unnamed tributary of Conoy Creek, in Mount Joy Township, **Lancaster County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 1.0 mgd are:

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

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

The EPA waiver is in effect.

**PA 0083496.** Industrial waste, SIC: 4953, **Lancaster County Solid Waste Management Authority Resource Recovery Facility**, 1299 Harrisburg Pike, P. O. Box 4425, Lancaster, PA 17604.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to dry swale tributary to the Susquehanna River, in Conoy Township, **Lancaster County**.

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

The proposed effluent limits for Outfalls 001 and 002 for stormwater are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Lead		monitor	
Total Cadmium		monitor	

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

The EPA waiver is in effect.

*Northcentral Region: Environmental Program Manager, Water Management, 208 W. Third Street Suite 101, Williamsport, PA 17701-6510, (717) 327-3666.*

**PA 0111929.** SIC: 4952, **Lawrenceville Borough Authority**, P. O. Box 115, Lawrenceville, PA 16829.

This proposed action is to renew the NPDES permit. The discharge of treated sewage is at the existing location on the Tioga River in Lawrenceville Borough, **Tioga County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA-NY border located 1.1 river miles downstream.

The proposed effluent limits for Outfall 001, based on the existing design flow of 0.10 mgd are:

<i>Discharge Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum<sup>2</sup></i>
pH (std units)	within the range 6.0—9.0		
Total Cl <sub>2</sub> Residual	1.0r		2.3
CBOD <sub>5</sub>	25	40	50
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	

*Other Conditions:* None.

The EPA waiver is in effect.

**PA 0112445.** SIC: 2011, **P&N Packing, Inc.**, R. R. 2, Box 180, Wyalusing, PA 18853-9671.

This proposed action is for renewal of an NPDES permit for discharge of treated industrial waste to the North Branch Susquehanna River in Terry Township, **Bradford County**.

The receiving stream is classified for the following uses: warm water fishery and 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 downstream potable water supply (PWS) considered during the evaluation is located at Danville approximately 119 miles downstream.

The proposed effluent limits for Outfall 001, based on a design flow of 0.025 mgd, are:

<i>Specific Substance</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	65	150	200
TSS	50	75	100
Oil and Grease	15.0	25.0	30.0
NH <sub>3</sub> -N	92	333	400
Fecal Coliforms		400 mpn/100 ml	
pH	6.0—9.0 std units		

The EPA waiver is in effect.

**PA 0033502, Amendment No. 1,** Sewerage, SIC: 4952, **Bradford County**, Bradford County Courthouse, Towanda, PA 18848.

This proposed action is for an NPDES permit amendment for an existing discharge of treated sewage wastewater to Sugar Creek in West Burlington Township, **Bradford County**.

The receiving stream is classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Company located approximately 150 river miles downstream.

The proposed effluent limits for Outfall 001, based on increasing the design flow to 0.075 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Ammonia-N (6-1 to 10-31)	10	15	20
Total Cl <sub>2</sub> Residual	0.9		3
Fecal Coliforms (5-1 to 9-30)		200 col/100 ml as a geometric mean	
(10-1 to 4-30)		2,000 col/100 ml as a geometric mean	
pH		6.0—9.0 at all times	

These limitations will become enforceable when the new sewage treatment plant is in operation.

The EPA waiver is in effect.

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

**PA 0027651.** Sewage, **West Newton Borough**, 112 South Water Street, West Newton, PA 15089.

This application is for renewal of an NPDES permit to discharge treated sewage from West Newton Borough Sewage Treatment Plant in West Newton, **Westmoreland County**.

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

*Outfall 001:* existing discharge, design flow of 0.6 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0092371.** Sewage, **Fayette County Housing Authority**, 624 Pittsburgh Road, P. O. Box 1007, Uniontown, PA 15401.

This application is for renewal of an NPDES permit to discharge treated sewage from the Dunlap Creek Village STP in Redstone Township, **Fayette County**.

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

*Outfall 001:* existing discharge, design flow of .045 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	22	33		44
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	10,000/100 ml as a geometric mean			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine (37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0216411.** Sewage, **Duquesne Light Company**, P. O. Box 457, Greensboro, PA 15338.

This application is for renewal of an NPDES permit to discharge treated sewage from Warwick Mine Coal Prep Plant Sewage Treatment Plant in Monongahela Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Masontown Water Works.

*Outfall 009:* existing discharge, design flow of .0014 mgd.

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

The EPA waiver is in effect.

**PA 0218065.** Sewage, **Roxcoal, Inc.**, P. O. Box 149, 1576 Stoystown Road, Friedens, PA 15541.

This application is for issuance of an NPDES permit to discharge treated sewage from the Roxcoal, Inc. North Branch Mine Sewage Treatment Plant in Green Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of North Branch Two Lick Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the PA American Water Company—Indiana, located on Two Lick Creek approximately 11 miles downstream.

*Outfall 001:* new discharge, design flow of 0.004 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	13			26
(11-1 to 4-30)	25			50
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0218103.** Sewage, **Worthington-West Franklin Joint Municipal Authority**, P. O. Box 0, Worthington, PA 16262.

This application is for issuance of an NPDES permit to discharge treated sewage from the Worthington STP in West Franklin Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Buffalo Creek, which are classified as a high quality-trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Creekside Mushrooms, Ltd. on Buffalo Creek.

*Outfall 001*: new discharge, design flow of 0.3 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	10	15		20
(11-1 to 4-30)	15	23		30
Suspended Solids	20	30		40
Ammonia Nitrogen				
(5-1 to 10-31)	1.5	2.3		3.0
(11-1 to 4-30)	4.5	6.8		9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	9,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.6
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0218120.** Sewage, **Dennis O'Hara**, 3013 7th Street Road, Lower Burrell, PA 15068.

This application is for issuance of an NPDES permit to discharge treated sewage from O'Hara SRSTP in Washington Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as a tributary of Poke Run, which are classified as a high quality fishery with existing and/or potential uses for aquatic life, water supply and recreation.

*Outfall 001*: new discharge, design flow of .0004 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	20			30
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	monitor and report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0027367, Amendment No. 1.** Sewage. **Greenville Sanitary Authority**, 183 Hamburg Road, Greenville, PA 16125.

This is an amendment of a Part I NPDES permit to discharge treated sewage to the Shenango River in Hempfield Township, **Mercer County**. This is an existing discharge. The amendment is proposed to include the adjusted TRC limit based on current modeling practices.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Reynolds Water Company on the Shenango River located in Pymatuning Township, Mercer County, approximately 2 miles below point of discharge.

The proposed effluent limits, based on a design flow of 2.8 mgd, are:

*Outfall No. 001* (after chlorine disinfection)

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
Phosphorus	1.0		2.0
Ammonia-Nitrogen			
(5-1 to 10-31)	7.5		15
(11-1 to 4-30)	22.5		45

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 22,500/100 ml as a geometric average	
Total Residual Chlorine	.45		1.5
pH		6.0—9.0 at all times	

The EPA waiver is not in effect.

**PA 0222798.** Sewage. **Westline Inn, Inc.**, Box 137, Westline Road, Westline, PA 16751.

This application is for a new NPDES permit to discharge treated sewage to the Unnamed Tributary to Kinzua Creek in Lafayette Township, **McKean County**. This is an existing discharge.

The receiving water is classified for the following uses: high quality-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 was the Emlenton Municipal Water Company on the Allegheny River located at Emlenton approximately 117.5 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .004 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
TSS	10	20
Ammonia-Nitrogen (5-1 to 10-31) (11-1 to 4-30)	3 9	6 18
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	1.4	3.2
Dissolved Oxygen		minimum of 3 mg/l at all times.
pH		6.0—9.0 at all times

The EPA waiver is in effect.

**PA 0102717.** Sewage. **Sandy Hill Estates**, P. O. Box 398, Valencia, PA 16059.

This application is for renewal of an NPDES permit to discharge treated sewage to the Glade Run in Middlesex Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Zelienople Municipal Water Works intake on Connoquenessing Creek located at Zelienople, approximately 15 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.022 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
TSS	20	40
Ammonia-Nitrogen (5-1 to 10-31) (11-1 to 4-30)	2 6	4 12
Phosphorus (as P) (4-1 to 10-31)	2	4
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 3,300/100 ml as a geometric average
Total Residual Chlorine	1.5	3.5
Dissolved Oxygen		minimum of 4 mg/l at all times.
pH		6.0—9.0 at all times

The EPA waiver is in effect.

**PA 0220931.** Sewage. **Butler Country Club**, P. O. Box 348, Butler, PA 16003.

This application is for renewal of an NPDES permit, to discharge treated sewage to an Unnamed Tributary to Thorn Creek in Penn Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Zelienople Water Company on the Connoquenessing Creek located at Zelienople, approximately 18 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.0075 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	4.5	9
(11-1 to 4-30)	13.5	27
Total Phosphorus (as P)		
(4-1 to 10-31)	2	4
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	9,600/100 ml as a geometric average	
Total Residual Chlorine	1.0	2.3
Dissolved Oxygen	minimum of 3 mg/l at all times.	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0025283.** Sewage. **Knox Borough STP**, 620 S. Main Street, P. O. Box 366, Knox, PA 16232.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Canoe Creek in Beaver Township, **Clarion County**. This is an existing discharge.

The receiving water is classified for the following uses: high quality-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 Parker City Water System on the Allegheny River located at Parker City, approximately 18 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .26 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	3.3	6.6
(11-1 to 4-30)	9.9	19.8
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,700/100 ml as a geometric average	
Total Residual Chlorine		
(Interim)	XX	XX
(Final)	.2	.7
Dissolved Oxygen	minimum of 7 mg/l at all times	
Copper		
(Interim)	XX	XX
(Final)	.011	.022
Silver		
(Interim)	XX	XX
(Final)	.002	.004
Free Cyanide		
(Interim)	XX	XX
(Final)	.006	.012
Chlorodibromomethane		
(Interim)	XX	XX
(Final)	.002	.004
Dichlorobromomethane		
(Interim)	XX	XX
(Final)	.001	.002
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0100315.** Sewage. **Farma Parks, Inc.**, 87 Hughey Road, Greenville, PA 16135.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Little Shenango River in Perry Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stocking 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 Greenville Municipal Authority intake on the Shenango River located at Greenville, approximately 6 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.025 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	1.5	3
(11-1 to 4-30)	4.5	9
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,500/100 ml as a geometric average	
Total Residual Chlorine		
(Interim)	XX	
(Final)	0.3	0.7
Dissolved Oxygen	minimum of 5 mg/l at all times	
pH	6.0—9.0 at all times	

XX = monitor and report

The EPA waiver is in effect.

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

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0083283	Bruaw MHP P. O. Box 277 St. Thomas, PA 17252	Perry County Watts Township	UNT to Susquehanna River	TRC

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

**Applications under the Pennsylvania Clean  
Streams Law**

**(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

**A. 0599402.** Sewage, submitted by **Keith L. Leppert**, 4062 Cortland Drive, New Paris, PA 15554 in West St. Clair Township, **Bedford County** to construct a small flow single family treatment system to serve their single family residence was received in the Southcentral Region on March 15, 1999.

**A. 0199402.** Sewage, submitted by **Columbia Gas Transmission Corporation**, 525 Highlands Building, Coatesville, PA 19320 in Straban Township, **Adams County** to construct a small flow treatment facility to serve their Granite Station Road Office Building was received in the Southcentral Region on March 15, 1999.

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

**A. 6596202-A1.** Industrial waste. **Hugh Campbell**, 1111 Clay Pike, North Huntingdon, PA 15642. Application for the modification and operation of a groundwater treatment system to serve Campbell's Ultra Service Center located in North Huntingdon, **Westmoreland County**.

**A. 0299407.** Sewerage. **Nancy Iacurci**, 524 Guyasuta Road, Pittsburgh, PA 15215. Application for the construction and operation of a small flow sewage treatment plant to serve the Iacurci residence located in Indiana Township, **Allegheny County**.

**A. 0491407-A1.** Sewerage. **New Sewickley Township Municipal Authority**, P. O. Box 65, Freedom, PA 15042-0065. Application for the expansion and operation of a sewage treatment plant to serve the Tri-County Commerce Park WWTP located in New Sewickley Township, **Beaver County**.

**A. 5690405-A1.** Sewerage. **Rockwood Borough Municipal Authority**, 358 Market Street, Rockwood, PA 15557. Application for the addition and operation of a new sewage entry point to serve the Rockwood Sewage Treatment Plant located in Black Township, **Somerset County**.

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

**WQM Permit No. 2599406.** Sewage. **Seagull Cove Treatment Facility Association, John P. Lantzy**, 11986 East Lake Road, P. O. Box 506, North East, PA 16428-0506. This project is for the construction and operation of a small flow treatment facility North East Township, **Erie County**.

**WQM Permit No. 2099403.** Sewage. **Blooming Valley United Methodist Church**, 24740 State Street, Meadville, PA 16335. This project is for the construction and operation of a small flow treatment facility in Blooming Valley Borough, **Crawford County**.

**WQM Permit No. 2599407.** Sewage. **Mowery Development #1 Treatment Facility Association, John G. Mowery**, 4493 Steger Road, Erie, PA 16510. This project is for the construction and operation of a small flow treatment facility in Greene Township, **Erie County**.

**WQM Permit No. 1699401.** Sewage, **New Bethlehem Borough, Broad Street Sanitary Sewer Project**, 309 Broad Street, New Bethlehem, PA 16242. This project is for the installation of separate sanitary sewers in New Bethlehem Borough, **Clarion County**.

**WQM Permit No. 6299403.** Sewage, **Joseph J. Shaw, SRSTP**, 707 Cobham Park Rd., Warren, PA 16365. This project is for the construction of a single residence sewage treatment plant in Glade Township, **Warren County**.

**INDIVIDUAL PERMITS  
(PAS)**

**NPDES Individual**

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

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

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

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the 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, (570) 826-2511.*

*Carbon County Conservation District, District Manager, 5664 Interchange Road, Lehighton, PA 18235-5114, (610) 377-4894.*

**NPDES Permit PAS101300-2.** Stormwater. **Blue Ridge Real Estate Company**, P. O. Box 707, Blakeslee, PA 18610, has applied to discharge stormwater from a construction activity located in Kidder Township, **Carbon County**, to Porter Run, Lehigh River.

*Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.*

**NPDES Permit PAS10Q171.** Stormwater. **The Residuary Trust of Andrew, Mary Yastishok**, 6500 Chapmans Road, Allentown, PA 18106, has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek.

**NPDES Permit PAS10Q172.** Stormwater. **Bethlehem Area School District, c/o Dominic Villani**, 1516 Sycamore Street, Bethlehem, PA 18017, has applied to discharge stormwater from a construction activity located in the City of Bethlehem, **Lehigh County**, to Monocacy Creek.

## SAFE DRINKING WATER

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

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

**A. 4699504.** Public water supply. **Montgomery County Geriatric Center**, 1600 Black Rock Road, Royersford, PA 19468. This proposal involves the use of Well No. 4 as an additional source of supply to augment the existing system in Upper Providence Township, **Montgomery County**.

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

**3998502.** Public water supply. **Lehigh County Authority**, P. O. Box 3348, Allentown, PA 18106. This proposal involves installation of a chemical feed system to feed soda ash for raising the pH to approximately 7.5. It is located in Upper Milford Township, **Lehigh County**.

*Engineer: Michael Barron, P.E.*

*Southcentral Regional Office: Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.*

**0699503.** Public water supply. **Mt. Penn Borough Municipal Authority**, Mt. Penn Borough, **Berks County**; *Responsible Official:* Dale Bolton, Authority Chairperson, 200 North 25th Street, Reading, PA 19606; *Type of Facility:* Construction of the new Sylvan Dell booster station; *Consulting Engineer:* Larry A. Dietrich, Lead Project Engineer, Acer Engineers & Consultants, Inc., 649 North Lewis Road, Suite 100, Limerick, PA 19468. *Application received:* March 8, 1999.

*Bureau of Water Supply Management: Division of Drinking Water Management, 400 Market Street, Harrisburg, PA 17105. Contact: Godfrey C. Maduka, (717) 787-9037.*

**A. 9996474. Famous Ramona Water, Inc.**, 250 Aqua Lane, P. O. Box 1195, Ramona, CA 92065-0860; Julian Filer, CEO. Applicant requests Department approval to sell bottled water in Pennsylvania under the brand name Sparkletts Decanter Mountain Spring Water.

**A. 9996217. Great Spring Waters of America, Inc.**, P. O. Box 499, Poland Spring, ME 04274; Kristin Tardiff, Eastern Region Water Resources Manager. Applicant requests Department approval for a major permit amendment to replace their well no. 4 with a new production well located in Poland, Maine. The following bottled water brands will be marketed in Pennsylvania: Poland Spring Natural Spring Water, Poland Spring Sparkling Spring Water, Deer Park Spring Water, Deer Park Distilled Water, Ice Mountain Spring Water, Great Bear Natural Spring Water and Poland Spring Distilled Water.

## HAZARDOUS SITES CLEANUP

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

**Notice of Administrative Record Reopening**

**National Granulating Company, Inc.**

**(A.K.A. Washington Tire Fire)**

**City of Washington**

**Washington County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1304), reopens the administrative record for the interim response at the National Granulating Site. The Department opened the administrative record on May 17, 1997, under section 506(b) of HSCA, to provide the public the opportunity to comment on the prompt interim response selected.

The public comment period expired on August 18, 1997, and the administrative record was closed on the same date.

The Department now reopens the administrative record under section 506(g) and (h) of HSCA. The purpose for reopening the administrative record is to document the Department's response costs.

The new information is available, within the administrative record, for public review and comment. The administrative record is located at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The new information contained in the administrative record will be open for comment from April 3, 1999, until June 2, 1999. Persons may submit written comments regarding the new information only into the record during this time only, by sending them to Terry E. Goodwald at 400 Waterfront Drive, Pittsburgh, PA 15222-4745 or by delivering them to this office in person.

If requested, the Department will conduct a public hearing where persons may present oral comments regarding the new information for inclusion in the administrative record. A request for a public hearing must be made in writing and must be postmarked no later than May 3, 1999. The request should be mailed to Terry E. Goodwald at 400 Waterfront Drive, Pittsburgh, PA 15222-4745. A public hearing will not be held if the Department does not receive a written request by the date specified previously.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

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Sections 302, 303, 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 the background standard, Statewide health standard, the site-specific standard or who intend to remediate a site as 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 or suspected 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, or who receives approval of a special industrial area remediation 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. Furthermore, the person 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 standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

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

**Ray Brady Residence**, St. Clair Boro, **Schuylkill County**. Arthur J. Raymond, R.A. West Associates, 865 South Eagle Road, Suite 359, Newtown, PA 18940, has submitted a Notice of Intent to Remediate (on behalf of his client, Ray Brady, 41 Ann Street, East Mines, PA 17901) concerning the remediation of site soils found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. 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.

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

**Former Teledyne Readco Facility**, Spring Garden Township, **York County**. Teledyne Industries, Inc., 1000 Six PPG Place, Pittsburgh, PA 15222, has submitted a Notice of Intent to remediate site soils and groundwater contaminated with lead, solvents and BTEX. The applicant proposes to remediate the site to meet a combination of site-specific and Statewide health standards requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on February 23, 1999.

**HMW Enterprises, Inc.**, Fairview Township, **York County**. HMW Enterprises, Inc., 207 North Franklin Street, Waynesboro, PA 17268, has submitted a Notice of Intent to remediate site soils and groundwater contaminated with lead, heavy metals and solvents. The applicant proposes to remediate the site to meet the site-specific requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on March 1, 1999.

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

**LTV Steel—East Mills Disposal Area**, Borough of Midland, **Beaver County**. LTV Steel Company, Inc., 200 Public Square, Cleveland, OH 44114-2308 and Karen Souza, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, have submitted a Notice of Intent to Remediate soil and groundwater contaminated with heavy metals and solvents. The applicants propose 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 *Beaver County Record* on March 11, 1999.

## SOLID AND HAZARDOUS WASTE

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit I. D. No. 101358. East Penn Transfer Station**, East Penn Sanitation, Inc., P. O. Box 150, Phillipsburg, NJ 08865. A major permit modification for an increase in the daily capacity to 1,000 tons per day and an expansion of the existing rail capability for outbound transport for this municipal waste transfer facility, located in Lower Nazareth Township, **Northampton County**. This application was received in the Regional Office on December 31, 1998; and as of March 16, 1999, it was determined to be administratively complete.

*Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**A. 100962. York County Sanitary Landfill, York County Solid Waste and Refuse Authority** (2700 Blackbridge Road, York, PA 17402). Application for change of closure plan for construction of golf course for a site in Hopewell Township, **York County**. Application determined to be administratively complete in the Regional Office March 11, 1999.

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

**Permit No. 101603.** An application was received to change ownership of the **Ray's Disposal Transfer Station** to Superior Waste Services of Pennsylvania, Warren County Transfer Station, P. O. Box 31A, R. D. 1, Pittsfield, PA 16344, located in Pittsfield Township, **Warren County**. Application was determined to be administratively complete in the Regional Office on March 17, 1999.

## AIR QUALITY

### Notice of Plan Approval and Operating Permit Applications

#### Nonmajor Sources and Modifications

The Department of Environmental Protection (Department) has developed an integrated plan approval, State operating permit and Title V operating permit program.

This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

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

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

### OPERATING PERMITS

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

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

**OP-46-0176: A. Talone, Inc.** (318 West Lancaster Avenue, Ardmore, PA 19003) for the operation of a Facility VOC/NO<sub>x</sub> RACT in Lower Merion Township, **Montgomery County**.

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

**39-313-041: Puritan Products, Inc.** (635—711 Mill Street, Allentown, PA 18103) for operation of product blending and packaging systems in Bethlehem, **Lehigh County**.

**54-313-068A: Air Products & Chemical Co.** (P. O. Box 351, Tamaqua, PA 18252) for operation of a vapor degreaser in Rush Township, **Schuylkill County**.

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

**06-5018A: Hershey Chocolate North America** (P. O. Box 15087, Reading, PA 19612) for a candy manufacturing facility controlled by multiple fabric collectors in Reading, **Berks County**.

**21-323-014: L. B. Smith, Inc.** (2001 State Road, Camp Hill, PA 17001) for operation of a hard chrome plating line controlled by fume suppressants and mist eliminators in Lower Allen Township, **Cumberland County**.

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

**OP-63-00899: Pleiger Plastics Co.** (P. O. Box 1271, Washington, PA 15301) for operation of plastic product manufacturing in South Strabane Township, **Washington County**.

**OP-65-00322: PIAD Precision Casting Corp.** (R. D. 12, P. O. Box 38, Donahoe & Luxor, Greensburg, PA 15601) for operation of a copper foundry in Hempfield Township, **Westmoreland County**.

**OP-03-00148: Altmeyer Farm and Stable** (R. D. 1, Box 136, Kittanning, PA 16201) for operation of an animal crematory at Pets At Rest in Plumcreek Township, **Armstrong 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 and G (relating to operating permit requirements; and 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. For additional information, contact the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the 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.

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

**06-05024: Metropolitan Edison Co.** (1001 Broad Street, Johnstown, PA 15905) for an electric generating facility in Cumru Township, **Berks County**. The operation primarily emits particulate, sulfur dioxide, nitrogen oxides and carbon monoxide.

**06-05081: Delaware County Solid Waste Authority** (R. R. 3, Box 607, Boyertown, PA 19512) located in Boyertown Borough, **Berks County**. This facility is a municipal waste landfill. The operation primarily emits volatile organic compounds (VOC).

**07-05028: Cove Shoe Co.** (107 Highland Street, Martinsburg, PA 16662) located in Martinsburg Borough, **Blair County**. The facility is a men's footwear manufacturer. The operation primarily emits volatile organic compounds (VOC).

**36-05033: Rutt Custom Cabinetry, LLC** (P. O. Box 129, Goodville, PA 17528) located in East Earl Township, **Lancaster County**. The facility manufactures high quality wood custom kitchen cabinets. The operations primarily emit volatile organic compounds (VOCs) and hazardous air pollutants (HAPs).

#### PLAN APPROVALS

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

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

**PA-15-0060B: SECCRA Landfill** (219 West Street Road, Kennett Square, PA 19348) for modification of a landfill gas open flare in London Grove Township, **Chester County**.

**PA-46-0077C: Harvard Industries, Inc.** (400 Old Reading Pike, Stowe, PA 19464) for modification of an aluminum reverberatory furnace in West Pottsgrove Township, **Montgomery County**.

**PA-46-0077B: Doehler-Jarvis Pottstown, Inc.** (400 Old Reading Pike, Stowe, PA 19464) for installation of a stack melter aluminum furnace in West Pottsgrove Township, **Montgomery County**.

**PA-09-0117: Heucotech LTD** (99 Newbold Road, Fairless Hills, PA 19030) for modification of additional process equipment in Falls Township, **Bucks County**.

**PA-46-0190: Dickson Investment Hardware, Inc.** (404 East Church Road, King of Prussia, PA 19406) for installation of a gas fired thermal oxidizer in Upper Merion Township, **Montgomery County**.

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

**40-399-041: DMS Shredding, Inc.** (400 Mill Street, Dunmore, PA 18512) for construction of a light metal shredding operation in Hanover Township, **Luzerne County**.

**48-313-082: Elementis Pigments, Inc.** (1525 Wood Avenue, Easton, PA 18042) for construction of a pigment granular forming process in Easton, **Northampton County**.

**48-313-083: Elementis Pigments, Inc.** (1525 Wood Avenue, Easton, PA 18042) for construction of a pigment blending and milling process in Easton, **Northampton County**.

**54-310-020: Lehigh Asphalt and Paving Construction Co.** (P. O. Box 549, Tamaqua, PA 18252) for construction of a stone crushing and screening plant in West Penn Township, **Schuylkill County**.

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

**06-303-023A: EJB Paving & Materials Co.** (1119 Snyder Road, West Lawn, PA 19609) for a drum mix bituminous asphalt plant controlled by a fabric collector in Ontelaunee Township, **Berks County**. This source is

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

**22-03055: Heckett Multiserv** (612 North Main Street, Butler, PA 16001) for modification to the steel slag crushing and screening plant in Steelton Borough, **Dauphin County**.

**22-307-035: Chemetron Railway Products, Inc., Steelton Rail Welding Plant** (5600 Stillwell, Kansas City, MO 64120) for construction of the rail welding unit in Steelton Borough, **Dauphin County**.

**28-310-006C: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) for modification/installation of stonecrushing and screening equipment at their limestone crushing plant located in Fannett Township, **Franklin County**.

**36-316-031B: Wood Specialties Corp.** (245 Reading Road, East Earl, PA 17519) for modification of an existing woodworking operation in East Earl Township, **Lancaster County**.

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

**PA-26-478A: Fay Pen Fiber, Inc.** (2079-A Lawrence Drive, DePere, WI 54115) for installation of wood product manufacturing at Div. of R&K Development Co. in Georges Township, **Fayette County**.

**PA-26-490: Elk Corp. of America** (14543 Dallas Pkwy, Wellington Centre, Dallas, TX 75240) for installation of asphalt shingle manufacturing at Georges Township, **Fayette County**.

## MINING

### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for the certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public

notices of filing of permit applications, opportunity for comment, and informal conferences).

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

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant fact upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

#### Coal Applications Received

**11990102. Laurel Energy, LP** (One Energy Place, Suite 7500, Latrobe, PA 15650), commencement, operation and restoration of bituminous strip-auger mine in Adams and Conemaugh Townships; South Fork Borough, **Cambria County**, affecting 456.1 acres, receiving stream Little Conemaugh River and Bear Run. Application received March 11, 1999.

**32890106.** Permit Renewal for Reclamation, only, **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701), for continued restoration of a bituminous strip mine in Green Township, **Indiana County**, affecting 143.8 acres, receiving stream North Branch Two Lick Creek, Pompey Run, unnamed tributaries to Pompey Run. Application received March 12, 1999.

**32890104.** Permit Renewal for Reclamation, only, **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), for continued restoration of a bituminous strip mine in West Wheatfield Township, **Indiana County**, affecting 119.0 acres, receiving stream Ramsey Run to Blacklick Creek to Two Lick Creek to the Conemaugh River. Application received March 12, 1999.

**11940103.** Permit Renewal for Reclamation, only, **M. B. Energy, Inc.** (P. O. Box 1319, Indiana PA 15701), for continued restoration of a bituminous strip mine in Jackson Township, **Cambria County**, affecting 227.3 acres, receiving stream Laurel Run and tributaries to Laurel Run. Application received March 16, 1999.

**32970108.** Permit Transfer from **Simpson Coal Company to KMP Associates** (R. D. 2, Box 194, Avonmore,

PA 15618), commencement, operation and restoration of bituminous strip mine in Young and Conemaugh Townships, **Indiana County**, affecting 166.6 acres, receiving stream Harpers Run and unnamed tributary to Blacklegs Creek. Application received March 15, 1999.

**56940101.** Permit Renewal, **Future Industries, Inc.** (P. O. Box 157, Meyersdale, PA 15552), commencement, operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 205.9 acres, receiving stream three unnamed tributaries to Buffalo Creek and Buffalo Creek. Application received March 17, 1999.

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

**03960102.** **Walter L. Houser Coal Co., Inc.** (R. D. 1, Box 434, Kittanning, PA 16201). Revision application received to change postmining land use from existing wildlife habitat to pastureland on the lands of Walter Houser, Kathleen Fair and Walter C. and Sharon L. Flick located in Sugarcreek Township, **Armstrong County**, proposed to affect 145.7 acres. Receiving streams: unnamed tributaries to Snyder Run to Snyder Run. Revision application received: March 18, 1999.

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

**33990106.** **Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201). Commencement, operation and restoration of a bituminous surface strip and auger operation in McCalmont Township, **Jefferson County**, affecting 168.7 acres. Receiving streams: Turnip Run and Big Run to Big Run to Mahoning Creek to the Allegheny River. Application received March 12, 1999.

**24890102.** **Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous surface strip, auger and beneficial use operation in Horton Township, **Elk County** affecting 316.0 acres. Receiving streams: Unnamed tributaries of Mead Run to Mead Run to Little Toby Creek to the Clarion River to the Allegheny River. Application for reclamation only. Application received March 15, 1999.

**37890108.** **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface strip and auger operation in Hickory Township, **Lawrence County**, affecting 301.0 acres. Receiving streams: Two unnamed tributaries to Neshannock Creek; three unnamed tributaries to Hottenbaugh Creek; one unnamed tributary to Big Run. Application for reclamation only. Application received March 17, 1999.

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

**11991301.** **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), to operate the Gamelands No. 79 deep mine in Blacklick Township, **Cambria County**, new mine unnamed tributary to south branch of Blacklick Creek. Application received February 22, 1999.

**32891701.** **Bellaire Corp., Eastern Div.** (Box 429, Seward, PA 15954), to renew the permit for the Hutchison Hollow Treatment Plant in East Wheatfield Township, **Indiana County**, no additional discharges. Application received February 10, 1999.

**56981301.** **Quecreek Mining, Inc.** (1576 Stoystown Rd., P. O. Box 260, Friedens, PA 15541), to revise the permit for the Quecreek No. 1 Mine in Lincoln Township, **Somerset County**, revision to add surface acres unnamed tributary to Quemahoning Creek. Application received February 24, 1999.

**32753702.** **EME Homer City Generation L. P.** (18101 Von Karman Ave., Suite 1700, Irvine, CA 92612-1046), to transfer the permit for the Homer City Refuse Disposal Facility in Centre Township, **Indiana County** to transfer from Pennsylvania Electric Co., no additional discharges. Application received February 16, 1999.

**02733701.** **Consolidation Coal Co.** (200 Hidden Valley Rd., McMurray, PA 15317), to revise the permit for the Renton Refuse and AMD Plant in Plum Borough, **Allegheny County** to add 36.5 support acres and one injection borehole and one pump borehole, no additional discharges. Application received March 3, 1999.

**11861301.** **Rampside Collieries, Inc.** (527 Slate Hill Rd., Berlin, PA 15530), to renew the permit for the Rampside Collieries Mine No. 1 in Richland Township, **Cambria County**, no additional discharges. Application received March 9, 1999.

**30841317.** **Consol Pennsylvania Coal Co.** (P. O. Box 174, Graysville, PA 15337), to revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County** to add C-2 water handling borehole, no additional discharges. Application received March 9, 1999.

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

**54921601R.** **Vito J. Rodino, Inc.** (Box 217 Haddock, Hazleton, PA 18201), renewal of an existing anthracite coal preparation plant operation in Rush Township, **Schuylkill County** affecting 10.0 acres, receiving stream—none. Application received March 15, 1999.

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

#### *Large Industrial Minerals Applications Received*

**31990301.** **Glenn O. Hawbaker, Inc.** (P. O. Box 135, 325 West Aaron Drive, State College, PA 16804), commencement, operation and restoration of an industrial minerals mine in Morris Township, **Huntingdon County**, affecting 75.10 acres, receiving stream Shaffers Run, a tributary of the Frankstown Branch of the Juniata River. Application received March 8, 1999.

### **Bureau of Deep Mine Safety**

#### **Pierpont Mining, Inc.**

#### **Request for Variance**

The Bureau of Deep Mine Safety has received a request for a variance from Pierpont Mining, Inc. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Trader by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

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

Section 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701—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:* Pierpont Mining, Inc. requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Pierpont No. 10 Mine.

**Bureau of Deep Mine Safety  
Keystone Coal Mining Corporation  
Request for Variance**

The Bureau of Deep Mine Safety has received a request for a variance from Keystone Coal Mining Corporation. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Trader by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

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

Section 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701—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:* Keystone Coal Mining Corporation requests a variance to allow for the common ventilation of belt conveyor entries with other entries at the Plumcreek Mine.

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

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401 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 comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

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

**E46-812.** Encroachment Permit. **Lower Gwynedd Township**, P. O. Box 625, Springhouse, PA 19477. To construct and maintain facilities associated with the construction of Penllyn Park. The water obstructions are listed as follows. The project will impact 0.28 acre of wetlands, and have 216 feet of impact to watercourses (TSF). The site is located north of the intersection of Township Line Road and Gwynedd Avenue (Lansdale, PA Quadrangle N: 8.65 inches; W: 0.85 inch) in Lower Gwynedd Township, **Montgomery County**. The applicant will construct 0.25 acre of replacement wetlands. 1. Install and maintain twin 40-foot long, 4-foot high by 9-foot wide, precast concrete box culverts in and along Willow Run beneath the main park entrance roadway (Township Line Road) and to install and maintain a stormwater outfall structure in this area. 2. Install and maintain two 40-foot long, 4-foot high by 9-foot wide, precast concrete box culverts in and along Willow Run to serve as an emergency access roadway to the park. 3. Construct and maintain a 10-foot wide pier supported pedestrian bridge spanning Willow Run. 4. Construct and maintain a 600-foot long circular boardwalk, supported by 4 by 4-inch support posts, impacting 0.06 acre of wetlands. (Mitigation required only for support posts). 5. To construct and maintain 400 feet of Township Line Road within the floodplain of Wissahickon Creek. 6. To install and maintain a split rail fence across wetlands in several locations.

*Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**E54-266.** Encroachment. **Schuylkill Economic Development Corporation**, 91 South Progress Avenue, Pottsville, PA 17901. To place fill in 0.75 acre of PSS wetlands, was in the drainage basin of Pine Creek, for the purpose of developing a 2.76-acre lot for commercial/industrial use. The project is located on Lot No. 4 of the Deer Lake Industrial Park on the south side of T-725 (Pheasant Run Road), approximately 0.2 mile northeast of the intersection of T-72 and S. R. 0061 (Orwigsburg, PA

Quadrangle N: 2.5 inches; W: 9.5 inches), West Brunswick Township, **Schuylkill 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.*

**E06-523.** Encroachment. **Berks County Commissioners**, 633 Court St., Reading, PA 19601. To remove an existing structure and to construct and maintain a bridge having a clear span of 46.5 feet and an underclearance of 9 feet and to fill 0.04 acre of wetlands across the channel of Kershner Creek (WWF) at a point at Woodland Road (T-759) (Hamburg, PA Quadrangle N: 7.75 inches; W: 13.6 inches) for the purpose of replacing a structurally deficient bridge in Windsor Township, **Berks County**. The amount of wetland impact is considered a de minimis impact of 0.04 acre and wetland mitigation is not required.

**E21-288.** Encroachment. **Mt. Zion Associates**, 20 Erford Rd., Lemoyne, PA 17043. To construct and maintain a 31.59-foot by 12.08-foot steel arch bridge over Sears Run to construct Technology Parkway located immediately downstream of I-81 culvert about 3,500 feet south of the I-81 and PA 944 Interchange No. 20 (Harrisburg West, PA Quadrangle N: 5.25 inches; W: 14.66 inches) in Hampden Township, **Cumberland County**.

**E22-398.** Encroachment. **James Foreman**, 6647 Schoolhouse Rd., Hershey, PA 17033. To construct and maintain four 71-inch x 47-inch culverts in the channel of Hoffer Creek at points 2,000, 2,600, 2,900 and 3,200 feet upstream of Colebrook Road for the purpose of accessing building lots (Elizabethtown, PA Quadrangle N: 17.5 inches; W: 15.2 inches) in Conewago Township, **Dauphin County**.

**E22-399.** Encroachment. **HC Partners**, Dennis Goodwin, 1770 E. Market St., York, PA 17402. To impact 0.03 acre of wetlands with a driveway crossing and to excavate in the floodway stormwater management basin at a point upstream of Copperstone Road (Harrisburg East, PA Quadrangle N: 8.75 inches; W: 0.75 inch) in Lower Paxton Township, **Dauphin County**. The permittee will provide 0.05 acre of replacement wetlands.

**E44-096.** Encroachment. **Mifflin County Commissioners**, 20 North Wayne St., Lewistown, PA 17044. To remove an existing bridge and to construct and maintain a single span prestressed spread box beam bridge having a clear span of 103.35 feet and an underclearance of about 9.0 feet across Jacks Creek located on Township Road T-355, Section 000, about 0.23 mile east of its intersection with Township Road.

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

**E59-380.** Encroachment. **Edwin Trask**, 1043 South Main Street, Mansfield, PA 16933. To maintain 8,830 cubic yards of clean fill in the right floodway of the Tioga River located 700-feet north of Canoe Camp Creek's confluence (Mansfield, PA Quadrangle, N: 6.2 inches; W: 9.7 inches) in Richmond Township, **Tioga County**. The project does not propose to place any fill in the channel of the Tioga River.

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

**E04-215.** Encroachment. **Gearhart, Bomberger, Gradet, Tommasone Partnership**, 617 Porterville Road, Ellwood City, PA 16117. To reissue Permit No. E04-215 to construct and maintain a floating dock facility in the channel of and along the right bank of the Ohio River for the purpose of recreational use located at RiverMile 29.3 just upstream from the confluence of the Ohio River and Raccoon Creek (Beaver, PA Quadrangle N: 8.0 inches; W: 14.0 inches) in Industry Borough, **Beaver County**.

**E04-265.** Encroachment. **Borough of New Brighton**, 610 Third Avenue, New Brighton, PA 15066-1893. To construct and maintain a boat dock and outfall channels along the left bank and in the channel of the Beaver River (WWF) to construct and maintain a gabion wall along the left bank of the Beaver River and along the right bank of Blockhouse Run and to dredge the channel of the Beaver River for the purpose of constructing the New Brighton Borough Riverfront Park. The project is located just north of the confluence of the Beaver River and Blockhouse Run (Beaver, PA Quadrangle N: 17.5 inches; W: 7.8 inches) in New Brighton Borough, **Beaver County**.

**E32-399.** Encroachment. **THF/Indian Springs Development, L. P.**, One Highpoint Place, Indiana, PA 15701. To place and maintain fill in 0.19 acre of wetlands (PEM) in an unnamed tributary to McCarthy Run (CWF) for the purpose of construction of a development. The project is located at the intersection of SR 286 and SR 6422 (Indian Springs Road), (Indiana, PA Quadrangle N: 18.9 inches; W: 8.5 inches) in White Township, **Indiana County**. The permittee shall make monetary contribution to the National Fish & Wildlife Foundation Pennsylvania Wetland Project.

**E56-289.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a bridge having a normal clear span of 18.00 meters and an underclearance of 4.56 meters across Laurel Hill Creek (HQ,CWF) located on SR 0031, Section 005, Segment 90, Offset 169M; to construct and maintain a temporary roadway crossing consisting of four 1,800-mm diameter, and to place and maintain rock protection along each abutment. Also, to permanently place and maintain fill in 0.0391 hectare of PSSI/PEM wetlands for the purpose of improving highway safety by widening the bridge and to temporarily place and maintain fill in 0.163 hectare of PSSI wetlands for the purpose of constructing the temporary road crossing (Bakersville, PA Quadrangle N: 6.0 inches; W: 12.2 inches) in Jefferson Township, **Somerset County**. To compensate for the wetland impacts, the applicant will construct 0.0743 hectare of replacement wetlands on an adjoining area.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA26-002SW.** **Yough Walleye Association**, P. O. Box 613, Hopwood, PA 15445. To periodically place limestone sand in the floodway and channel of Tub Run (WWF) and Hall Run (WWF) and their tributaries to allow high flow events to dissolve and distribute the material downstream and in the Youghiogheny River Lake to increase

lake alkalinity. The sites are located north of Rt. 281 (Ohiopyle, PA Quadrangle, N: 5.8 inches; W: 6.4 inches) in Henry Clay Township, **Fayette County**.

**EA03-002SW. Department of the Army, Pittsburgh District—Corps of Engineers, William S. Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186.** To replace deteriorating chamber walls with precast concrete panels, replace erosion protection for the downstream river wall at Lock and Dam 7 and perform scour hole excavation and protection with disposal of the demolition and excavated material in Allegheny River Pool 7. This site is located in the Allegheny River, Mile Marker 45.7 Lock and Dam 7 (Kittanning, PA Quadrangle N: 12.5 inches; W: 42 inches) in East Franklin Township, **Armstrong County**.

## ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

##### (Part I Permits)

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

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

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

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

**Permit No. 5498403.** Sewerage. **Rush Township Sewer Authority**, R. R. 1, Box 1389B, Tamaqua, PA 18252. Permit to extend sewers into adjacent residential sectors around the Hometown area, located in Rush Township, **Schuylkill County**.

*Northcentral Regional Office: 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.*

**NPDES Permit No. PA0020273.** Sewerage. **Milton Municipal Authority**, P. O. Box 150, Milton, PA 17847.

Renewal of NPDES permit to discharge to the West Branch Susquehanna River in West Chillsquaque Township, **Northumberland County**.

**NPDES Permit No. PA0060232.** Sewerage. **U S Army Corps of Engineers, Baltimore District**, RR 1 Box 65, Tioga, PA 16946-9733. Renewal of Tompkins Recreation Area NPDES permit has been granted permission to discharge treated sewage from this facility located at Lawrence Township, **Tioga County**.

**NPDES Permit No. PA0228079.** Sewerage. **Middleburg Municipal Authority**, 13 North Main Street, Middleburg, PA 17842-0415. Permission granted to applicant to discharge treated sewage from facility serving the Village of Kissimmee. Location is Franklin Township, **Snyder County**.

**NPDES Permit No. PA0208914.** Sewerage. **Strick Corporation**, RR 8 Box 281, Danville, PA 17821. Renewal granted to discharge treated sewage from plant serving the domestic wastewater facilities for their trailer fabrication plant in Limestone Township, **Montour County**.

**NPDES Permit No. PA0060208.** Sewerage. **Nelson Township Authority**, P. O. Box 100, Nelson, PA 16940. Renewal granted to discharge treated sewage from their sewage treatment plant serving the Village of Nelson at Nelson Township, **Tioga County**.

**NPDES Permit No. PA0209384, Amendment 1.** Sewerage. **Lawrence Township Municipal Authority**, RR 1 Box 615, Lawrenceville, PA 16829. Amendment granted to establish Total Residual Chlorine limits on monthly average to facility located at Lawrence Township, **Tioga County**.

**NPDES Permit No. PA0008923, Amendment.** Industrial waste. **Corning Asahi Video Product Company**, P. O. Box 9, State College, PA 16801-0009. The Department initiated this amendment to extend the final compliance date for the Water Quality Based Effluent Limits as established in the NPDES permit. The location is College Township, **Centre County**.

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

**NPDES Permit No. PA0221112.** Sewage. **Howard T. Wagner**, 6565 Meadville Rd., Girard, PA 16417-7301, is authorized to discharge from a facility located in Elk Creek Township, **Erie County** to an Unnamed Tributary of Cussewago Creek.

**NPDES Permit No. PA0020257.** Sewage. **Borough of Grove City**, P. O. Box 110, Grove City, PA 16127-0100, is authorized to discharge from a facility located in the Borough of Grove City, **Mercer County** to Wolf Creek.

**NPDES Permit No. PA 0037397.** Sewage. **Municipal Authority of the Borough of Waterford**, P. O. Box 49, 224 East Third Street, Waterford, PA 16441, is authorized to discharge from a facility located in Waterford Borough, **Erie County** to LeBoeuf Creek.

**NPDES Permit No. PA 0222747.** Sewage. **Seagull Cove Treatment Facility Association**, 11986 East Lake Road, P. O. Box 506, North East, PA 16428-0506, is authorized to discharge from a facility located in North East Township, **Erie County** to an unnamed tributary to Lake Erie.

## INDIVIDUAL PERMITS

## (PAS)

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

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

*Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10V025	Wallenpaupack Area School District HC6, Box 6075 Hawley, PA 18428-9045	Pike County Palmyra Township	Wallenpaupack Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10A060-6	Port Authority of Allegheny County 2235 Beaver Avenue Pittsburgh, PA 15233-1080	Allegheny County City of Pittsburgh Carnegie Borough Crafton Borough Roslyn Farms Borough Ingram Borough	Monongahela River Ohio River Chartiers Creek Campbells Run Oakland Run Sawmill Run
PAS10W070	Washington Woods Redevelopment Co., Inc. 13 West Mall Plaza Carnegie, PA 15106	Washington County South Strabane Township	UNT Little Chartiers Creek

## INDIVIDUAL PERMITS

## (PAR)

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**Approvals to Use NPDES and/or Other General Permits**


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

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

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

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems

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

- 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*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Snyder County Penn Township	PAR105915	Richard Yingst Grayson View 7100 Fishing Creek Rd. Harrisburg, PA 17112	Unt. Penns Creek	Snyder County CD 403 West Market St. Middleburg, PA 17842 (570) 837-0007
Carbon County Lower Towamensing Township	PAR-101306-1	Blue Ridge Country Club 2330 Fireline Rd. Palmerton, PA 18071	Fireline Cr. Lehigh River	Carbon CD (610) 377-4894
Lehigh County S. Whitehall Township	PAR-10Q119	Rothrock Motor Sales, Inc. Bruce L. Rothrock, Sr. 15th St. & U.S. Rt. 22 Allentown, PA 18102	Jordan Cr.	Lehigh CD (610) 391-9583
Schuylkill County Foster Township	PAR-105780	CDL Training Facility, IU #29 Schuylkill Intermediate Unit Donald Dillman P. O. Box 130 Mar Lin, PA 17951	Crystal Run to W. Branch of Schuylkill River	Schuylkill CD (570) 622-3742
Schuylkill County N. Manheim Township	PAR-105781	PennDOT District 5-0 S. R. 61 Sect. 135 Roadway Safety Imp. Proj. 1713 Lehigh St. Allentown, PA 18103	Schuylkill River	Schuylkill CD (570) 622-3742
Erie County Girard Borough	PAR10K121	OAS Partnership 306 Shenango Drive Girard, PA 16417	UNT to Lake Erie	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203

*General Permit Type—PAG-3*

*Facility Location*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lehigh County Catasauqua Borough	PAR202205	Fuller County 2040 Avenue C Bethlehem, PA 18017	Lehigh Canal	NERO Water Mgmt. (570) 826-2511
Luzerne County Hazleton City	PAR112216	Dorr-Oliver Inc. 101 Carleton Ave. Hazleton, PA 18201	N/A	NERO Water Mgmt. (570) 826-2511
Susquehanna County Bridgewater Township	PAR222206	Donald Dean & Sons, Inc. P. O. Box 246 Montrose, PA 18801	Snake Creek	NERO Water Mgmt. (570) 826-2511
Lackawanna County Archbald Borough	PAR322201	Casket Shells, Inc. Finishing Plant First St. Eynon, PA 18403	Trib. of Lackawanna River	NERO Water Mgmt. (570) 826-2511

*Facility Location  
County and  
Municipality*

*Permit No.*

*Applicant Name  
and Address*

*Receiving Stream  
or Body of Water*

*Contact Office and  
Telephone No.*

Lackawanna County  
Archbald Borough

PAR322202

Casket Shells, Inc.  
Eynon Plant/Main Plant  
First St.  
Eynon, PA 18403

Trib. of  
Stony Creek

NERO  
Water Mgmt.  
(570) 826-2511

*General Permit Type—PAG04*

*Facility Location  
County and  
Municipality*

*Permit No.*

*Applicant Name  
and Address*

*Receiving Stream  
or Body of Water*

*Contact Office and  
Telephone No.*

Berks County  
Amity Township

PAG043614

Barry C. Templin  
577 Monocacy Hill Road  
Birdsboro, PA 19508

UNT to Monocacy  
Creek

Southcentral Region  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707

Bedford County  
West St. Clair  
Township

PAG043615

Keith L. Leppert  
4062 Cortland Drive  
New Paris, PA 15554

UNT to Dunnings  
Creek

Southcentral Region  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707

Clearfield County  
Bradford Township

PAG044827

Michael Desmett  
Box 80  
Woodland, PA 16881

Jake's Run

Northcentral  
208 W. Third St.  
Williamsport, PA 17701

Union City  
Lewis Township

PAG045053

Gordon G. Fritz  
R. D. 1 Box 334-1  
Mifflinburg, PA 17844

UNT Buffalo Creek

Northcentral  
208 W. Third St.  
Williamsport, PA 17701  
(717) 327-3664

Columbia County  
N. Centre Township

PAG045050

Duane L. Powlus  
RR 5 Box 494  
Bloomsburg, PA 17815

Cabin Run

Northcentral  
208 W. Third St.  
Williamsport, PA 17701  
(717) 327-3664

**SEWAGE FACILITIES ACT  
PLAN APPROVAL**

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

*Regional Office: Water Management Program Manager,  
Southcentral Region, 909 Elmerton Avenue, Harrisburg,  
PA 17110.*

*Location: Cassville Borough, Huntingdon County, 45  
Water Street, Box 34, Cassville, PA 16623.*

Approval plan provides for moving a previously approved STP approximately 1,500 feet downstream to a more suitable location. The previously approved (12/7/94) sewer service area remains unchanged. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Location: East Providence Township, Bedford County,  
P. O. Box 155, Breezewood, PA 15533.*

Approved plan provides for sewer collection system extensions to areas immediately adjacent to and to the northeast and south of Breezewood. The system expansion will include construction of three pump stations and force mains. The remainder of the Township will be addressed by an On-Lot Disposal System (OLDS) Maintenance Ordinance. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any

required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

**Plan revision approval granted for the Cornell/  
Abraxas Juvenile Treatment Facility Land Development,  
New Morgan Borough, Berks County under the Pennsylvania  
Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

*Regional Office: Water Management Program Manager,  
Southcentral Region, 909 Elmerton Avenue, Harrisburg,  
PA 17110-8200.*

*Location: East side I-176, 3 miles north of State Route  
23, New Morgan Borough, Berks County.*

Required NPDES permits or WQM permits must be obtained in the name of the municipality or authority.

Approval of a revision to the Official Plan of New Morgan Borough, Berks County. Project involves a proposal to construct a 180-bed student juvenile treatment facility, known as the "New Morgan Academy" to generate initial sewage flows of 18,000 gallons per day to be disposed of, on an interim basis, to a holding tank permitted by the local agency sewage enforcement officer. Permanent sewage facilities consisting of a pump station, force main and gravity sewers to a 200,000 gallon per day sewage treatment system. Plans to discharge to a tributary of the Conestoga Creek will be constructed in accordance with the implementation schedule included as Appendix A in the planning module and consistent with the "Sewage Facilities Agreement" made February 16, 1999, between Cornell Corrections, Inc. and the Borough of New Morgan. The plan also provides for expansion of

New Morgan Academy for 100 additional students (10,000 gpd) at some time following completion of the 200,000 gpd sewage treatment plant. The project name is Cornell/Abraxas Juvenile Treatment Facility and the DEP Code No. is A3-06814-007-2/3.

**Plan revision approval granted March 12, 1999 under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

*Regional Office: Water Management Program Manager, Southcentral Regional, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Location: Lititz Borough, Lancaster County, 7 South Broad Street, Lititz, PA 17543; and Warwick Township, Lancaster County, 315 Clay Road, Lititz, PA 17543.*

The proposed development is located on the south side of Newport Road, approximately 1.5 miles east of S. R. 0501, Warwick Township and Lititz Borough, Lancaster County.

The approved project consists of a 119 lot residential subdivision. Forty-three lots are located in Warwick Township and 76 lots are located in Lititz Borough. The proposed method of sewage disposal is to connect to two existing public gravity systems that exist along the perimeter of the site. The gravity line located to the south of the site is owned and operated by Lititz Borough and the gravity system to the east of the site is owned and operated by Warwick Municipal Authority. Both systems connect to the Lititz Run interceptor. The total sewage flows of 47,600 gallons per day (gpd) of wastewater will be treated by the Lititz Area Sewage Treatment Plant.

Required NPDES permits or WQM permits must be obtained in the name of the municipality or authority.

**SAFE DRINKING WATER**

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

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

**Permit No. 4088528. County Estate Mobile Home Park, R. R. 4, Box 4270, Berwick, PA 18603, Oley F. Bowman, Caretaker.** Permit reissued. It is located in Salem Township, **Luzerne County**. Construction permit reissued on February 24, 1999.

**Permit No. 4898505.** Public water supply. **Lehigh Township Municipal Authority**, 1069 Municipal Road, Walnutport, PA 18088. This proposal involves a DE filter, storage reservoir/clear well, hypochlorite disinfection system, pH adjustment and orthophosphate corrosion control treatment. It is located in Lehigh Township, **Northampton County**. Construction permit issued on February 24, 1999.

**Permit No. 5298505.** Public water supply. **Water Flow Pike, Inc.**, Barry Newcomer, HCR, Box 202, Paupack, PA 18451. This proposal involves reissuance of a PWS Construction Permit which was originally issued on March 25, 1996. It is located in Palmyra Township, **Pike County**. Construction Permit issued on February 24, 1999.

**Operations Permit** issued on March 8, 1999, to **Peifer Brothers**, Union Township, **Schuylkill County**.

**Operations Permit** issued on March 5, 1999, to **Getz Personal Care Home**, Polk Township, **Monroe County**.

**Operations Permit** issued on February 25, 1999 to **Finch Hill Mobile Home Park**, Greenfield Township, **Lackawanna County**.

**Operations Permit** issued on February 25, 1999, to **Lehman-Pike Development Corporation**, Lehman Township, **Pike County**.

**Operations Permit** issued on February 23, 1999, to **Bethlehem Authority**, Lehigh Township, **Northampton County**.

**Operations Permit** issued on February 22, 1999, to **Hazleton City Authority Water Department**, Hazleton City, **Luzerne County**.

**Operations Permit** for a Minor Amendment issued on February 22, 1999, to **Hazleton City Authority Water Department**, Hazleton City, **Luzerne County**.

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

**Permit No. 6399502.** Public water supply. **Pennsylvania-American Water Company**, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317.

*Type of Facility:* Modifications to the chemical feed systems at the E. H. Aldrich Water Treatment Plant.

*Permit for Construction Issued:* March 11, 1999.

**Permit No. 5026048.** Public water supply. **Polar Water Company**, 45 West Noblestown Road, Carnegie, PA 15106.

*Type of Facility:* Improvements to the existing bottled water plant.

*Permit for Construction Issued:* March 11, 1999.

**Permit No. 6594504-T1.** Public water supply. **Westinghouse Electric Company LLC**, 4350 Northern Pike, Pittsburgh, PA 15146.

*Type of Facility:* Change of ownership of the Speciality Metals Plant.

*Permit for Operation Issued:* March 16, 1999.

**Permit No. 3279503-A2:** Public water supply. **Indiana County Municipal Services Authority**, P. O. Box 351, Indiana, PA 15701.

*Type of Facility:* Chlorine residual analyzer.

*Permit for Operation Issued:* March 17, 1999.

**Permit No. 3284503-A1.** Public water supply. **Indiana County Municipal Services Authority**, P. O. Box 351, Indiana, PA 15701.

*Type of Facility:* Water storage tank at the Arcadia System.

*Permit for Operation Issued:* March 17, 1999.

**Permit No. 3284502-A1.** Public water supply. **Indiana County Municipal Services Authority**, P. O. Box 351, Indiana, PA 15701.

*Type of Facility:* Water storage tank at the Creekside System.

*Permit for Operation Issued:* March 17, 1999.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program Manager 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:

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

**Ray Brady Residence**, St. Clair Boro, **Schuylkill County**. Arthur J. Raymond, R.A. West Associates, 865 South Eagle Road, Suite 359, Newton, PA 18940, has submitted a Final Report (on behalf of his client, Ray Brady, 41 Ann Street, East Mines, PA 17901) concerning the remediation of site soils found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended 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.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the

*Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediations Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a plan or 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:

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

**James Meilinger Property**, Bethlehem Township, **Northampton County**. Terrence A. Shannon, President, Synergist, Inc., 10 Enterprise Drive, Carbondale, PA 18407, has submitted a Final Report (on behalf of his client, Nancy Meilinger, 1375 Van Buren Road, Easton, PA 18045) concerning the remediation of site soils found to have been contaminated with lead. The report demonstrated attainment of the Statewide human health standard and was approved by the Department on March 18, 1999.

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

**PP&L Distribution Pole 33817S26828**. East Donegal Township, **Lancaster County**. PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179, has submitted a final report concerning the remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on January 7, 1999. This corrects a previous *Pennsylvania Bulletin* notice.

**PP&L Distribution Pole 26142S34603**. Lower Paxton Township, **Dauphin County**. PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179, has sub-

mitted a final report concerning the remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on January 7, 1999. This corrects a previous *Pennsylvania Bulletin* notice.

**Thompstontown Decommissioned Substation.** Thompstontown Borough, **Juniata County.** PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179, has submitted a final report concerning the remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on March 2, 1999.

**Osram Sylvania Products,** West Manchester Township, **York County.** Osram Sylvania Products, 1128 Roosevelt Avenue, York, PA 17404, has submitted a final report concerning the remediation of site soils contaminated with solvents. The final report demonstrated attainment of the site-specific standard, and was approved by the Department on March 8, 1999.

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

**Damascus Bishop Tube Company,** Munhall Borough, **Allegheny County.** Damascus Bishop Tube Company, 795 Reynolds Industrial Park Road, Greenville, PA 16125 and Steve McGuire, Chester Engineers, Inc., 600 Clubhouse Drive, Moon Township, PA 15108, have submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, solvents, BTEX, PHCs and PAHs. The Baseline Environmental Report was approved by the Department on March 2, 1999. The report delineates contamination existing onsite and will be the basis for any site remediation necessary under a Consent Agreement using the special industrial area requirements.

**Former Sears Roebuck Automotive Center and Retail Store No. 1054,** City of Pittsburgh (East Liberty neighborhood) **Allegheny County.** John E. Coyne, Urban Redevelopment Authority (URA) of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 and Scott M. DeMuth, Sears, Roebuck and Company, Department 824 EV, A2-245A, 3333 Beverly Road, Hoffmann Estates, IL 60179 have submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX, PHCs and PAHs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on March 10, 1999.

**ARCO Chemical Company/Beazer East, Inc., Beaver Valley Plant (East Landfill Area),** Potter Township, **Beaver County.** Thomas J. Walsh, ARCO Chemical Company, 3801 West Chester Pike, Newtown Square, PA 19073 and Beazer East, Inc., One Oxford Center, Suite 3000, Pittsburgh, PA 15219, have submitted a Final Report concerning remediation of site soil, groundwater and sediment contaminated with lead, BTEX, heavy metals, PHCs, PAHs and C8+HC. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on February 24, 1999.

**Arco Chemical Company/Beazer, Inc., Beaver Valley Plant, Raccoon Creek Area,** Potter Township, **Beaver County.** Arco Chemical Company, Thomas J. Walsh, 3801 West Chester Pike, Newtown Square, PA 19073 and Beazer East, Inc., One Oxford Centre, Suite 3000, Pittsburgh, PA 15219, have submitted a final report concerning remediation of site soil, groundwater and

sediment contaminated with lead, BTEX, heavy metals, PHCs, PAHs and C8+HC. The final report demonstrated attainment of the site-specific standard and was approved by the Department on March 15, 1999.

## AIR QUALITY OPERATING PERMITS

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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.**

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

**GP4-36-03091: Dodge-Regupol, Inc.** (P. O. Box 989, Lancaster, PA 17608) authorized use of a general permit for a natural gas fired burn off oven in Lancaster, **Lancaster County.**

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

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

**OP-09-0039: Atlas Roofing Corp.** (60 Pacific Drive, Quakertown, PA 18951) issued March 10, 1999, for operation of a Facility VOC/NO<sub>x</sub> RACT in Richland Township, **Bucks County.**

**OP-46-0024: McNeil Consumer Healthcare** (7050 Camp Hill Road, Fort Washington, PA 19428) issued March 18, 1999, for operation of a Facility VOCs/NO<sub>x</sub> RACT in Whitmarsh Township, **Montgomery County.**

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**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-15-0031: Monsey Products Company** (Cold Stream Road, Kimberton, PA 19442) issued March 15, 1999, for Facility NO<sub>x</sub>/VOCs RACT in East Pikeland Township, **Chester County.**

**46-318-038: Moyco Technologies, Inc.** (200 Commerce Drive, Montgomery, PA 18936) issued March 15, 1999, for a surface coating operation in Montgomery Township, **Montgomery County.**

**OP-15-0014A: Norwood Industries, Inc.** (57 Morehall Road, Frazer, PA 19355) issued March 15, 1999, for Facility VOC/NO<sub>x</sub> RACT in East Whiteland Township, **Chester County.**

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

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

**12-399-004C: Pennsylvania Sintered Metals, Inc. d.b.a. Brown Co. Powder Products** (P. O. Box 308, Emporium, PA 15834) issued March 15, 1999, to increase the maximum allowable Acrawax content of powdered metal parts processed through a sintering furnace from .75% to 1.5% in Emporium Borough, **Cameron County**.

**08-318-023C: Rynone Mfg. Corp.** (P. O. Box 128, Sayre, PA 18840) issued March 12, 1999, to relax a prior prohibition on the materials to be used in simulated marble top vanity top production operations by allowing the use of materials "otherwise approved by the Department in writing prior to use" in Sayre Borough, **Bradford County**.

#### PLAN APPROVALS

**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.**

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

**66-320-001: Procter and Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) issued March 1, 1999, for construction of a rotogravure printing press in Washington Township, **Wyoming County**.

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

**05-310-010D: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) issued March 17, 1999, for modification of the Aschom Crushing Plant controlled by wet suppression in Snake Spring Township, **Bedford County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

**06-3001A: Unicast Co.** (241 Washington Street, Boyertown, PA 19512) issued March 19, 1999, for construction of the automatic molding and pouring lines at an existing gray iron foundry and the modification of an existing fabric collector in Boyertown, **Berks County**.

**06-312-009C: Scranton-Altoona Terminals Corp.** (P. O. Box 2621, Harrisburg, PA 17105) issued March 21, 1999, for modification of the bulk gasoline terminal controlled by internal floating roofs and a vapor recovery system in Sinking Spring, **Berks County**. These sources are subject to 40 CFR 60, Subpart XX, Standards of Performance for New Stationary Sources.

**36-05019B: Grinnell Corp.** (1411 Lancaster Avenue, Lancaster, PA 17512) issued March 16, 1999, for construction of foundry operations at the Columbia Plant in Columbia Borough, **Lancaster County**.

**36-318-156A: Premier Custom Built, Inc.** (110 Short Street, New Holland, PA 17557) issued March 21, 1999, for installation of two dry panel filter booths and associated equipment in East Earl Township, **Lancaster County**.

**67-02014A: York Group, Inc./York Casket Co. Division** (2880 Blackbridge Road, York, PA 17402) issued March 21, 1999, for modification of a wiping stain and fill booth controlled by a hybrid concentrator catalytic incinerator in Manchester Township, **York County**.

**38-05019. AES Ironwood, L.L.C.** (829 Cumberland Street, Lebanon, PA 17042) issued March 29, 1999, for

the installation of a combined-cycle turbine electric generating station in South Lebanon Township, **Lebanon County**. The application was originally submitted under the name AES Ironwood, Inc. The proposed facility is subject to the following regulatory requirements:

New Source Review (NSR)  
Prevention of Significant Deterioration (PSD)  
NOx Emissions Budget Program  
New Source Performance Standards (Subparts GG and Kb)  
Title IV Acid Rain Program  
Best Available Technology (25 Pa. Code Chapter 127)

The emissions control systems for the facility include:

Dry, Low-NOx, Lean-burn Combustion for NOx Control  
Selective Catalytic Reduction (SCR) for NOx Control  
Water Injection for NOx Control during Oil-firing  
Oxidation Catalyst for CO and VOC Control  
Cooling Tower Drift Eliminators

**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.**

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

**21-02005A: Pennsylvania Department of Corrections/SCI Camp Hill** (P. O. Box 598, Camp Hill, PA 17001) granted March 18, 1999, to authorize temporary operation for three boilers controlled by a baghouse, covered under this Plan Approval until July 15, 1999, in Lower Allen Township, **Cumberland County**.

**36-310-023D: Compass Quarries, Inc.** (47 McIlvaine Road, Paradise, PA 17562) granted March 19, 1999, to authorize temporary operation for a limestone milling plant, covered under this Plan Approval until July 16, 1999, in Paradise Township, **Lancaster County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

## 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 Permits Issued*

**32970103.** Permit Revision, **Kent Coal Mining Company** (P. O. Box 219, Shelocta, PA 15774), a variance to mine thru and reconstruct an unnamed tributary to Marshall Run in Young and Conemaugh Townships, **Indiana County**, affecting 113.0 acres, receiving stream Marshall Run and unnamed tributaries to Marshall Run. Application received January 25, 1999; issued March 15, 1999.

**05773002.** Permit Renewal, **Dash Coal Company, Inc.** (R. D. 2, Box 55-A, Dunbar, PA 15431), continued operation and restoration of bituminous strip mine in Broadtop Township, **Bedford County**, affecting 254.1 acres, receiving stream unnamed tributary to Shreves Run; unnamed tributary to Six Mile Run; Six Mile Run; and Shreves Run. Application received January 12, 1999; issued March 15, 1999.

**11940103.** Permit renewal for Reclamation only, **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701), for continued restoration of a bituminous strip mine in Jackson Township, **Cambria County**, affecting 227.3 acres, receiving stream Laurel Run and tributaries to Laurel Run. Application received March 16, 1999; issued March 16, 1999.

**32890104.** Permit Renewal for Reclamation only, **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), for continued restoration of a bituminous strip mine in West Wheatfield Township, **Indiana County**, affecting 119.0 acres, receiving stream Ramsey Run to Blacklick Creek to Two Lick Creek to the Conemaugh River. Application received March 12, 1999; issued March 16, 1999.

**32890106.** Permit Renewal for Reclamation only, **M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701), for continued restoration of a bituminous strip mine in Green Township, **Indiana County**, affecting 143.8 acres, receiving stream North Branch Two Lick Creek, Pompey Run, unnamed tributaries to Pompey Run. Application received March 12, 1999; issued March 16, 1999.

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

**03980104.** **Dutch Run Coal, Inc.** (R. D. 2, Shelocta, PA 15774). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in West Franklin and Sugarcreek Townships, **Armstrong County**, affecting 51.3 acres. Receiving streams: an unnamed tributary to Patterson Creek and also to Patterson Creek itself. Application received: June 25, 1998. Permit issued: March 16, 1999.

**63840102R.** **Pennweir Construction Company** (401 Pennsylvania Avenue, Weirton, WV 26062). Permit renewal issued for continued reclamation only of a bituminous surface/auger/refuse disposal mine located in Jefferson Township, **Washington County**, affecting 267.89 acres. Receiving streams: unnamed tributaries to Scott and Parnar Runs to Cross Creek to Ohio River. Application received: February 2, 1999. Reclamation only renewal issued: March 17, 1999.

**26783002R.** **T. L. Hill Coal Company** (R. D. 3, Box 690A, Uniontown, PA 15401). Permit renewal issued for continued operation and reclamation of a bituminous surface mine located in Georges Township, **Fayette County**, affecting 56.9 acres. Receiving streams: York

Run to Georges Creek to the Monongahela River. Application received: December 10, 1998. Renewal issued: March 17, 1999.

**65920108R.** **Bituminous Processing Co., Inc.** (P. O. Box 810, McMurray, PA 15317). Permit renewal issued for continued reclamation only of a bituminous surface mine located in South Huntingdon Township, **Westmoreland County**, affecting 91.8 acres. Receiving streams: Hunters Run to Sewickley Creek to the Youghiogheny River. Application received: April 6, 1998. Reclamation only renewal issued: March 17, 1999.

**03960104.** **Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Permit revised to allow mining within 100 feet of an unnamed tributary E to Lindsay Run and addition of two sedimentation ponds at an existing bituminous surface/auger mining site located in South Bend Township, **Armstrong County**, affecting 154.6 acres. Receiving streams: Lindsay Run. Application received: December 18, 1998. Revision issued: March 22, 1999.

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

**33930111.** **Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201). Renewal of an existing bituminous strip and auger operation in Young, Bell and McCalmont Townships, **Jefferson County** affecting 213.4 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributaries to Elk Run. Application received: January 29, 1999. Permit Issued: March 15, 1999.

**24900102.** **Energy Resources, Inc.** (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous strip, auger and tippel refuse disposal operation in Fox and Horton Townships, **Elk County** affecting 143.0 acres. This renewal is issued for reclamation only. Receiving streams: Brandy Camp Creek and Unnamed tributary to Little Toby Creek. Application received: February 1, 1999. Permit Issued: March 15, 1999.

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

**56831602.** **Reitz Coal Co.** (509 15th St., Windber, PA 15963), to revise the permit for the Reitz No. 4 Preparation Plant in Shade Township and Central City Borough, **Somerset County**, postmining land use change from forestland to commercial/industrial no additional discharges. Permit issued March 9, 1999.

**63831601.** **Champion Processing, Inc.** (P. O. Box 1073, Coraopolis, PA 15108), to revise the permit for the Champion Prep Plant in Robinson Township, **Washington County** to add 10 permit acres, no additional discharges. Permit issued March 9, 1999.

**56951301.** **RoxCoal, Inc.** (P. O. Box 149, Friedens, PA 15541), to renew the permit for the Agustus Mine in Shade Township, **Somerset County** to add haulroad to surface site, no additional discharges. Permit issued March 10, 1999.

**56911302.** **RoxCoal, Inc.** (P. O. Box 149, Friedens, PA 15541), to revise the permit for the Long T Mine in Stoneycreek Township, **Somerset County** to add surface area for an additional treatment pond and pressure relief borehole, no additional discharges. Permit issued March 10, 1999.

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

**54970104. Harriman Coal Corporation** (978 Gap Street, Valley View, PA 17983), commencement, operation and restoration of an anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 708.0 acres, receiving stream—none. Permit issued March 19, 1999.

*Knox District Office, P. O. Box 669, Knox, PA 16232.  
Small Noncoal (Industrial Minerals) Permits Issued*

**16982806. Thomas Stehle** (R. D. 1, Shippenville, PA 16254). Commencement, operation and restoration of a small noncoal sandstone operation in Paint Township, **Clarion County** affecting 2.7 acres. Receiving streams: None. Application received: August 26, 1998. Permit issued: March 12, 1999.

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

**28992801. R & D Contractors** (5436 Sunset Pike, Chambersburg, PA 17201), commencement, operation and restoration of a small quarry operation in Letterkenny Township, **Franklin County** affecting 5.0 acres, receiving stream—none. Permit issued March 16, 1999.

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

*Noncoal Permits Issued*

**26980601. Commercial Stone Company, Inc.** (2200 Springfield Pike, Connellsville, PA 15425-9503). Permit issued for commencement and operation of a large noncoal (limestone) surface mining operation located in Bullsken Township, **Fayette County**, affecting 466 acres. Receiving streams: unnamed tributary to Breakneck Run, to Whites Run, to Mounts Creek, to Youghiogheny River. Application received: May 15, 1998. Permit issued: March 22, 1999.

## **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.)

*Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.*

**E54-261. Encroachment. Pine Grove Girls Softball Association**, R. R. 4, Box 608, Pine Grove, PA 17963. To construct and maintain two softball fields in the floodway of Swatara Creek, with work including the following: (1) regrading to provide a level surface, (2) placement of 4 inches of stone and 4 inches of sand within the infield areas, (3) construction of two dugouts, and (4) construction of chain link fences around one field and near the infield of the other field. The project is located on the east side of S. R. 0125 (Tulpehocken Street), approximately 0.25 mile south of the intersection of S. R. 0125 and S. R. 3002 (Pine Grove, PA Quadrangle N: 10.5 inches; W: 2.5 inches), in Pine Grove Borough, **Schuylkill County**.

**E40-477. Encroachment. William J. Hayes and Patricia A. Hayes**, 31 East Black Horse Pike, Williamstown, NJ 08094. To construct and maintain a floating dock, extending approximately 78 feet from the shoreline and having a total areal coverage of approximately 930 square feet, in Harveys Lake. The project is located at Pole No. 191, Lakeside Drive (Harveys Lake, PA Quadrangle N: 20.4 inches; W: 7.8 inches), in Harveys Lake Borough, **Luzerne County**.

**E39-357. Encroachment. Township of Whitehall**, 3219 MacArthur Road, Whitehall, PA 18052-2900. To remove the existing structure and to construct and maintain dual 18-foot x 6-foot, 3-sided concrete box culverts in Coplay Creek. The project, associated with the Columbia Street Bridge Project, is located at the intersection of Columbia Street and Coplay Creek (Cementon, PA Quadrangle N: 7.7 inches; W: 1.5 inches) in Whitehall Township, **Lehigh County**.

**E48-276. Encroachment. City of Bethlehem**, 10 East Church Street, Bethlehem, PA 18018. To remove the existing structure including 115 feet of an existing stone masonry retaining wall and a 470 C. Y., 275-foot long silt and sediment deposit along the western streambank and to construct and maintain a two-span prestressed concrete spread box beam bridge, known as Paint Mill Bridge, having normal spans of approximately 30.1 feet and an average underclearance of approximately 6.5 feet across Monocacy Creek. A 42-inch R.C.P. stormwater outfall through the western abutment and a 36-inch R.C.P. downstream of the eastern abutment are also proposed. The project is located along S. R. 3017 (Schoenersville Road), approximately 130 feet downstream of the existing bridge (Catasauqua, PA Quadrangle N: 1.5 inches; W: 1.8 inches) in the City of Bethlehem, **Lehigh and Northampton Counties**.

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

**E01-203. Encroachment. Latimore Township**, Dave Myers, P. O. Box 218, York Springs, PA 17372. To remove

an existing structure and to construct and maintain a concrete box culvert having a clear span of 22 feet and a minimum underclearance of 3.25 feet over Latimore Creek (CWF) on T-639, Bushy School Road and to place fill in a de minimis area of wetlands equal to 0.003 acre at the same location (Dillsburg, PA Quadrangle N: 9.0 inches; W: 3.5 inches) in Latimore Township, **Adams County**. This permit also includes 401 Water Quality Certification.

**E07-304.** Chapter 106—Floodplain Management. **Tyrone Borough**, 1100 Logan Avenue, Tyrone, PA 16686. To construct and maintain two aeration tanks and two final clarifiers in the floodplain of the Little Juniata River (TSF) as part of additions and alterations to the Tyrone Borough Wastewater Treatment Plant located about 1.0 mile west of the I-99 Interchange at Tyrone (Tyrone, PA Quadrangle N: 7.0 inches; W: 13.3 inches) in Snyder Township, **Blair County**. This permit was issued under Chapter 106 Floodplain Management.

**E28-236.** Encroachment. **R. A. Hill, Inc**, 1364 Lincoln Way East, Chambersburg, PA 17201. To place fill material in a 0.33 acre of wetland to construct a road of a proposed housing development located just east of T-480 (Chambersburg, PA Quadrangle N: 13.9 inches; W: 8 inches) in Hamilton Township, **Franklin County**. The applicant is required to provide 0.33 acre replacement wetland.

**E28-264.** Encroachment. **DCNR**, P. O. Box 8451, Harrisburg, PA 17105. To remove the existing structure and to construct and maintain a 14-foot by 6-foot concrete box culvert with 1-foot deep concrete fish baffles in the channel of Furnace Run (CWF) on Linsay Lot Road located immediately downstream of Shippensburg reservoir (Scotland PA Quadrangle N: 20.8 inches; W: 0.25 inch) in Southampton Township, **Franklin County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E34-089.** Encroachment. **Twin Boroughs Sanitary Authority**, Barbara Geedey, P. O. Box 118, Mifflin, PA 17058. To expand an existing waste water treatment plant along the channel of the Juniata River at a point approximately 2,200 feet downstream of Route 35 (Mifflintown, PA Quadrangle N: 11.4 inches; W: 4.0 inches) in Milford Township, **Juniata County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-645.** Encroachment. **Kinsley Equities II, New Brittany Residential Development**, R. D. 1, Box 131AA, Seven Valleys, PA 17360. To place a new deck slab (16 inches in depth) on top of the existing deteriorated concrete bridge over an unnamed tributary to the Little Conewago Creek (Trout Stocked Fishery) on the Heindel, Schriver, Bentz and Mickley Tract (West York, PA Quadrangle N: 22.2 inches; W: 5.8 inches) in Manchester Township, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-649.** Encroachment. **Burd, Lebo and Reed Partnership**, 209 South Sporting Hill Road, Mechanicsburg, PA 17055. To realign approximately 210 linear feet of an unnamed tributary to North Branch Bermudian Creek

(WWF) and place a 3 foot high by 11 foot wide concrete intake structure within the realigned section for the purpose of providing an agricultural supply to Pond Number 1 located northwest of Clear Spring Road adjacent to Union Church Road (Dillsburg, PA Quadrangle N: 12.7 inches; W: 12.7 inches) in Franklin Township, **York County**. This permit also includes 401 Water Quality Certification.

**E67-653.** Encroachment. **PA Department of Transportation**, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove an existing structure and to construct and maintain a concrete spread box beam bridge having a single clear span of 38 feet, 3 inches and a minimum underclearance of 5 feet, 5/8 inch over Tyler Run on South George Street (SR 3001, Section 004) north of Duke Street (York, PA Quadrangle N: 14.5 inches; W: 14.8 inches) in Spring Garden Township, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E53-317.** Encroachment. **Larry Kio**, R. R. 3, Box 107FB, Coudersport, PA 16915. To excavate into 0.25 acre of palustrine emergent wetlands for the purpose of constructing a 1 acre recreational pond. In addition, encroachments constructed without permit authorization in the vicinity of the pond and the floodway of First Fork, Sinnemahoning Creek, will be restored. To compensate for impact and to fulfill requirements relative to activities conducted without a permit, the permittee will construct 0.5 acre of onsite replacement wetlands. The project site is located near the mouth of Nestor Hollow, approximately 2.7 miles northeast of the Village of Costello (Austin, PA Quadrangle N: 0.1 inch; W: 4.0 inches) in Sylvania Township, **Potter County**.

**E26-251.** Encroachment. **North Fayette County Municipal Authority**, University Drive, Box 368 Ranch Road, Dunbar, PA 15431. To construct and maintain a 30-foot by 20-foot concrete apron (top of the concrete apron at the original stream bed elevation) across Mountain Creek (CWF-stocked) for the purpose of access to water tanks. Also, to construct and maintain a 24-inch PVC Transmission Water Line under the bed of said stream at the crossing. The project is located at a point approximately 500 feet south of T-375, and 600 feet east of S. R. 857 (Smithfield, PA Quadrangle N: 8.45 inches; W: 2.1 inches) in Georges Township, **Fayette County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

## STORAGE TANKS

### SITE SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site Specific Installation Permit under the authority of the Storage Tank and Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—1102) and 25 Pa. Code Chapter 245, Subchapter C has been issued by the Bureau of Watershed Conservation, Director, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-5267.

SSIP  
Permit No.  
99-43-001

*Applicant Name  
and Address*  
Ergon Trucking, Inc.  
P. O. Box 1639  
Jackson, MS 39215-1639

*County and  
Municipality*  
Mercer County  
East Lackawannock  
Township

*Tank Type and  
Capacity*  
3 AST's, 37,800 each  
Storing crude oil

## SPECIAL NOTICES

### Notice of Public Hearing

The Department of Environmental Protection has scheduled a public hearing to receive testimony and comments on the proposed 102 Individual NPDES permit for construction activities at the Church of Saint Benedict expansion project in Robeson Borough, Berks County. Construction of the proposed project will result in a stormwater discharge to the Hay Creek watershed. Available information indicates that Hay Creek has an existing use of High Quality. The designated use of High Quality has been proposed to be amended to Exceptional Value by the Environmental Quality Board (27 Pa.B. 4094). The hearing will be held on Wednesday, May 12, 1999, beginning at 7 p.m. at the Robeson Township, Municipal Office, R. D. 4, Birdsboro, PA.

Persons intending to testify at the hearing should register by Friday, May 7, 1999, by calling Karen Sitler at (717) 705-4904. Persons unable to attend the hearing may submit written comments regarding this action to DEP before May 26, 1999, by mailing them to Karen Sitler at 909 Elmerton Avenue, Harrisburg, PA 17110. If no person registers to present oral comments by May 7, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should also contact Karen Sitler at the same number.

All testimony should be to the point. Each individual will have up to 10 minutes for his/her presentation. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the proceedings.

An appointment may be scheduled to review the permit application at the Southcentral Regional Office in Harrisburg by contacting Mary DiSanto at (717) 705-4732 between the hours of 8 a.m. and 4 p.m., Monday through Friday.

Persons with a disability who wish to attend the hearing but require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact the Department for assistance. TDD users may use the AT&T Relay Service at (800) 654-5984.

[Pa.B. Doc. No. 99-541. Filed for public inspection April 2, 1999, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Design Professional Selections

The Selections Committee for the Department of General Services will meet to consider selections of Design Professionals for the following projects:

**Project No. DGS 141-7 Phase 3**—Visitor Center, Delaware Canal Improvement Program, Delaware Canal State Park, Bucks County, PA. Construction Cost: \$2,500,000. The scope of work includes, but is not limited to, demolition of existing structure; construction of new visitor center which will include office/administrative space, classroom/meeting room, reception/display area, bathrooms and storage area. Also included are: utility connections to existing systems, new parking area with improved access and outdoor lighting.

**Project No. DGS 406-53**—Renovation of Memorial Auditorium, Edinboro University, Edinboro, Erie County, PA. Construction Cost: \$1,694,000. The scope of work includes, but is not limited to, replacement of the heating/ventilation system (possible conversion from electric to natural gas); possible addition of A/C; replace electrical distribution panels; replace lighting systems in building and stage area; replace auditorium seating; restoration/preservation of ceiling mural; renovate projection booth; improve projection/sound/voice/video/data wiring; repoint masonry; caulk exterior joints; replace doors/windows and repair roof parapet.

**Project No. DGS 410-49**—Renovation/Replacement of Belknap Hall and Retan Center, Mansfield University, Mansfield, Tioga County, PA. Construction Cost: \$4,000,000. The scope of work includes, but is not limited to, renovations to Belknap Hall including heating and associated control systems, installation of A/C system, repairs to plumbing system and provisions for office space. The Retan Center renovations include improved instructional space including a lecture hall and faculty offices, utility upgrades and appropriate HVAC systems necessary for year round instruction.

**Project No. DGS 513-27**—Renovate Building No. 7, Torrance State Hospital, Torrance, Westmoreland County, PA. Total Construction Cost: \$2,150,000. The scope of work includes, but is not limited to, installation of new HVAC system; window replacement; bathroom renovations; exterior fence including sally port; installation of door locking system, closed circuit security system and smoke detection system; transformer upgrade and installation of exterior lighting.

**Project No. DGS 971-5**—Construction of Visitor Center, Pennsbury Manor, Morrisville, Bucks County, PA. Total Construction Cost: \$2,500,000. The scope of work includes, but is not limited to, demolition of existing center and construction of a new building including parking, landscaping, sewage disposal system, electrical water supply system and plumbing. See Special Note Under Requirements and Information section regarding Design Expertise.

### Requirements and Information

#### Special Note

Firms applying for Project No. DGS 971-5 should note that archaeology may be required and must retain an experienced archaeologist to perform this work.

*Note—Project Program*

A Project Program, prepared by the Using Agency, for the above advertised projects may be available and can be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, PA 17125, (717) 783-8468.

*Instructions for Filing Application**Please Be Advised:*

Design firms which may have downloaded the Form 150-ASP from our Home Page on the Internet, prior to February 18, 1999, are advised to download again. In addition to updated Navigating Instructions, there have been minor adjustments made to entry field areas. These adjustments, made to entry field areas only, were made for the convenience of design firms.

Professionals will not be considered by the Committee until all of the following requirements are met.

(a) Signed Form 150-ASP must be filed with the Department of General Services. The signature on Form 150-ASP must be an original signature. Consultants listed on the requesting professional firm's application, Form 150-ASP shall be deemed to be designated key consultants. Form 150-ASP, Application For Specific Project, may be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, PA 17125, (717) 783-8468. The Form 150-ASP can be downloaded from the Department of General Services Internet Home Page at <http://www.dgs.state.pa.us/cnprs.htm>. In addition, the Form 150-ASP can be obtained by means of e-mail by addressing a request to: [pbianchi@exec.gsinc.state.pa.us](mailto:pbianchi@exec.gsinc.state.pa.us).

(b) The requesting professional firm shall obtain from each consultant listed in Question 9, page 4 of the requesting professional firm's application (Form 150-ASP) a signed letter of certification on the consultant's letterhead, attesting to the firm's consent to participate in the requesting professional firm's application (Form 150-ASP) for the specific project. Signed letters of certification from consultants are required and constitute a part of the requesting professional firm's application (Form 150-ASP) for the specific project. The signature on the letter of certification must be an original signature.

(c) The requesting professional firm must submit six copies of Form 150-ASP, Application for Specific Project, for each project herein advertised in which the firm is interested and qualified to perform. At least one of the six copies submitted must contain all original signatures. For architectural projects and, when appropriate, for engineering projects, the professional shall supply photographs showing a maximum of two different views of each of the three relevant projects described in Question 12, Pages 7 through 9 of the application (Form 150-ASP). The requesting professional firm or joint venture firm must be the Professional of Record for the projects described in Question 12, Pages 7 through 9 of the application (Form 150-ASP). It is not acceptable to list work performed by key consultants. The identification and appropriate supportive information concerning each photograph shall include the name, project title, location and the name of the Professional of Record. Color Xerox copies are acceptable, however, renderings and brochures will not be accepted in lieu of photographs. The photographs shall be attached to each copy of the application, (Form 150-ASP). The pages of each copy of Form 150-ASP must be stapled with photographs and consultant's letters of certification followed by the resumes of key personnel (listed in Question 10 and/or 11 on Pages 5 and/or 6) included as

the last section of the application. Do not bind the application (Form 150-ASP) in any way to any other documentation. Do not bind the application (Form 150-ASP) in a binder of any type.

(d) A complete project submission, which consists of documents described in paragraphs (a), (b) and (c) above, must be received on or before the close of business (5 p.m.) Friday, April 23, 1999, and addressed to the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, PA 17125. Fax applications are not acceptable.

Project submissions must be made on the Form 150-ASP. Applications submitted on any other form are unacceptable and will not be considered by the Committee.

(e) The Selections Committee may at its discretion establish interviews with any or all of the professionals who have requested consideration for appointment as designer for the above projects. If an interview is required, the professional will be notified by the Committee as to the date, time and location.

(f) Additional information, in writing, may be requested by the Committee as required.

*Additional Services—Indoor Air Quality Assessment Program and Hazardous Materials*

The professional firm selected to design a project will be expected to perform and administer, when required by the Department as Additional Services, an Indoor Air Quality Assessment Program during Building or Renovation Commissioning and the sampling, testing, inspection and monitoring for removal of any asbestos, other hazardous waste or contaminants encountered during project design or construction, unless otherwise stated in the Scope.

The Selections Committee encourages responses from small firms, minority firms, women-owned firms and firms who have not previously performed State work, and will consider joint ventures, which will enable them to participate in this program.

All applications submitted are subject to review by the Selections Committee. The Selections Committee disclaims any liability whatsoever as to its review of the applications submitted and in formulating its recommendations for selection. All recommendations for selection made by the Committee shall be final under Act 57 of May 15, 1998.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 99-542. Filed for public inspection April 2, 1999, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Episcopal Hospital for Exception to 28 Pa. Code § 153.1(a)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Episcopal Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1(a) which require compliance with the standards contained in the following publication: Guidelines for Design and Construction of Hospital and Healthcare Facilities. Episcopal Hospital specifically requests exemption from the follow-

ing standards contained in this publication: 1992-93 edition 7.3E12, and the 1996-97 edition 7.3E9. The hospital is requesting permission to be exempt from the requirement for an airborne infection isolation room nursery for its neonatal intensive care 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, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, (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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-543. Filed for public inspection April 2, 1999, 9:00 a.m.]

#### **Application of the Good Samaritan Hospital for Exception to 28 Pa. Code § 151.21(a)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the Good Samaritan Hospital has requested an exception to the requirements of 28 Pa. Code § 151.21(a) that it conduct at least quarterly fire, internal disaster and evacuation drills for each shift of personnel under varied conditions.

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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-544. Filed for public inspection April 2, 1999, 9:00 a.m.]

#### **Application of Mainline Surgery Center, LLC for Exception to 28 Pa. Code § 555.22(a)(1)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mainline Surgery Center, LLC has requested an exception to the requirements of 28 Pa. Code § 555.22(a)(1). It requests that it be exempt from having to complete history and physical examinations within 7 days prior to the date of surgery.

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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-545. Filed for public inspection April 2, 1999, 9:00 a.m.]

#### **Application of Meadville Medical Center for Exception to 28 Pa. Code § 153.1(b)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Meadville Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1(b) which require compliance with the standards contained in the following publication: Guidelines for Design and Construction of Hospital and Healthcare Facilities. Meadville Medical Center specifically requests exemption from the following standards contained in this publication: 10.15(c), which requires at least one island type bathtub be provided in their rehabilitation 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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-546. Filed for public inspection April 2, 1999, 9:00 a.m.]

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### **Application of Milton S. Hershey Medical Center for Exception to 28 Pa. Code § 107.26(b)(2)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Milton S. Hershey Medical Center has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(2). It requests that it be exempt from the requirement for monthly meetings of the tissue committee.

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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-547. Filed for public inspection April 2, 1999, 9:00 a.m.]

### **Application of Philipsburg Area Hospital for Exception to 28 Pa. Code § 107.62(b)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Philipsburg Area Hospital has requested an exception to the requirements of 28 Pa. Code § 107.62(b). It requests that it be permitted to have dieticians accept oral orders.

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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-548. Filed for public inspection April 2, 1999, 9:00 a.m.]

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### **Application of Sacred Heart Hospital for Exception to 28 Pa. Code § 153.1(a)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Sacred Heart Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1(a) which require compliance with the standards contained in the following publication: Guidelines for Design and Construction of Hospital and Healthcare Facilities. Sacred Heart Hospital specifically requests exemption from the following standard contained in this publication: 7.7A1. The hospital is requesting permission to convert a cysto room into an operating room that will have less than 18' minimum clearance between fixed cabinets and built in shelving.

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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-549. Filed for public inspection April 2, 1999, 9:00 a.m.]

### **Application of Shriners Hospital for Children—Erie 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) gives notice that Shriners Hospital for Children—Erie has requested an exception to the requirements of 28 Pa. Code § 107.25(b)(8). It requests that the medical staff be exempt from having to meet at least 10 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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-550. Filed for public inspection April 2, 1999, 9:00 a.m.]

### **Application of Shriners Hospital for Children—Erie for Exception to 28 Pa. Code § 107.26(b)(2)**

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

Pa. Code § 107.26(b)(2). It requests that it be exempt from holding monthly meetings of the tissue committee.

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, 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 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}.

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-551. Filed for public inspection April 2, 1999, 9:00 a.m.]

### **Application of Shriners Hospital for Children—Erie for Exception to 28 Pa. Code § 153.1(a)**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Shriners Hospital for Children—Erie has requested an exception to the requirements of 28 Pa. Code § 153.1(a) which requires compliance with the standards contained in the following publication: Guidelines for Design and Construction of Hospital and Healthcare Facilities. Shriners Hospital for Children—Erie specifically requests exemption from the following standard contained in this publication: 7.31.E5. The hospital is requesting permission that its pediatric and adolescent rooms in its new addition, be constructed without one medical air outlet per room.

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, 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 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].

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-552. Filed for public inspection April 2, 1999, 9:00 a.m.]

### Application of UPMC Lee Regional Hospital for Exception to 28 Pa. Code § 153.1(c)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Lee Regional Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1(c), referencing the National Fire Protection Association's Life Safety Code, NFPA 101. Specifically, the hospital is requesting a waiver from section 12-3.8.1 of the 1985 Life Safety Code regarding the height of window sills in patient sleeping rooms, which are not to exceed 36 inches above the floor. The hospital is requesting a waiver for seven post-partum patient rooms located in a recently completed Women and Infant Care Department on the sixth floor of the facility. These seven rooms were constructed with windows having sills 48 inches above the floor, which is only slightly greater than the 44 inch sill height specified for existing patient sleeping rooms in the more current, 1997 edition of the Life Safety Code. The hospital indicates that the sixth floor unit is planned as a temporary unit for about 2 years, until a permanent unit is completed in late 2000, at which time the temporary unit will be converted to another use that may not involve sleeping rooms. The hospital cites a significant expense, considerable effort and disruption of service to remove and reinstall the windows in the seven rooms in question.

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 Safety Inspection, Room 922 Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1911, fax (717)787-1491, E-mail address: PPETRESK@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 Peter P. Petresky at (717) 787-1911, V/TT: (717)783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-553. Filed for public inspection April 2, 1999, 9:00 a.m.]

### Renal Advisory Committee Meeting

The Renal Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on April 9, 1999.

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

For additional information, contact Helen Kissinger, Administrative Officer of the Chronic Renal Disease Program, Division of Special Health Care Needs at (717) 787-9772.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact the Chronic Renal Disease Program at (717) 787-9772. V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

GARY L. GURIAN,  
*Acting Secretary*

[Pa.B. Doc. No. 99-554. Filed for public inspection April 2, 1999, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Local Area Designations under the Workforce Investment Act

The Department of Labor and Industry (Department) on behalf of the Governor is publishing the Workforce Investment Act Local Area Designation plan for Pennsylvania. Under the Workforce Investment Act of 1998, Governors are required to designate local workforce investment areas within the state through consultation with the State Board, after consultation with chief elected officials and after consideration of comments received through a public comment process.

The Governor solicited comments from local elected officials throughout the State and received designation requests covering every County within the State. At its January 28, 1999 meeting, the Team Pennsylvania Human Resources Investment Council, Pennsylvania's State Workforce Investment Board, recommended a multiphase local workforce investment area designation process and recommended 11 local areas to be included in Phase 1 of the designation process.

The Team Pennsylvania Human Resources Investment Council recommended 12 Local Workforce Investment areas to the Governor in Phase 2 of the designation process at its March 25, 1999 meeting. The following local areas have been identified by the Governor based on the recommendation of the Team Pennsylvania Human Resources Investment Council for inclusion in the Phase 2 designation:

- The Counties of Erie, Crawford, Warren, Venango, Forest and Clarion
- The Counties of Mercer and Lawrence
- The Counties of Mifflin, Snyder, Union, Centre, Clinton, Lycoming, Columbia, Northumberland and Montour
- The Counties of Schuylkill and Luzerne

- The Counties of Carbon, Monroe, Pike and Wayne
- Lackawanna County
- The Counties of Dauphin, Lebanon, Perry, Cumberland, Juniata, Franklin, Adams and York
- The Counties of Westmoreland and Fayette
- The Counties of Indiana, Butler and Armstrong
- The Counties of Beaver, Washington and Greene
- Allegheny County
- The City of Pittsburgh

Interested parties wishing to comment on the multiphase designation process or on the local areas indicated for inclusion in Phase 2, must do so in writing by the close of business (2 weeks from the date of the *Pennsylvania Bulletin*). Comments should be forwarded to: Timothy Bittle, Executive Assistant to the Deputy Secretary of Workforce Development and Safety, Department of Labor & Industry, 16th Floor Labor & Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 99-555. Filed for public inspection April 2, 1999, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Income Limits for the Categorically Needy Nonmoney Payment Medical Assistance Program

The Department of Public Welfare (Department) increased the income limits codified at 55 Pa. Code § 181.1(f)(1), (2) and (4) effective January 1, 1999.

The regulations at 55 Pa. Code § 181.1(f)(1), (2) and (4) establish that the income limits for the Categorically Needy Nonmoney Payment (NMP) Medical Assistance (MA) Program for aged, blind and disabled persons are based on the Federal benefit rate payable under Title XVI of the Social Security Act (42 U.S.C.A §§ 1381—1383c). Effective January 1, 1999, the Federal benefit rate was increased due to the Federal cost-of-living increase.

As required under 55 Pa. Code § 181.1(f), the Department revised the income limits for the Categorically Needy Nonmoney Payment Medical Assistance Program for aged, blind and disabled persons effective January 1, 1999. Those limits are set forth in Appendices A, B and D, which are recommended for codification in 55 Pa. Code Chapter 181. Appendix A is the Federal benefit rate plus the State supplement payable under Title XVI. Appendix B is 300% of the Federal benefit rate payable under Title XVI. Appendix D is the Federal benefit rate payable under Title XVI. Item 1 of Appendix D is 1/2 of the Federal benefit rate for one person. Item 2 of Appendix D is 1/2 of the Federal benefit rate for two persons.

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

FEATHER O. HOUSTON,  
*Secretary*

### Appendix A

Categorically Needy Nonmoney Payment Monthly Income Limits For Aged, Blind and Disabled Categories  
*Effective January 1, 1999*

1 Person	\$527.40
2 Persons	\$794.70

### Appendix B

Categorically Needy Nonmoney Payment Monthly Income Limits For Aged, Blind and Disabled Categories Receiving Skilled Care, Heavy Care/Intermediate Services or Intermediate Care  
*Effective January 1, 1999*

1 Person	\$1,500
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### Appendix D

Monthly Federal Benefit Rate  
*Effective January 1, 1999*

1 Person	\$500
2 Persons	\$751

Percentages of Monthly Federal Benefit Rate  
*Effective January 1, 1999*

- Item 1) 50% of Federal Benefit Rate for 1 person = \$250
- Item 2) 50% of Federal Benefit Rate for 2 persons = \$375.50

**Fiscal Note:** 14-NOT-194. (1) General Fund;

	MA—	MA—	MA—
	Inpatient	Outpatient	Capitation
(2) Implementing Year 1998-99 is \$2,505	\$ 4,254	\$ 8,241;	
(3) 1st Succeeding Year 1990-00 is \$7,348	\$12,478	\$24,173;	
2nd Succeeding Year 2000-01 is \$7,348	\$12,478	\$24,173;	
3rd Succeeding Year 2001-02 is \$7,348	\$12,478	\$24,173;	
4th Succeeding Year 2002-03 is \$7,348	\$12,478	\$24,173;	
5th Succeeding Year 2003-04 is \$7,348	\$12,478	\$24,173;	
(4) 1997-98 \$428,079 million	MA— \$662,740 million	MA— \$959,286 million;	
1996-97 \$436,941 million	\$798,836 million	\$626,094 million;	
1995-96 \$452,180 million	\$792,293 million	\$661,031 million;	

(8) recommends adoption. The Department's budget contains sufficient funds to cover the cost of this rate increase.

[Pa.B. Doc. No. 99-556. Filed for public inspection April 2, 1999, 9:00 a.m.]

### 1998 Group Two Exception Requests; MA/LTC Participation Review

The Department of Public Welfare (Department), by statement of policy effective December 18, 1996, adopted an interim policy announcing that, as a general matter, it intended to exercise its discretion to terminate or to refuse to enter into an MA provider agreement with a

provider of nursing facility services that sought to increase the number of MA certified nursing facility beds through enrollment or expansion, unless the Department granted an exception on a case-by-case basis to permit that provider to enroll or expand. Effective August 11, 1997, this statement of policy was revised to state that enrolled nursing facility providers are prohibited from expanding their licensed bed capacity, under any circumstances, without first receiving an exception from the Department. A statement of policy that sets forth the

guidelines the Department will use when making its case-by-case exception request decisions was published in the *Pennsylvania Bulletin* on January 10, 1998 (28 Pa.B. 138), and is codified at 55 Pa. Code § 1187.21a.

By this notice, published under 55 Pa. Code § 1187.21a(e)(4), the Department announces the 1998 Group Two exception requests covering the submission period of July 1, 1998, through December 31, 1998.

#### Expansion Projects

<i>Number</i>	<i>Name</i>	<i>Address</i>	<i>County</i>	<i>Beds</i>
JD98001	Harrison House	41 Newport Avenue, Christiana	Lancaster	19
JD98002	Bonham Nursing Center	R.D.1, Stillwater	Luzerne	1
JD98005	Cumberland Crossings	1 Longsdorf Way, Carlisle	Cumberland	1
JD98006	Shippensburg Health Care Ctr	121 Walnut Bottom Rd., Shippensburg	Cumberland	10
JD98007	Luther Crest Nursing Facility	800 Hausman Rd., Allentown	Lehigh	1
JD98009	Shenango Presbyterian Home	238 S. Market St., New Wilmington	Lawrence	13
JD98010	Valley View Home	301 Valley View Blvd., Altoona	Blair	10
JD98012	Pine Run Health Center	777 Ferry Rd., Doylestown	Bucks	16
JD98013	Atrium I Nursing, Research & Rehab Center	5180 Campbells Run Rd., Pittsburgh	Allegheny	30
JD98016	Horizon Senior Care	300 Barr St., Canonsburg	Washington	2
JD98017	Morrisons Cove Home	429 South Market St., Martinsburg	Blair	12
JD98018	Saint Anne Home	685 Angela Dr., Greensburg	Westmoreland	14
JD98019	Normandie Ridge	1700 Normandie Dr., York	York	12
JD98022	Good Samaritan Hospital/Conemaugh Hospital	East of Johnstown	Cambria	21
JD98023	Hazleton Nsg. & Geriatric Ctr	1000 W. 27th St, Hazleton	Luzerne	120
JD98024	Denver Nursing Home, Inc.	400 Lancaster Ave., Stevens	Lancaster	42

#### New Facility Projects

<i>Number</i>	<i>Name</i>	<i>Address</i>	<i>County</i>	<i>Beds</i>
JD98003	Pittston Hospital	P. O. Box 666, Pittston	Luzerne	176
JD98004	Golden Pond H & R Ctr II	Stroud Township	Monroe	120
JD98011	Lutheran SS /South Central Pa.	Luther Ridge Retirement Community	Franklin	40
JD98014	Atrium II Nursing, Research Fawn Township & Rehab Center	Fawn Township	Allegheny	120
JD98015	Atrium III Nursing, Research & Rehab Center	Monument Ave., Philadelphia	Philadelphia	125
JD98020	Rebecca Residence	Cedar Ridge Rd., West Deer Township	Allegheny	60
JD98021	Jenners Pond Health Center Inc	1011 W Baltimore Pike, West Grove	Chester	25

Copies of the above listed exception requests are available for review by the public during regular business hours. To schedule an appointment to review a request, call (717) 705-3705.

The Department will accept written comments related to the requests for a 30-day period following the date of this publication. Written comments may be submitted to: Department of Public Welfare, Bureau of LTC Programs, Attention: Policy Section, P. O. Box 8025, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another alternative format should contact Thomas Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-196. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 99-557. Filed for public inspection April 2, 1999, 9:00 a.m.]

### **Payments to Nursing Facilities; Revised July 1, and October 1, 1998 Payment Rates; Revised MDS 2.0 Transition Payments**

By notices dated June 27, 1998, October 31, 1998 and November 14, 1998, the Department of Public Welfare (Department) announced and made available to the public its proposed and final payment rates for Medical Assistance (MA) nursing facility services for the fiscal quarter beginning July 1, 1998, and its proposed payment rates for MA nursing facility services for the fiscal quarter beginning October 1, 1998. (28 Pa.B. 2977, 5532 and 5723) By separate notice dated October 31, 1998, the Department also announced its intent to amend its payment methods and standards for MA nursing facility services to provide MDS 2.0 Transition Payments during a 3-year transition period, and made available to the public its proposed MDS 2.0 base rates and per diem add-ons for the fiscal quarters beginning July 1 and October 1, 1998. (28 Pa.B. 5533) The Department invited interested parties to submit written comments regarding the proposed and final payment rates and MDS 2.0 Transition Payments.

In light of its review and evaluation of comments received concerning the final July 1, 1998 and proposed October 1, 1998 rates, its ongoing discussions with the nursing facility trade associations and its further analysis of overall rate setting issues, the Department hereby:

- Rescinds its final rates for the fiscal quarter beginning July 1, 1998 which were announced and made available to the public by the notice dated October 31, 1998;
- Announces its decision to recalculate nursing facility case mix indices (CMIs) commencing with the February 1998 picture date and to issue final payment rates for the fiscal quarters beginning July 1, 1998 using the recalculated MA CMIs;
- Announces and makes available to the public revised proposed payment rates for MA nursing facilities for the fiscal quarters beginning July 1 and October 1, 1998;
- Announces revisions to the proposed changes in its payment methods and standards relating to MDS 2.0 Transition Payments described in the October 31, 1998 notice; and
- Announces and makes available to the public the interim rates by which it will pay for MA nursing facility services pending the issuance of final payment rates and MDS 2.0 Transition Payments for FY 1998-99.

The Department is publishing this notice in accordance with 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997, (P. L. 105-33), § 4711 and 42 CFR 447.205.

#### *MA Nursing Facility Payment Rates*

As indicated in the notices referenced previously, the Department followed the methodology set forth in 55 Pa. Code Chapter 1187 to set the proposed and final payment

rates previously announced and made available for the fiscal quarters beginning July 1 and October 1, 1998. In accordance with that methodology, the Department adjusted each nursing facility's limited resident care costs by its MA CMIs for the February 1998 and May 1998 picture dates to establish the facility's quarterly per diem rates. The Department used resident assessment data reported by the facility on the Federal Minimum Data Set (MDS) 2.0 instrument, including data reported for quarterly assessments, to calculate the facility's February 1998 and May 1998 MA CMIs.

In commenting on the announced July and October payment rates, interested parties including the nursing facility trade associations objected to, among other things, the Department's use of quarterly assessment data to calculate nursing facility CMIs for price and rate-setting purposes. Upon consideration of these comments and its further discussions with representatives of the trade associations, the Department has decided to calculate facility CMIs for picture dates commencing February 1998 using only resident data reported for admission, annual and significant change assessments. The Department will use these CMIs in the price and rate setting process for fiscal quarters beginning July 1, 1998.

To determine the effect of this decision on nursing facility payment rates, the Department calculated estimated February 1998 and May 1998 MA CMIs using the most recent admissions, annual and significant change assessment data currently available to the Department for MA residents. If the Department did not have the assessment data available for an MA resident, the Department substituted the facility's November 1997 MA CMI for that resident. The Department then revised each facility's quarterly per diem rates using these estimated MA CMIs. The Department is making these revised proposed rates available to the public as set forth as follows. While the Department calculated these proposed rates using the best available information, nursing facilities are cautioned that these rates are estimates only and may change once actual CMIs are determined and final rates are calculated.

To calculate actual CMIs for picture dates commencing February 1998, the Department must ensure that the appropriate admission, annual or significant change assessment data for each resident has been properly submitted and is available to the Department for each applicable rate setting period. (See 55 Pa. Code §§ 1187.33 and 1187.91) The Department recently notified nursing facility providers that it will forward a list of residents from the Department's database that do not have an admission, annual, or significant change assessment on file for the applicable time period. Facilities will be given the opportunity to submit the admission, annual or significant change assessment that is applicable to that picture date for each identified resident. If a facility fails to submit an applicable assessment for an identified

resident, the Department will assign a default CMI to that resident in accordance with 55 Pa. Code § 1187.33(b)(1). Facilities that are assigned a default CMI because they fail to submit assessment data for any identified resident will not qualify for MDS 2.0 Transition Payments (as described as follows) for FY 1998-99.

Once the data submission is completed, the Department will recalculate actual MA CMIs for the February 1998 and May 1998 picture dates and announce final payment rates for the July and October 1998 fiscal quarters. Since it is recalculating July 1998 final rates, the Department rescinds the final rates for the fiscal quarter beginning July 1, 1998 previously announced and made available to the public by the notice dated October 31, 1998. The Department expects to announce the recalculated July 1998 final rates in June 1999 and the final October 1998 rates in October 1999. The Department will announce and make available payment rates for fiscal quarters beginning January 1, 1999 by separate notice.

Nursing facilities are reminded that the Department's decision to use only admission, annual and significant change assessment data for MA price and rate setting does not alter Federal requirements relating to the collection and transmission of MDS 2.0 resident assessment data. Nursing facilities must continue to collect and transmit all assessments necessary to comply with Federal Medicare and Medicaid certification requirements.

#### *MDS 2.0 Transition Payments*

The Department previously announced its intention to submit a State Plan Amendment (SPA) and to change its payment methods and standards to provide MDS 2.0 transition payments over a 3-year fiscal period beginning July 1, 1998. (See 28 Pa.B. 5533 (October 31, 1998)) Since making this announcement, however, the Department, as noted above, has decided to use only admission, annual and significant change assessment data to compute CMIs for price and rate setting purposes. The Department anticipates that the increases in payment rates resulting from this decision will substantially eliminate the impact of the use of the MDS 2.0 assessment instrument on facility payment rates. Nevertheless, to further minimize whatever impact, if any remains, the Department intends to proceed with the necessary amendments to its payment methods and standards to authorize an MDS 2.0 transition payment for FY 1998-99.

To qualify for an MDS 2.0 Transition Payment for FY 1998-99, a facility must meet both of the following conditions: First, the facility has a quarterly base rate, as defined as follows, for one or more fiscal quarters of FY 1998-99 that is greater than its final case-mix quarterly per diem rate for the same quarter. Second, the facility submits appropriate assessment data for each resident identified by the Department in the assessment submission process described previously.

To compute MDS 2.0 Transition Payments for FY 1998-99, the Department will make the following calculations for each nursing facility for each fiscal quarter in FY 1998-99. First, the Department will compute a quarterly base rate (QBR). The QBR will equal the facility's April 1998 rate inflated by the HCFA Nursing Home without Capital Market Basket Index, according to the number of quarters between April 1998 and the fiscal quarter. Second, the Department will compute a rate differential (RD). The RD will equal the difference be-

tween the QBR and the facility's final case-mix per diem rate for the fiscal quarter. Third, the Department will compute a quarterly amount (QA). If the RD for the fiscal quarter is zero or a negative number, the QA for that quarter equals zero. If the RD for the fiscal quarter is a positive number, the QA for that quarter will equal the sum of the following amounts: (1) RD X the total number of MA days of care paid through the Medical Assistance Management Information System (MAMIS) for the fiscal quarter, and, (2) 1/3 RD X the total number of MA hospital days paid through MAMIS. Each facility's MDS 2.0 Transition Payment for FY 1998-99 will equal the sum of its four QAs.

The Department has established facility QBRs and will make the QBRs available to the public. If the Health Care Financing Administration approves the SPA, the Department will calculate and make actual MDS 2.0 Transition Payments in lump sum once final case-mix rates for FY 1998-99 have been established. Payment for resident days and hospital days through MAMIS remains subject to applicable billing and payment requirements in regulations and the Nursing Facility Services Handbook.

#### *Interim Rates*

Pending the submission of the resident assessments necessary to recalculate CMIs and final payment rates as described previously, the Department will make payments to facilities using revised interim rates. To establish interim rates for the quarter beginning January 1, 1999, the Department adjusted each facility's interim rate in effect from July 1, 1998 through December 31, 1998 by two quarters, using a 1.6% inflation factor. The Department notified each facility of its revised interim rates effective January 1, 1999 by letter sent during the last week of January 1999. To establish interim rates for the quarter beginning April 1, 1999, the Department adjusted the facility's January 1, 1999 interim using a 1.1% inflation factor. The Department used the HCFA Nursing Home without Capital Market Basket Index in making the inflation adjustments. The Department is making these revised interim rates available to the public as set forth as follows.

Once final case-mix per diem rates are established and MDS 2.0 Transition Payments are authorized by an approved SPA and calculated, the Department will reconcile each facility's interim payments for FY 1998-99 based upon its final rates and any MDS 2.0 Transition Payment to which a facility may be entitled.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services based on the MDS 2.0 Transition Payments for FY 1998-1999 is \$93.281 million (\$43.212 in State funds).

A copy of this notice, the proposed payment rates for the July and October fiscal quarters, the QBRs and estimated MDS 2.0 Transition Payments, and revised interim rates for FY 1998-99 are available for review at the local County Assistance Offices throughout this Commonwealth. The rate information is available through the electronic Bulletin Board System (BBS) at (800) 833-5091 or by contacting Connie Pretz in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

Interested persons are invited to submit written comments to the Department within 30 days of publication of

this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Office of Medical Assistance Programs, Attention: Suzanne Love, Room 227 Cherrywood Building, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (voice users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-197. (1) General Fund; (2) Implementing Year 1998-99 is \$43.212 million; (3) 1st Succeeding Year 1999-00 is \$43.615 million; 2nd Succeeding Year 2000-01 is \$44.136 million; 3rd Succeeding Year 2001-02 is \$44.676 million; 4th Succeeding Year 2002-03 is \$45.222 million; 5th Succeeding Year 2003-04 is \$45.774 million; (4) 1997-98 \$617.252 million; 1996-97 \$591.910 million; 1995-96 \$648.549 million; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funds are included in the Department's budget to cover the transition payments.

[Pa.B. Doc. No. 99-558. Filed for public inspection April 2, 1999, 9:00 a.m.]

### Public Notice of the Department's Intent to Amend the Medicaid State Plan for Exceptional Capital Payments Made to Hospitals

The purpose of this announcement is to provide prior public notice of the Department of Public Welfare's (Department) intent to amend the Medicaid State Plan to eliminate exceptional capital payments to acute care hospitals.

The Department intends to discontinue the capital exceptional reimbursement method which allows certain hospitals to apply for additional reimbursement of its capital costs. A hospital's eligibility for capital exceptional treatment is dependent on its volume of Medical Assistance (MA) business during the base year, Fiscal Year (FY) 1984-85. Once eligible, a hospital is entitled to apply for and receive additional capital payments for any fiscal year in which it experiences exceptionally high capital costs. A hospital incurs exceptionally high capital costs when its ratio of MA allowable acute inpatient costs to its MA allowable acute inpatient operating costs exceeds the Statewide ratio of capital costs to operating costs.

In 1986, the Department changed its method of reimbursing capital costs for acute care hospitals to a prospective method. At the same time, it established the capital exceptional payment system to assist those hospitals that may have been vulnerable to serious financial difficulties with the transition to a prospective capital payment system. Hospitals now have had a sufficient amount of time to adjust to the prospective capital reimbursement system. Additionally, all hospitals that are eligible for capital exceptional payments have waived their right to receive the payments. Accordingly, the capital exceptional reimbursement method is no longer necessary.

The Department's prospective capital reimbursement system remains unchanged. The Department will continue to pay for depreciation and interest (capital) costs as an add-on to the DRG prospective payment rate. The percentage add-on is the Statewide average ratio of

capital to operating costs in a base year. Effective July 1, 1996, the add-on is 5.92% as derived from data from FY 1992-93 base year.

#### *Fiscal Impact*

For FY 1998-99, the fiscal impact as a result of eliminating these payments will be a savings of \$0.405 million in total funds (\$0.208 million in State General funds and \$0.242 million in Federal funds).

#### *Contact Person*

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

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require an alternate format should contact Thomas Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-195. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 99-559. Filed for public inspection April 2, 1999, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

#### District 11-0

The Department of Transportation, pursuant to the authority contained in Section 2002 (c) of the Administrative Code (71 P. S. § 5129 (c)) and in 67 Pa. Code § 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by The United States of America, US Army Corps of Engineers, Baltimore District, P. O. Box 1715, Baltimore, MD 21203-1715 seeking to lease highway right-of-way located on the northerly side of State Route 0060, being adjacent to the old Pittsburgh International Airport, in Moon Township, County of Allegheny containing 9.72± acres, adjacent to SR 0060 (previous known as L. R. 1057, Section 1 & 2) for purposes of vehicle parking and landscaping. In view of the nature of the proposed lessee, the Department intends to waive the regulatory requirements of indemnification, insurance, compliance with statutes and regulations and restoration of the premises upon termination, and to waive in part the application and review of application procedures and the requirement that all property within the lease be subject to termination if required to improve safety or flow of traffic. Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Raymond S. Hack, P.E., District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, Pennsylvania 15017.

Questions regarding this application or the proposed use may be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-560. Filed for public inspection April 2, 1999, 9:00 a.m.]

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## Finding

### Indiana County

Pursuant to the provisions of 71 P. S. Section 2022(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to reconstruct U.S. Route 119 (SR 0119) from the intersection with U.S. Route 22 (SR 0022) in Blairsville to the intersection with SR 0056 in Homer City, a distance of approximately 13.4 kilometers (8.3 miles).

The project consists of the reconstruction of SR 0119 from two lanes to four lanes with jughandles and turning lanes. The SR 0022/SR 0119 interchange will also be reconstructed.

The Department of Transportation has received environmental clearance in the form of a Record of Decision from the Pennsylvania Division Administrator of the Federal Highway Administration.

No adverse environmental effect is likely to result from the reconstruction of these sections of highway.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-561. Filed for public inspection April 2, 1999, 9:00 a.m.]

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## Finding

### Lancaster County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing Bridge at Hinkletown carrying S. R. 0322 over the Conestoga River in Lancaster County with a wider structure immediately upstream of the existing structure.

The construction of the project will require the demolition of the Hinkletown Mill and associated Dam immediately adjacent to the bridge.

The effect of this project on the Hinkletown Mill and associated Dam will be mitigated by the following measures to minimize harm to the resource:

1. A Memorandum of Agreement (MOA) will be written between the U. S. Corps of Engineers (who will be issuing a Section 404 permit for the project) and the Pennsylvania Historical and Museum Commission. A recordation to state standards has been completed for the Hinkletown Mill and associated Dam. The documentation includes a short narrative on the property, photographic documentation of the property, and a sketch-level site plan and floor

plan of the Mill. This permanent record constitutes adequate mitigation for the removal of the Hinkletown Mill and associated Dam.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, have been considered. It has been concluded that there is no prudent and feasible alternative to the project as designed, and all reasonable steps have been taken to minimize such effects.

No adverse environmental effect is likely to result from this bridge replacement project.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-562. Filed for public inspection April 2, 1999, 9:00 a.m.]

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## Retention of Engineering Firms

### Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties Project Reference No. 08430AG2323

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately eighteen (18) inspectors, under the Department's District 5-0's Permit Section for Highway Occupancy Permit inspection and documentation services. The Contract will be for a period of thirty (30) months, with a maximum cost of \$1.0 million.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, superpave paving, E. & S. control, pavement markings, traffic signals and wetland mitigation. The TCI-M has to be nuclear gauge certified. One TCI has to be PennDOT CDS certified.

- b. Understanding of Department's requirements, policies, and specifications.

- c. Past performance.

- d. Number of available inspectors in each payroll classification.

- e. Number of NICET certified inspectors in each payroll classification.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	6 (4)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	12 (7)

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47

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

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

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

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

- |   |   |
|---|---|
| 1 | Nuclear Densometer Gauge/License                |
| 1 | Vehicle for the Transportation of Nuclear Gauge |

- |       |   |
|-------|---|
| 1     | Nuclear Densometer Gauge/License        |
| 10    | Cellular Phones                         |
| 5     | Camera (type 35mm, Film and Developing) |
| _____ | Computers/Printers/Monitors             |

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

This project is a non-complex project.

The Letter of Interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart up to 11 x 17.

The Letter of Interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of a Letter of Interest at the below address is 4:30 p.m. prevailing time of twentieth day.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	8
TCI	15

The letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Walter E. Bortree, P.E., District Engineer, District 5-0, 2460 Parkwood Drive, Allentown, PA 18103, Attention: Mr. Brian Graver.

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

**Statewide  
Project Reference No. 08430AG2324**

The Department of Transportation will retain two (2) engineering firms for two (2) Statewide Open-End Contracts for various structural and structures related engineering services. The firms will be required to design, supervise, instrument or evaluate all types of bridges including various types of major or unusual or complex bridges including, but not limited to, segmental prestressed concrete, cable-stayed concrete bridges and other complex bridges and structures; and structure related items.

Assignments may include some or all of the following services: designing, checking and/or approval of bridge and highway structure designs; checking and approval of construction methods, shop drawings, erection drawings and other working drawings, verifying that erection loads, stresses and deflection etc., are within limits; supervision and approval of major, unusual and complex fabrication designs, erection plans or construction and materials testing operations, design and familiarization sessions to Department and/or consultant and/or contractor personnel on the critical construction aspects of the particular major, unusual or complex bridge under contract; investigation, including forensic studies and instrumentation of complex problems related to fatigue, welding, design methodologies, constructability or actual failures; designing complex structural elements in critical situations; developing and providing training in design, construction, specification or methodologies changes; developing flow charts for coding and conducting studies for approving engineering software; resolution of other complex bridge

design and construction problems that may arise; maintenance of bridge design and rating software owned by the Department; updating or revising of PennDOT Design, Construction and Inspection Manuals and documentation; and development or preparing revisions to the bridge design and/or construction standards. All work must be limited to salary cap.

The selected firms shall provide expert services in the following areas:

- Forensic studies of bridge and highway structures including instrumentation.
- Fatigue and fracture investigation.
- Precast concrete bridge elements.
- Prestressed bridge elements.
- Highway sign and lighting structures.
- Complex steel or concrete structures.
- Seismic analysis (including, but not limited to SEISAB).
- Bridge Scour.
- Bridge materials sampling and testing.
- Bridge Safety Inspection.
- Complex analysis including 3D and FEM.
- Unusual bridge foundations.
- Earth retaining structures including anchored walls.
- Tunnels.
- Specialized services during construction of highway structures.
- Metallurgy of highway structure materials.
- Concrete materials.
- Soil structure interaction systems.
- State-of-the-art bridge instrumentation.
- Structural product analysis and evaluation.
- Parametric studies to validate or develop structural specification and related design/analysis automation.
- Enhancements and revisions to the existing Department bridge design and rating software and Manuals.
- Updating of example problems that are used to verify the Department bridge design and rating software.

Each contract will be for a period of six (6) months and a maximum amount of \$1.0 million each with projects assigned on an as-needed basis.

Firms responding to this solicitation shall provide the following additional information in their Letter of Interest:

1. Indicate the lead person or sub-consultant on each of the expert service elements and indicate the qualifications and experience of the lead person or sub-consultant specifically related to each expert service area.
2. Indicate how the firm will provide "on demand" response for urgent problems.
3. Indicate internal procedures for cost containment and quality assurances. Provide evidence of successful project management activities in which accurate estimates were prepared which allowed all necessary work to be performed without supplements.

The Department will establish an order of ranking of a minimum of five (5) firms for the purpose of negotiating

Two (2) Open-End Contracts based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation.

The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Technical expertise and experience of the individuals committed to this project.
- b. Joint capabilities of the proposed team to address all structural and related aspects identified in the advertisement.
- c. Prior technical successes and timeliness in performing such work with the Department.
- d. Commitment of experts, support staffing and "on demand" response capabilities in complex structure areas.
- e. Capabilities of providing independent analysis and advice leading to sound engineering decision on policy in structure areas, under emergencies.
- f. Proximity of Central Office, cost containment and quality assurance program.

The format and content of all documents, plans and specifications will be consistent with applicable State and Federal requisitions and guidelines.

The Engineering Services studies identified above are the general work activities that can be expected under these Open-End Contracts. A more specific and project-related scope of work will be outlined for each individual Work Order developed under these Open-End Contracts.

This project is a complex project.

The letter of interest will be a maximum of five (5) pages, 8 1/2 x 11, one sided, plus an organizational chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of letter of interest at the address below is 4:30 p.m. prevailing time on the twentieth day.

Project management will be by the Bridge Quality Assurance Division, Bureau of Design and/or the respective District Offices.

The letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. M. G. Patel, P.E., Director, Bureau of Design, P. O. Box 3060, Harrisburg, PA 17105-3060

Any technical questions concerning the requirements for this project should be directed to: Mr. Bryan Spangler, P.E., at (717) 783-5347.

**Washington County  
Project Reference No. 08430AG2325**

The Department of Transportation will retain an engineering firm to perform preliminary engineering and final design for S.R. 0221, Section 02M, the replacement of Ten Mile Creek Bridge spanning Ten Mile Creek at Segment 0050, Offset 1764, located in Morris Township, Washington County, Engineering District 12-0. The estimated construction cost for this project is \$1.0 million.

The selected firm will be required to: perform field surveys; plot topography and cross sections; prepare Design Field View Submission; prepare a Categorical Exclusion Evaluation; prepare submission for utility verification and relocations engineering; develop erosion control details and narrative; prepare right-of-way plans; hydrologic and hydraulic analysis; obtain all permits; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; collect accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; roadway drainage design, prepare construction plans, specifications, and estimates; provide services during construction and provide efficient project management.

This project is a moderately complex project.

The Letter of Interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart up to 11 x 17.

The Letter of Interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of a Letter of Interest at the address below is 4:30 p.m. prevailing time of the twentieth day.

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. Specialized experience and technical competence of firm. The specific experience of individuals who constitute the firms will be considered.
- b. Understanding of the Department's requirements, Design Manuals, policies and specifications.
- c. Past record of performance with respect to cost control, work quality, ability to meet schedules.
- d. Location of consultant with respect to the District. This will include ability/provisions for quick responses to District requests.
- e. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten (10%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

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, Engineering District 12-0, North Gallatin Avenue, Extension, Uniontown, PA 15401, Attention: Mr. Brian S. Hart, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian S. Hart, P.E., District 12-0, at (724) 439-7156.

**Washington County  
Project Reference No. 08430AG2326**

The Department of Transportation will retain an engineering firm to perform preliminary engineering, final design, and services during construction (shop drawing

review, construction consultation and plans recordation) for S.R. 0837, Section 21R, the design and repair of approximately 457 meters of the existing roadway due to active landslides, upgrades of approximately 1524 meters of roadway drainage where mine drainage is evident and a modification to the culvert inlet at Houston Run. No surface improvements are anticipated, only the repair of the roadway damaged from the slides. The project is located on S.R. 0837 between Houston Run Road (S.R. 1063) and Junk Yard Road (T-707), in Washington County, Engineering District 12-0. The estimated construction cost for this project is \$5.0 million.

The selected firm will be required to: perform field surveys; plot topography and cross sections; prepare Design Field View Submission; prepare a Categorical Exclusion Evaluation; prepare submission for utility verification and relocations engineering; develop erosion control details and narrative; prepare right-of-way plans; hydrologic and hydraulic analysis; obtain all permits; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; collect accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; roadway drainage design, prepare construction plans, specifications, and estimates; provide services during construction and provide efficient project management.

This project is a moderately complex project.

The Letter of Interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart up to 11 x 17.

The Letter of Interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of a Letter of Interest at the address below is 4:30 p.m. prevailing time of the twentieth day.

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. Specialized experience and technical competence of firm. The specific experience of individuals who constitute the firms will be considered.
- b. Understanding of the Department's requirements, Design Manuals, policies and specifications.
- c. Past record of performance with respect to cost control, work quality, ability to meet schedules.
- d. Location of consultant with respect to the District. This will include ability/provisions for quick responses to District requests.
- e. Method of controlling quality of projects and submissions. Consideration will be given to coordination between disciplines, subconsultants, etc.

The District will announce the firms that have been shortlisted at an open public meeting to be held in Engineering District 12-0, North Gallatin Avenue, Extension, P. O. Box 459, Uniontown, PA 15401. All candidates that have submitted an acceptable letter of interest will be notified of the date. Please specify a contact person in the letter of interest submission.

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

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, Engineering District 12-0, North Gallatin Avenue, Extension, Uniontown, PA 15401, Attention: Mr. Brian S. Hart, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. Brian S. Hart, P.E., District 12-0, at (724) 439-7156.

**Beaver County  
Project Reference No. 08430AG2327**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately twenty-four (24) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S.R. 0060, Section B17, Beaver County. This project involves a bituminous overlay, concrete patching, concrete reconstruction, guiderail, drainage and paved shoulders.

2. S.R. 0060, Section B18, Beaver County. This project involves bridge rehabilitation including deck replacement. This project is a companion to S.R. 0060, Section B17 and S.R. 0060, Section B19. Construction is anticipated to extend over two (2) construction seasons.

3. S.R. 0060, Section B19, Beaver County. This project involves bridge rehabilitation including deck replacement. This project is a companion to S.R. 0060, Section B17 and S.R. 0060, Section B18. Construction is anticipated to extend over two (2) construction seasons.

4. S.R. 0065, Section B08, Beaver County. This project involves a concrete reconstruction along with paved shoulders and side roads, median barriers and signal upgrades on four (4) lanes of Route 65 in the Borough of Ambridge.

These projects are non-complex projects.

The letter of interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of a letter of interest at the address below is 4:30 p.m. prevailing time on the twentieth day.

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

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

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils,

structures, concrete, asphalt paving, drainage, guiderail, paved shoulders, and bridge rehabilitation involving deck replacement.

b. Understanding of Department's requirements, policies, and specifications.

c. Past performance.

d. Number of NICET certified inspectors in each payroll classification.

e. Number of available inspectors in each payroll classification.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	4 (4)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	12 (12)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	8 (10)

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

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI)	\$35.47
(TA)	\$24.39

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

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

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; four (4) inspectors certified in computer documentation and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

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

- 1 Nuclear Densometer Gauge/License \*
- 1 Vehicle for the Transportation of Nuclear Gauge \*
- 24 Two-Way Radios

\* at point of need when needed

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

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

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	5
TCI	15

No resumes are required for the TA Classification.

The letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Raymond S. Hack, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Any technical questions concerning the requirements for this project should be directed to: Mr. Bob Collins, P.E., District 11-0, at (412) 429-4928.

**Allegheny County**

**Project Reference No. 08430AG2328**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately seventeen (17) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S.R. 1001, Section A13, Allegheny County Local Name: Freeport Road This project involves milling, resurfacing with scratch, binder, wearing, and superpave, inlet replacement, concrete base repair, and concrete pavement reconstruction at the Tarentum Bridge intersection.

2. S.R. 1001, Section A14, Allegheny County Local Name: Freeport Road Bridge This project involves the replacement of concrete deck and parapets, also some roadway approach work.

3. S.R. 0837, Section A09, Allegheny County Local Name: 837 This project involves the replacing and patching of the pavement south of the Duquesne/McKeesport Bridge to the bridge over Thompson Run.

These projects are non-complex projects.

The letter of interest will be a maximum of three (3) pages, 8 1/2 x 11, one sided, plus an organizational chart, up to 11 x 17 size.

The letter of interest and required information for this project must be received within twenty (20) calendar days of this Notice.

The Deadline for receipt of a letter of interest at the address below is 4:30 p.m. prevailing time on the twentieth day.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, milling, and working with superpave asphalt mixtures.
- b. Understanding of Department's requirements, policies, and specifications.
- c. Past performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll Classification.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	7 (7)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	6 (0)

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

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

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1999:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

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

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

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; three (3) inspectors certified in computer documentation and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

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

- 2 Nuclear Densometer Gauges/License \*
- 2 Vehicles for the Transportation of Nuclear Gauges \*
- 17 Two-Way Radios

\* at point of need when needed

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is con-

tained in the General Requirements and Information Section after the advertised project(s).

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

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

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	3
TCI-M	1
TCI	8

No resumes are required for the TA Classification.

The letter of interest and required forms, (see general requirements and information section shall be sent to: Mr. Raymond S. Hack, P.E., District Engineer, District 11-0, 45 Thoms Run Rod, Bridgeville, PA 15017.

Any technical questions concerning the requirements for this project should be directed to: Mr. Bob Collins, P.E., District 11-0, at (412) 429-4928.

**General Requirements and Information**

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that requests engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

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 a Letter of Interest 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 Transportation Equity Act for the 21st century (TEA-21) 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 TEA-21 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 are 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 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. 99-563. Filed for public inspection April 2, 1999, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in section 5a(h) and (I) of the Regulatory Review Act (75 P. S. § 745.5a(h)(I)).

The Commission has issued comments on the following proposed regulations. The agency must consider these

comments in preparing the final-form regulation. The final-form regulations must be submitted by the dates indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
100-14	Pennsylvania Health Care Cost Containment Council Severity Methodology	3/18/99	2/16/01

(Notice of proposed rulemaking published at 29 Pa.B. 332 (January 16, 1999))

*Pennsylvania Health Care Cost Containment Council  
Regulation No. 100-14*

*Severity Methodology*

*March 18, 1999*

We have reviewed this proposed regulation from the Pennsylvania Health Care Cost Containment Council (Council) and submit for your consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to clarity and economic impact. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

### § 911.1. Definitions.—Clarity and Economic Impact

#### *“Patient severity”*

The proposed amendment to the existing definition of “patient severity” contains phrases such as “appropriate clinical findings” and “any other relevant clinical factors.” These phrases are vague. What are the parameters of an “appropriate” clinical finding or a “relevant” clinical factor?

Further, it is not clear from these phrases if the Council intends to consider other severity measurement methodologies, such as administratively based systems, when the definition of “patient severity” emphasizes “clinical” findings and factors.

The Hospital and Healthsystem Association of Pennsylvania and the Hospital Council of Western Pennsylvania have both suggested revisions to this definition that would allow the Council to review and select alternative methodologies to determine patient severity. The use of an alternative methodology could reduce duplicative record reviews, saving hospitals as much as \$40—50 million annually.

We question how the Council will achieve its stated purpose if the definition is so narrow that it does not allow the Council flexibility in the selection of patient severity adjustment methodology. For these reasons, the Council should amend the definition of “patient severity” to more clearly allow the Council the latitude to choose the most cost effective patient severity methodology.

JOHN R. MCGINLEY, Jr.  
*Chairperson*

[Pa.B. Doc. No. 99-564. Filed for public inspection April 2, 1999, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Horizon Healthcare of Pennsylvania, Inc.; Medi-group HMO, Inc.; Rate Increase for MEDIHMO Rx Rider (9/96)

Horizon Healthcare of Pennsylvania, Inc. has requested to increase the rates for its group HMO prescription drug rider. The proposed increase ranges from 68% to 130% over the first quarter 1997 rates. This increase will affect approximately 2,500 members. An effective date of May 1, 1999, is requested.

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

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

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 99-565. Filed for public inspection April 2, 1999, 9:00 a.m.]

### Horizon Healthcare of Pennsylvania, Inc.; Medi-group HMO, Inc.; Rate Increase for Policy Form MEDIHMO1-9/96

Horizon Healthcare of Pennsylvania, Inc. has requested to increase the rates for its group HMO policy MEDIHMO1. The proposed increase ranges from 32.9% to 33.7% over the fourth quarter 1997 base rates. This increase will affect approximately 4,600 contracts. An effective date of May 1, 1999, is requested.

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

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

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 99-566. Filed for public inspection April 2, 1999, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Blair County, Wine & Spirits Shoppe #0701, Station Mall, 1613 9th Avenue, Altoona, PA 16602-2460.

*Lease Expiration Date:* May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,800 net useable square feet of new or existing retail commercial space near Station Mall in Altoona. The space must have off-street parking and good loading facilities.

*Proposals due:* April 30, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Tom Deal, (412) 565-5130

Centre County, Wine & Spirits Shoppe #1401, 114 N. Spring Street, Bellefonte, PA 16823-1504.

*Lease Expiration Date:* May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space serving the Bellefonte area.

*Proposals due:* April 30, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Crawford County, Wine & Spirits Shoppe #2003, 273 S Main Street, Cambridge Springs, PA 16403-1156.

*Lease Expiration Date:* May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space in Cambridge Spring's Central Business District.

*Proposals due:* April 30, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Potter County, Wine & Spirits Shoppe #5301, 14 E Second Street, Coudersport, PA 16915-1610.

*Lease Expiration Date:* May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,800 net useable square feet of new or existing retail commercial space serving the Coudersport area. Off-street parking is preferred. Good loading facilities are required.

*Proposals due:* April 30, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Tom Deal, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0255, 914 Pittsburgh Street, Springdale, PA 15144-1733.

*Lease Expiration Date:* February 29, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space on Freeport Road serving Springdale and surrounding areas.

*Proposals due:* April 30, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #9213, 2356 Golden Mile Highway, Pittsburgh, PA 15239-2710.

*Lease Expiration Date:* May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,200 net useable square feet of new or existing retail commercial space serving Plum Borough on Route 286 between Sandune Drive and Old Frankstown Road. Off-street parking and good loading facilities are required.

*Proposals due:* April 30, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Tom Deal, (412) 565-5130

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 99-567. Filed for public inspection April 2, 1999, 9:00 a.m.]

## PENNSYLVANIA COMMISSION FOR WOMEN

### Meeting Notice

The Pennsylvania Commission for Women has scheduled the Commissioner's Meeting for the second quarter of 1999 to be held Monday, April 19, 1999, at 10 a.m. until 3 p.m. The Commissioner's Meeting will be held in Room E-100 of the Labor and Industry Building, Forster Street, Harrisburg, PA 17120. The public is invited to attend. Persons who need accommodations due to a disability and want to attend should contact Christine Anderson, Pennsylvania Commission for Women, 205 Finance Building, Harrisburg, PA 17120, at (717) 787-8128, at least 24 hours in advance so arrangements can be made.

LOIDA ESBRI,  
*Executive Director*

[Pa.B. Doc. No. 99-568. Filed for public inspection April 2, 1999, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service Without Hearing

**A-121850F0012. Golier Gas Company, Inc. and National Fuel Gas Distribution Corporation.** Joint Application of Golier Gas Company, Inc. and National Fuel Gas Distribution Corporation for approval for Golier Gas Company, Inc. to begin to offer, render, furnish or supply Natural Gas Service in Clarion, Farmington, Highland, Limestone and Monroe Townships, Clarion County; Greene and Kingsley Townships, Forest County; and Barnett, Beaver, Eldred, Heath, Knox, Oliver, Pinecreek, Warsaw, Washington and Winslow Townships, Jefferson County, PA (Docketed at A-120009F0002), National Fuel Gas Distribution Corporation to Abandon Service to 130 Residential Customers (Docketed at A-121850F2020) and National Fuel Gas Distribution Corporation to transfer by Sale Certain Facilities used and useful in the Public Service from National Fuel Gas Distribution Corporation to Golier Gas Company, Inc.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before April 19, 1999, under 52 Pa. Code (relating to public utilities).

*Applicants:* National Fuel Gas Distribution Corporation

*Through and By Counsel:* Michael W. Gang, John H. Isom, Morgan, Lewis & Bockius LLP, 417 Walnut Street, Harrisburg, Pennsylvania 17101-1904 and Golier Gas Company, Inc.

*Through and by Counsel:* Martin W. Sheerer, 1550 Koppers Building, 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-569. Filed for public inspection April 2, 1999, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before April 26, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate

whether it applies to the temporary authority application or the permanent application or both.

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

**A-00115709. Eastern Taxi Service, LLC** (813 Water Street, Meadville, Crawford County, PA 16335), a Pennsylvania Limited Liability Company—persons upon call or demand, in Mercer and Crawford Counties; which is to be a transfer of all of the rights authorized under the certificate issued at A-00112763, to Eastern Medical Ambulance, Inc., subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

**A-00115710. Apple Auto Sales, Inc.** (5197 Lincoln Highway, Gap, Lancaster County, PA 17527), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the township of Salisbury, Lancaster County, and within an airline distance of 20 statute miles of the limits of said township, and from points in that area, to points in Pennsylvania, and return; which is to be a transfer of all of the rights authorized under the certificate issued at A-00108823 to H. Eugene and Theodore D. Feerrar, Copartners, subject to the same limitations and conditions. *Attorney:* James K. Weaver, 132 West Main Street, New Holland, PA 17557-1295.

**A-00115729. Green's Taxi, Inc.** (2079 Smith Township State Road, Burgettstown, Washington County, PA 15021), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand, in the boroughs of Burgettstown and Midway, and the townships of Cross Creek, Hanover, Independence, Jefferson, Smith and Robinson, except for points in the township of Robinson which are east of State Route 980 and south of North Branch Road, all in the county of Washington; subject to the following condition: that no right, power or privilege is granted to provide transportation in the above described territory under written contracts with the Pennsylvania Department of Transportation or the Washington County Transit Authority; which is to be a transfer of the right authorized Robert C. Green, t/d/b/a Green's Taxi Service, under the certificate issued at A-00114501, subject to the same limitations and conditions. *Attorney:* Paul J. Walsh, P. O. Box 454, Cecil, PA 15321.

**Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.**

**A-00112166, Folder 4. Classic Limousine Transportation, L.L.C.** (345 Rouser Road, Coraopolis, Allegheny County, PA 15108)—transport persons in paratransit service, between points in the counties of Washington, Westmoreland, Fayette, Armstrong and Somerset, and from points in said counties, to points in Pennsylvania, and return. Application for temporary authority has been filed at A-00112166, Folder 4, seeking the following right: to transport persons in paratransit service, for Monongahela Valley Hospital, between points in Washington County, and for Westmoreland Regional Hospital,

between points in Westmoreland County. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-570. Filed for public inspection April 2, 1999, 9:00 a.m.]

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**Telecommunications**

**A-310760F0002. Bell Atlantic-Pennsylvania, Inc. and Dakota Services, LTD.** Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Dakota Services, LTD. for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Dakota Services LTD., by its counsel, filed on March 12, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell-Atlantic-Pennsylvania, Inc. and Dakota Services, LTD. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-571. Filed for public inspection April 2, 1999, 9:00 a.m.]

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**Telecommunications**

**A-310806. Bell Atlantic-Pennsylvania, Inc. and NOW Communications, Inc.** Joint Petition of Bell Atlantic-Pennsylvania, Inc. and NOW Communications, Inc. for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and NOW Communications, Inc., by its counsel, filed on March 17, 1999, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and NOW Communications, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director,  
Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-572. Filed for public inspection April 2, 1999, 9:00 a.m.]

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### Telecommunications

**A-310760F0002. GTE North Incorporated and Dakota Services Limited.** Joint Petition of GTE North Incorporated and Dakota Services Limited for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

GTE North Incorporated and Dakota Services, Limited, by its counsel, filed on March 17, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and Dakota Services Limited Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director,  
Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-573. Filed for public inspection April 2, 1999, 9:00 a.m.]

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### Telecommunications

**A-310403F0002. GTE North Incorporated and Preferred Carrier Services, Inc.** Joint Petition of GTE North Incorporated and Preferred Carrier Services, Inc. for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

GTE North Incorporated and Preferred Carrier Services, Inc., by its counsel, filed on March 19, 1999, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and Preferred Carrier Services, Inc., Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director,  
Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-574. Filed for public inspection April 2, 1999, 9:00 a.m.]

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## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

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

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

April 21, 1999 Larry LeBlanc 11 a.m.  
(Payment of Death Benefit)

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

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

DALE EVERHART,  
*Secretary*

[Pa.B. Doc. No. 99-575. Filed for public inspection April 2, 1999, 9:00 a.m.]

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## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

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

April 5, 1999 Harry C. Jackson 1:30 p.m.  
 (Disability Benefits)  
 April 7, 1999 Dianne M. Jenkins Papa 1 p.m.  
 (Multiple Service Credit)  
 April 14, 1999 Lorrie L. Siftar 1 p.m.  
 (Purchase Service Credit  
 w/Kutztown University)  
 April 28, 1999 Robert Gudknecht 1 p.m.  
 (Purchase Non-Intervening  
 Military Service)

positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 99-576. Filed for public inspection April 2, 1999, 9:00 a.m.]

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective

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