

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 September 7, 1999.

BANKING INSTITUTIONS Holding Company Acquisitions

| <i>Date</i> | <i>Name of Corporation</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-------------------|---------------|
| 8-6-99 | Sky Financial Group, Inc., Bowling Green, Ohio, to acquire 100% of the voting shares of First Western Bancorp, Inc., New Castle, PA | Bowling Green, OH | Effective |

New Charter Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Avenue</i> |
|-------------|--|--|-------------------------|
| 9-2-99 | Aris Trust Company State College Centre County | 270 Walker Drive P. O. Box 1318 State College Centre County | Commenced Operations |

Conversions

| <i>Date</i> | <i>Name of Institution</i> | <i>Location</i> | <i>Action</i> |
|--|--|-----------------|---------------|
| 9-1-99 | Quaint Oak Building and Loan Association Southampton Bucks County <i>To:</i> Quaint Oak Savings Bank Southampton Bucks County | Southampton | Approved |
| Represents conversion from a State-chartered mutual savings and loan association to a State-chartered mutual savings bank. | | | |

Branch Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 9-1-99 | Premier Bank Doylestown Bucks County | General Hancock Shopping Center Horsham and Upper State Roads Montgomeryville Montgomery County | Filed |

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

Articles of Amendment

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Purpose</i> | <i>Action</i> |
|-------------|---|--|------------------------------|
| 9-1-99 | SVH Credit Union Sewickley Allegheny County | To provide for a change in corporate title to "HVHS Credit Union;" and to amend the field of membership to reflect the change in name to "Heritage Valley Health System of Pennsylvania." | Approved and Effective |

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1582. Filed for public inspection September 17, 1999, 9:00 a.m.]

Maximum Lawful Rate of Interest to Residential Mortgages for the Month of October 1999

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of October, 1999, is 8 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as his principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 6.37 to which was added 2.50 percentage points for a total of 8.87 that by law is rounded off to the nearest quarter at 8 3/4%.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1583. Filed for public inspection September 17, 1999, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Request for Application under Section 204 of the Carl D. Perkins Vocational and Applied Technology Act Amendments of 1998 (P. L. 105-332)

Applications for FY 1999-2000 Perkins Vocational and Applied Technology Act competitive funds are invited for the following category:

Tech Prep Education: Statewide incorporation and implementation of industry skill standards in high skill technical occupational areas with high employment needs.

1. Eligibility Requirements

Be an accredited, nonprofit 2/4 year public or private university or college/ community college or a local education agency.

2. Application Requirements

Applications are due October 18, 1999 by 5 p.m.

3. Application Forms and Guidelines

Completion of applications requires the use of two references: the general and Request for Application guidelines. These documents are available from Kathleen Weidinger, Division of Advisory and Approval Services, Bureau of Vocational-Technical Education, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 787-5293.

4. Completed Applications

Completed applications are to be mailed or delivered (not faxed) to the Division of Advisory and Approval Services (see previous address).

5. Preproposal Conference/Funding Workshop

The Department of Education, Bureau of Vocational-Technical Education, will conduct a preproposal conference/ funding workshop on Thursday, September 30, 1999, to review funding priorities and application procedures. The preproposal conference will be held at 333 Market Street, in the sixth floor conference room (Green Room) and will begin at 1:30 p.m. and is expected to conclude by 3 p.m.

Attendance at this meeting is not a prerequisite for application for this grant program.

Contact Kathleen Weidinger at the Bureau of Vocational-Technical Education at (717) 787-5293 to pre-register for this preproposal conference.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-1584. Filed for public inspection September 17, 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, 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 comment 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.

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

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

NPDES Permit No. PA 002628, Amendment No. 1. Sewage, SIC: 4952, **Borough of Lewistown**, 2 East Third Street, Lewistown, PA 17044-1799.

This action is for amendment of an NPDES permit for an existing discharge of treated sewage to the Juniata River in the Borough of Lewistown, **Mifflin County**.

The receiving stream is classified for warm water fish, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements, the existing downstream potable water supply intake considered during the evaluation was the Dauphin Consolidated Water Company located at the Rockville Bridge. The discharge is not expected to impact any potable water supply.

The proposed change to the permit is the removal of the second paragraph of Part B.I.D., regarding Best Management Practices.

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.

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

PA 0095257. Industrial waste, SIC: 4941, **Indiana County Municipal Services Authority**, P. O. Box 351, Indiana, PA 15701.

This application is for issuance of an NPDES permit to discharge treated process water from a water treatment plant in Creekside Borough, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, McKee Run, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Buffalo Township Municipal Authority, located at Freeport, 52 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.002 mgd.

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|------------|--|---------------|----------------------|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Flow (mgd) | monitor and report | | | | |
| TSS | | | 30 | | 60 |
| Aluminum | | | 4 | | 8 |
| Iron | | | 2 | | 4 |
| Manganese | | | 1 | | 2 |
| TRC | | | 0.5 | | 1.0 |
| pH | not less than 6.0 nor greater than 9.0 | | | | |

The EPA waiver is in effect.

PA 0034185. Sewage, **Kenneth Hurlburt**, 4751 Kendor Drive, Lower Burrell, PA 15068.

This application is for renewal of an NPDES permit to discharge treated sewage from the High Meadows Mobile Home Park Sewage Treatment Plant in Allegheny Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of the Allegheny 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 Clearview Water Supply Company.

Outfall 001: existing discharge, design flow of .02 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 ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Total Residual Chlorine | | | | |
| (1st month—36th month) | monitor and report | | | |
| (37th month—expiration) | 1.4 | | | 3.3 |
| Dissolved Oxygen | not less than 3.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA 0091049. Sewage, **U. S. Health and Human Services**, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, Pittsburgh Research Laboratory, P. O. Box 18070, Pittsburgh, PA 15236-0070.

This application is for renewal of an NPDES permit to discharge treated sewage from Lake Lynn Laboratory STP in Springhill Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Rubles Run—Dragoo Hollow, 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 Albert Gallatin Municipal Authority on the Cheat River.

Outfall 001: existing discharge, design flow of 0.00035 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 ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 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 0093254. Sewage, **Sugar Creek Rest, Inc.**, R. D. 2, Box 80, Worthington, PA 16262-9004.

This application is for renewal of an NPDES permit to discharge treated sewage from Sugar Creek Rest STP in Sugar Creek Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tributary of Patterson Creek, which are classified as a high quality trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Cadogen Water Works.

Outfall 001: existing discharge, design flow of .02 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 ₅ | 20 | | | 40 |
| Suspended Solids | 25 | | | 50 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.5 | | | 5.0 |
| (11-1 to 4-30) | 6.0 | | | 12.0 |

| Parameter | Concentration (mg/l) | | | |
|---|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| Fecal Coliform (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Total Residual Chlorine (1st month—36th month) | monitor and report | | | |
| (37th month—expiration) | 0.13 | | | 0.3 |
| Dissolved Oxygen | not less than 6 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA 0096385. Sewage, **Connellsville Area School District**, Administrative Building, 125 North Seventh Street, Connellsville, PA 15425.

This application is for renewal of an NPDES permit to discharge treated sewage from the Bullskin Township Elementary School Sewage Treatment Plant in Bullskin Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.01 mgd.

| Parameter | Concentration (mg/l) | | | |
|---|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen (5-1 to 10-31) | 19 | | | 38 |
| 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) | 1.4 | | | 3.3 |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA 0097128. Sewage, **Paisley Industrial Park, County of Greene**, Greene County Commissioners, 93 East High Street, Waynesburg, PA 15370-1839.

This application is for issuance of an NPDES permit to discharge treated sewage from the Paisley Industrial Park Sewage Treatment Plant in Cumberland Township, **Greene County**.

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

Outfall 001: existing discharge, design flow of 0.015 mgd.

| Parameter | Concentration (mg/l) | | | |
|------------------------------------|----------------------------------|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen (5-1 to 10-31) | 3.5 | | | 7.0 |
| (11-1 to 4-30) | 10.5 | | | 21.0 |
| Fecal Coliform (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 4,000/100 ml as a geometric mean | | | |
| Total Residual Chlorine | 0.6 | | | 1.5 |

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|------------------|--|---------------------------|--------------------------|----------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| Dissolved Oxygen | not less than 3.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA 0098523. Sewage, **Calvin Cramer**, 305 Oberdick Drive, McKeesport, PA 15135.

This application is for renewal of an NPDES permit to discharge treated sewage from Glenmeadow Mobile Home Park STP in Amwell Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Tenmile Creek, which are classified as a trout stock 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 Marianne Municipal Water Works.

Outfall 001: existing discharge, design flow of .0367 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 ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 9-31) | 2.0 | | | 4.0 |
| (11-1 to 4-30) | 3.0 | | | 6.0 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Dissolved Oxygen | not less than 5 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA 0218235. Sewage, **Russell W. Smith**, 101 Spruce Hill Lane, Fombell, PA 16123.

This application is for issuance of an NPDES permit to discharge treated sewage from Russell W. Smith, Single Residence Sewage Treatment Plant in Marion Township, **Beaver County**.

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

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 ₅ | 10 | | | 20 |
| Suspended Solids | 10 | | | 20 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 3 | | | 6 |
| (11-1 to 4-30) | 9 | | | 18 |
| 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 | | | |
| Dissolved Oxygen | not less than 3.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA 0218243. Sewage, **David Hribar**, R. R. 3, Box 40B, New Florence, PA 15944.

This application is for issuance of an NPDES permit to discharge treated sewage from Hribar Single Residence STP in Ligonier Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Bergstrom Hollow Run, which are classified as a high quality, 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 Latrobe Municipal Authority, Latrobe Reservoir, on Trout Run.

Outfall 001: new discharge, design flow of 0.0004 mgd.

| Parameter | Concentration (mg/l) | | | |
|-------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 10 | | | 20 |
| Suspended Solids | 10 | | | 20 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 1.5 | | | 3.0 |
| (11-1 to 4-30) | 4.5 | | | 9.0 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Total Residual Chlorine | 1.4 | | | 3.3 |
| 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.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewaters 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 Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding 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.

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

| NPDES No. | Facility Name and Address | County and Municipality | Tributary Stream | New Permit Requirements |
|------------|---|--|--|-------------------------|
| PA 0055255 | Charles F. Beck 6558 St. Peters Road Macungie, PA 18062 | Lehigh County Upper Milford Township | Unnamed Tributary to Indian Creek | None |

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 commentator 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 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.

Industrial waste and sewerage applications 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, (570) 826-2511.

A. 4899404. Glendon Properties, Inc., 108 North Eighth Street, Allentown, PA 18101-1293. Application for construction and operation of sanitary collection system and two pumping stations, located in the Borough of Glendon, **Northampton County**. Application received in the Regional Office—August 27, 1999.

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

A. 3096401, Amendment No. 1. Sewerage. Commonwealth of Pennsylvania, Department of Corrections, P. O. Box 598, Camp Hill, PA 17001-0598. Application for the expansion and operation of the existing sewage treatment plant which serves the SCI-Waynesburg located in Morgan Township, **Greene County**.

A. 5672407, Amendment No. 1. Sewerage. Borough of Meyersdale, 613 Second Street, P. O. Box 60, Meyersdale, PA 15552. Application for the modification and operation of the existing Meyersdale Sewage Treatment Plant, sewers and appurtenances, Charles Street Pump Station and a stream crossing located in Meyersdale Borough, **Somerset County**.

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

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 discharged.

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

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

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

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

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

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

NPDES Permit PAS10-J045. Stormwater. White Horse Village, 535 Gradyville Road, Newtown Square, PA 19073, has applied to discharge stormwater from a construction activity located in Edgmont Township, **Delaware County**, to Ridley Creek.

NPDES Permit PAS10-G380. Stormwater. Owen J. Roberts School District, 901 Ridge Road, Pottstown, PA 19465-9314, has applied to discharge stormwater from a construction activity located in South Coventry Township, **Chester County**, to French Creek.

NPDES Permit PAS10-G381. Stormwater. Geffery Eachus, 444 Corner Kitch Road, Downingtown, PA 19335, has applied to discharge stormwater from a construction activity located in East Brandywine Township, **Chester County**, to Unnamed Tributary to East Branch Brandywine Creek.

NPDES Permit PAS10-G382. Stormwater. South-down Properties, Inc., 55 Country Club Drive, Suite 200, Downingtown, PA 19335, has applied to discharge stormwater from a construction activity located in Uwchlan Township, **Chester County**, to Unnamed Tributary to Shamona Creek.

NPDES Permit PAS10-G383. Stormwater. Edward A. Leo, 128 Round Hill Road, Kennett Square, PA 19348, has applied to discharge stormwater from a construction activity located in Lower Oxford Township, **Chester County**, to Unnamed Tributary to Big Elk Creek.

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

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

NPDES Permit PAS10Q013-R. Stormwater. **Anthony Koneski**, 5202 Mill Road, Emmaus, PA 18049, has applied to discharge stormwater from a construction activity located in Upper Milford Township, **Lehigh County**, to Little Lehigh Creek.

Monroe County Conservation District, District Manager, 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

NPDES Permit PAS10S082. Stormwater. **Bestway Lumber Treatment Ctr.**, Bestway Enterprises, Inc., 3877 Luker Rd., Cortland, NY 13047, has applied to discharge stormwater from a construction activity located in Barrett Township, **Monroe County**, to Cranberry Creek.

Pike County Conservation District, District Manager, HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.

NPDES Permit PAS10V028. Stormwater. **Dreher Retail Center**, The Dreher Group, Richard Dreher, President, 102 Colliery Road, Dickson City, PA 18519, has applied to discharge stormwater from a construction activity located in Dingman Township, **Pike County**, to Dwarfs Kill Creek Tributary to Raymondskill Creek.

SAFE DRINKING WATER

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

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

1399502. Public water supply. **Golden Oaks Village**, David Quinn, Manager, White Haven Municipal Authority, 50 East Woodhaven Drive, White Haven, PA 18661. This proposal involves modifications to an existing well and construction of a new wellhouse, treatment facilities, 238,000 gallon storage tank and distribution system. The project incorporates two sedimentation basins. It is located in Kidder Township, **Carbon County**. *Engineer:* Rosewell S. McMullen, P.E.

3999504. Public water supply. **City of Allentown**, Joseph Slivka, Manager, Bureau of Water Resources, 1300 Martin Luther King, Jr. Drive, Allentown, PA 18102. This proposal involves constructing a fluoride facility room immediately south of the chemical area, in the first bay west of the chemical building. The layout for the facility was developed based on a hydrofluosilic acid liquid feed system. The design of the fluoride system incorporates a bulk storage tank, transfer pump, day tank and four feed pumps, with appurtenances (that is, automatic controls, residual analyzers, HVAC, safety equipment, and the like). It is located in the City of Allentown, **Lehigh County**. *Engineer:* Gary Kroll, P.E., Camp Dresser and McKee.

3999505. Public water supply. **Upper Saucon Township**, Bernard Rodgers, Township Secretary, Upper Saucon Township, 5500 Camp Meeting Road, Center Valley, PA 18034. This proposal involves the construction of corrosion control treatment facilities at the existing water blending facility located in Upper Saucon Township, **Lehigh County**. *Engineer:* David Heinly, Senior Engineer, Keystone Consulting Engineers.

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

Permit No. 0699506. Public water supply, **Cedar Hill Village Water Company**, Robeson Township, **Berks County**. *Responsible Official:* Darrin D. Heckman, Project Manager, P. O. Box 278, King of Prussia, PA 19406. *Type of Facility:* Construction of a new community water system including: well, disinfection, finished water storage and distribution. *Consulting Engineer:* Larry S. Turoscy, P.E., Lehigh Engineering Associates, Inc., 453 Main Street, Walnutport, PA 18088. Application received August 11, 1999.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302, 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 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 cleanup 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 a 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:

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

Ashbourne Cleaners Site, Cheltenham Township, **Montgomery County**. Gregory S. Van Hook, Millennium Environmental Group, 6205 Easton Road, Pipersville, PA 18947, has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Chronicle* on August 18, 1999.

Clinton Garage, City of Philadelphia, **Philadelphia County**. David Stockar, P.G., Versar, Inc., 1900 Frost Road, Suite 110, Bristol, PA 19007, has submitted a Notice of Intent to Remediate site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Tribune* on August 24, 1999.

Cimeo Tract, Sadsbury Township, **Chester County**. Steven L. Tanen, P.G., HydroScience, Inc., Center City Executive Centre, 607 Washington Street, Reading, PA 19601, has submitted a Notice of Intent to Remediate site soil contaminated with heavy metals. The applicant proposes to remediate the site to meet the Statewide health and background standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on August 25, 1999.

Former Service Station—102 Bala Avenue, Lower Merion Township, **Montgomery County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil contaminated with lead, solvents and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Main Line Times* on August 26, 1999.

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

Crawford Station, Middletown Borough, **Dauphin County**. Susquehanna Area Regional Airport Authority, Harrisburg International Airport, 135 York Drive, Suite 100, Middletown, PA 17057, has submitted a Notice of Intent to Remediate site soils, groundwater, surface water and sediment contaminated with heavy metals, solvents and PHCs. The applicant proposes to remediate the site as a special industrial area. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot-News* during the week of August 29, 1999.

Wolverine Tube, Small Tube Products Division, Allegheny Township, **Blair County**. Wolverine Tube,

P. O. Box 2202, Decatur, AL 35609-2202, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heavy metals. The applicant proposes to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror*.

SOLID AND HAZARDOUS WASTE

BENEFICIAL USE DETERMINATIONS

Beneficial use determinations received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the regulations for municipal and residual waste.

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

Notice received from **Thomas Marks**, Box 182, Boyers, PA 16020, to beneficially use coal ash as a structural fill. The coal ash will be used to construct a private airport runway located in Venango Township, **Butler County**.

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.

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

Permit No. 100403. An application to increase the permitted acreage, to modify the groundwater monitoring plan, to use alternate daily covers and to recirculate leachate was received from **Seneca Landfill, Inc.**, P. O. Box 1080, Mars, PA 16046, located in Jackson and Lancaster Townships, **Butler County**. Application was accepted by the Regional Office on September 1, 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 mate-

rials 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. 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

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.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, Attn: Michael Safko, (570) 826-2531.

48-00009: Victaulic Co. of America (P. O. Box 31, Easton, PA 18044-0031), for foundry and surface coating operations in Forks Township, **Northampton County**.

PLAN APPROVALS

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

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

40-328-001A: Transcontinental Gas Pipeline Corp. (P. O. Box 1396, Houston, TX 77251-1396), for construction of a single cycle turbine at the Bear Creek facility in Buck Township, **Luzerne County**.

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

PA-10-047D: Mine Safety Appliances Co., Callery Chemical Division (1420 Mars-Evans City Road, Evans City, PA 16033), for installation of a new drying operation in the amine boranes process in Forward Township, **Butler County**.

PA-43-310C: Duferco Farrell Corp. (15 Roemer Blvd., Farrell, PA 16121), for operation of the existing No. 4 tandem mill and oil mist emission control system in Farrell, **Mercer County**.

PA-43-310D: Duferco Farrell Corp. (15 Roemer Blvd., Farrell, PA 16121), for construction of the existing No. 7 pickle line rebuild and new emissions control project in Farrell, **Mercer County**. The source is subject to 40 CFR Part 63 Subpart CCC.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

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

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

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

Coal Applications Received

40830202R2. Diamond Coal Company, Inc. (Route 309 N, Box Q, Milnesville, PA 18239), renewal of an existing coal refuse reprocessing operation in Hazle Township, **Luzerne County** affecting 141.2 acres, receiving stream—none. Application received August 30, 1999.

54900101C4. Blackwood, Inc. (P. O. Box 639, Wind Gap, PA 18091), correction to an existing anthracite surface mine operation in Reilly, Branch and Tremont Townships, **Schuylkill County** affecting 1,847.6 acres, receiving stream—Panther Creek. Application received August 30, 1999.

54743208R3. Ginther Coal Company (P. O. Box 989, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in East Norwegian Township, **Schuylkill County** affecting 62.0 acres, receiving stream—Schuylkill River. Application received September 1, 1999.

54850201R3. Ginther Coal Company (P. O. Box 989, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Blythe Township, **Schuylkill County** affecting 31.0 acres, receiving stream—McMichael Creek. Application received September 1, 1999.

Hawk Run District Office, P. O. Box 209, Off Empire Road, Hawk Run, PA 16840.

17990904. G & S Timber, Inc. (P. O. Box 207, Curwensville, PA 16833), commencement, operation and restoration of an incidental coal extraction permit in Bigler Township, **Clearfield County** affecting 5.5 acres. Receiving streams: unnamed stream to Upper Morgan Run to

Clearfield Creek to West Branch Susquehanna River. Application received August 26, 1999.

17990116. Forcey Coal, Inc. (P. O. Box 225, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine permit in Goshen Township, **Clearfield County** affecting 62 acres. Receiving streams: unnamed tributaries to Pine Run and Flegals Run and Taylor Spring Run. Application received August 30, 1999.

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

56890111. Permit Renewal, Dupstadt Coal (2835 Stutzmantown Road, Somerset, PA 15501), for continued restoration of a bituminous strip mine in Elk Lick Township, **Somerset County**, affecting 70.8 acres, receiving stream Tub Mill Run and unnamed tributaries to Laurel Run. Application received August 27, 1999.

56693103. Permit Renewal, Diamond T Coal Company (1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541), continued restoration of a bituminous-auger strip mine in Stonycreek Township, **Somerset County**, affecting 828.8 acres, receiving stream to unnamed tributary to Lamberts Run; to Lamberts Run; and to Grove Run and unnamed tributary to Grove Run. Application received August 30, 1999.

56713105. Permit Renewal for reclamation, only, Hoffman Mining, Inc. (P. O. Box 130, Friedens, PA 15541), for continued restoration of a bituminous-auger strip mine in Shade Township, **Somerset County**, affecting 540.5 acres, receiving stream to Oven Run. Application received September 1, 1999.

56763114. Permit Renewal, Svonavec, Inc. (160 West Union Street, Suite 201, Somerset, PA 15501), for continued restoration of a bituminous-Lower Mahoning Sandstone Removal strip mine in Milford Township, **Somerset County**, affecting 96.8 acres, receiving stream unnamed tributaries to South Glade Creek and to South Glade Creek. Application received September 2, 1999.

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

03960105. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application received to revise permit to allow for the construction of a passive treatment system within the 100 foot stream barrier of an unnamed tributary to Huskins Run, as well as to conduct surface mining activities within 100 feet of a township road, at a bituminous surface/auger mining site located in Cowanshannock Township, **Armstrong County**, affecting 501.0 acres. Receiving streams: unnamed tributaries to Huskins Run and Huskins Run. Application received: August 30, 1999.

63990103. Twilight Industries (A Division of US Natural Resources, 212 State Street, Belle Vernon, PA 15012). Application received for commencement, operation and reclamation of a bituminous surface mine located in Somerset Township, **Washington County**, proposed to affect 287.1 acres. Receiving streams: unnamed tributaries to Center Branch of Pigeon Creek, Center Branch of Pigeon Creek, Pigeon Creek, Monongahela River. Application received: August 26, 1999.

03990106. Thomas J. Smith, Inc. (R. R. 1, Box 260-D, Shelocta, PA 15774). Application received for commencement, operation and reclamation of a bituminous surface mine located in Washington Township, **Armstrong County**, proposed to affect 94.1 acres. Receiving streams: unnamed tributaries to Huling Run and Huling Run to Allegheny River. Application received: August 31, 1999.

63990102. Robinson Coal Company (200 Neville Road, Neville Island, PA 15225). Application received for commencement, operation and reclamation of a bituminous surface mine located in Robinson Township, **Washington County**, proposed to affect 273.5 acres. Receiving streams: unnamed tributaries to Robinson Run to Robinson Run to Chartiers Creek to the Ohio River and Robinson Run to Chartiers Creek to the Ohio River. Application received: September 1, 1999.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit 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.

E15-625. Encroachment. East Bradford Township, 666 Copeland School Rd., West Chester, PA 19380-1822. To perform minor grading, construct and maintain a stone walking trail system, and associated parking and restroom facilities within the 100-year floodplain of the Brandywine Creek (WWF-MF). This work is associated with the proposed River Park located just south of the intersection of Bridge Road (S. R. 0842) and Brandywine Creek Road (Unionville USGS Quadrangle N: 8.2 inches; W: 2.8 inches) in East Bradford Township, **Chester County**.

E15-626. Encroachment. Downingtown Borough, Municipal Government Ctr., 4—10 W. Lancaster Ave., Downingtown, PA 19335-2800. To perform minor grading, construct and maintain a bituminous walking trail system within the 100-year floodplain of the Brandywine Creek (WWF-MF). This work is associated with the proposed Brandywine Trail located in the vicinity of the intersection of Lancaster Avenue (S. R. 3070) and

Brandywine Creek (Downingtown USGS Quadrangle N: 0.9 inch; W: 11.0 inches) in Downingtown Borough, **Chester County**.

E23-389. Encroachment. Jerry Holtz, Provo Partners, 121 Baltimore Pike, Springfield, PA 19064. To remove an existing stream enclosure and to construct, realign and maintain approximately 273 linear feet of 52-inch × 114-inch stream enclosure in and along the Muckinipattis Creek for the purpose of constructing a single retail store. This site is located on the southside of Baltimore Pike, between Homestead Avenue and North Avenue (Lansdowne, PA Quadrangle N: 8.5 inches; W: 9.00 inches) in Springfield Township, **Delaware County**.

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

E40-530. Encroachment. William P. Dauksis, R. R. 1, Box 249, Dallas, PA 18612. To modify and maintain an existing private boat dock by constructing an additional 300 s. f. section for two boat slips along the southern shore of Harveys Lake (HQ-CWF). The existing dock extends 49 feet from the shore and is located at Pole 305 1/2, approximately 0.5 mile west of the intersection of S. R. 1020 and S. R. 0415 (Harveys Lake, PA Quadrangle N: 18.7 inches; W: 5.1 inches), Harveys Lake Borough, **Luzerne County** (Baltimore 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.

E29-074. Encroachment. Sandra Vosburg, R. D. 2, Box 169, McConnellsburg, PA 17233. To fill in 0.0027 acre of de minimis wetland for parking space purposes located on the north side of T-381 about 600 feet east of the US 522 and T-381 intersection (Meadow Grounds, PA Quadrangle N: 5.25 inches; W: 1.5 inches) in Ayr Township, **Fulton County**.

E36-681. Encroachment. Lloyd Lapp, 1472 Stevens St., Manheim, PA 17545. To excavate within two tributary channels of the Conestoga River (WWF) for construction of a nonjurisdictional dam for irrigation of nursery plants on the Lapp Farm located along the south side of Stevens Street (Lancaster, PA Quadrangle N: 18.1 inches; W: 16.6 inches) in East Hempfield Township, **Lancaster County**.

E67-673. Encroachment. James Hogg, 258 Kirstaln, Dallastown, PA 17313. To place fill in 0.08 acre of wetlands and to relocate approximately 520 linear feet of an unnamed tributary to East Branch Codorus Creek (HQ-CWF) to construct an off-stream 0.7 acre farm pond located west of White Oak Road between Sawmill and Hara Roads (Glen Rock, PA Quadrangle N: 11.25 inches; W: 4.75 inches) in Shrewsbury Township, **York County**.

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

E14-452. Encroachment. Orviston Water Association, P. O. Box 639, Orviston, PA 16864. To remove an existing waterline and to install, operate and maintain a public water supply line beneath Hayes Run (Exceptional Value) and Beech Creek (Cold Water Fishery) for the distribution of potable water. The waterline crossing shall be constructed with 6-inch diameter PVC pipe, encased in concrete, at a minimum depth of 3-feet beneath the existing streambed elevation. The waterline crossing beneath Hayes Run shall be constructed in dry work

conditions through the use of a flume or pumping water around the work area. The project will not impact wetlands while cumulatively impacting 70-feet of waterway. The project is located along the northern right-of-way of SR 0364 approximately 30-feet west of the western terminus of SR 0364 (Snow Shoe SE, PA Quadrangle N: 19.0 inches; W: 0.5 inch) in Curtin Township, **Centre County**.

E14-355. Encroachment. **David Nevins**, P. O. Box 10414, St. College, PA 16805. To construct and maintain 50 feet of an 18-inch corrugated metal culvert pipe, 750.0 feet of stream relocation, and an outfall pipe discharging to an unnamed tributary to Buffalo Run located 2 miles west on Rt. 550 from the intersection with Rt. 322, turn right at the intersection of Rt. 550 and Julian Pike Road (Julian, PA Quadrangle N: 16 inches; W: 7.5 inches) in Patton Township, **Centre County**. This project proposes to impact 750 linear feet of an unnamed tributary to Buffalo Run which is designated a high quality cold water fishery and does not propose to impact any wetlands.

E41-425. Encroachment. **Gary Metzger and Joan Sattler**, 1185 Kaiser Hollow Road, Montoursville, PA 17754. To construct, operate and maintain a low flow crossing an unnamed tributary to Loyalsock Creek (Trout Stocking Fishery); and to place and maintain fill in 0.086 acre of wetland associated to the unnamed tributary for access to a private, single dwelling. The low flow crossing shall be constructed with a single corrugated metal pipe that will have a minimum diameter of 6 feet, a minimum length of 15 feet and a minimum depth of 0.5 feet submerged into the streambed. The maximum amount of fill to be maintained over the culvert pipe shall be 2 feet. The project will impact 75 feet of waterway and permanently impact 0.086 acre of wetland. The project is located along the eastern right-of-way of SR 0087 approximately 1.2 miles east of the intersection of SR 0087 and Kaiser Hollow Road (Montoursville, PA Quadrangle N: 14.1 inches; W: 1.9 inches) in Upper Fairfield Township, **Lycoming County**. The permittee shall provide for 0.086 acre of wetland replacement by making a monetary contribution to the National Fish and Wildlife Foundation, Pennsylvania Wetland Replacement Project, ID No. 95-096.

E57-086. Encroachment. **Fishing Creek Watershed Association**, 702 Sawmill Road—Suite 204, Bloomsburg, PA 17815. To construct, operate and maintain a limestone diversion well system in and along East Branch Fishing Creek (High Quality-Cold Water Fishery) for the abatement of acid precipitation. The abatement system shall consist of a 12-inch diameter intake structure in the channel, a 12-inch diameter water supply line within the floodway, and two diversion wells with limestone supply hoppers also in the floodway. The water intake shall be constructed in dry work conditions through the use of a flume or pumping water around the work area. The project will not impact wetlands while impacting 20 feet of waterway. The project is located along the northern right-of-way of S. R. 0118 approximately 2.3 miles north of the intersection of S. R. 4049 and T-725 (Red Rock, PA Quadrangle N: 12.7 inches; W: 12.9 inches) in Davidson Township, **Sullivan County**.

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

E03-383. Encroachment. **Armstrong County Industrial Development Authority**, 402 Market Street, Kittanning, PA 16201. To construct and maintain a 280.0 foot long concrete arch culvert having a normal span of 12.0 feet and an underclearance of 4.0 feet in an un-

named tributary to Nicholson Run (WWF) and a 250.0 foot long concrete arch culvert having a normal span of 16.0 feet and an underclearance of 5.0 feet in an unnamed tributary to Nicholson Run (WWF) for the purpose of providing access to proposed Slate Lick mixed-use park. The project is located off of Boyd Road (Kittanning, PA Quadrangle N: 1.2 inches; W: 16.6 inches) in South Buffalo Township, **Armstrong County**.

E03-384. Encroachment. **Armstrong County Industrial Development Authority**, 402 Market Street, Kittanning, PA 16201. To remove the existing structure and to construct and maintain a 165.0 foot long 20.0 foot by 8.0 foot concrete arch culvert in Nicholson Run (WWF) for the purpose of providing access to proposed Slate Lick mixed-use park. The project is located on Bable Road, approximately 3,000 feet downstream of the point where S. R. 3006 crosses Nicholson Run (Kittanning, PA Quadrangle N: 1.5 inches; W: 15.6 inches) in North Buffalo Township, **Armstrong County**.

E03-386. Encroachment. **Armstrong County Industrial Development Authority**, 402 Market Street, Kittanning, PA 16201. To place and maintain fill in 1.13 acre of PEM, 0.32 acre of PSS and 0.01 acre of POW wetlands for the purpose of developing proposed Slate Lick mixed-use park. To compensate for wetland loss, the applicant proposes the construction of 1.83 acres of replacement wetlands. The project is located off of Boyd Road (Kittanning, PA Quadrangle N: 1.5 inches; W: 15.6 inches) in North and South Buffalo Townships, **Armstrong County**.

E02-1285. Encroachment. **Waterfront Partners LLC**, 150 East Broad Street, Columbus, OH 43215. To construct and maintain floating boat docks in the channel of and along the left bank of the Monongahela River (WWF) for the purpose of constructing the Waterfront Marina located just downstream and approximately 3,000 feet upstream from the Homestead Bridge (Pittsburgh East, PA Quadrangle N: 7.0 inches; W: 4.0 inches) in West Homestead, Homestead and Munhall Boroughs, **Allegheny County**.

E02-1286. Encroachment. **K.A.F.M., Incorporated**, 141 Valleyview Drive, Library, PA 15129. To construct and maintain an entertainment complex, a boat launching ramp and a boat dock facility in the channel of and along the right bank of the Monongahela River (WWF) located approximately 6,000 feet upstream from the Monongahela City Bridge (Monongahela, PA Quadrangle N: 12.9 inches; W: 3.8 inches) in Forward Township, **Allegheny County**.

E32-408. Encroachment. **Pennsylvania Department of Transportation**, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. To remove the existing bridge and to construct and maintain a dual span bridge having two normal spans of 86.8 feet each and a minimum underclearance of 19.5 feet over Mahoning Creek (WWF). The applicant also proposes the construction and maintenance of a temporary crossing consisting of five 84-inch diameter pipes in Mahoning Creek and the placement and maintenance of fill within 0.131 acre of wetlands (0.01 PEM, 0.03 PSS, and 0.091 PFO) for the purpose of widening the bridge approaches. The project is located on S. R. 4026 at its intersection with Township Road 371 (Dayton, PA Quadrangle N: 3.8 inches; W: 9.8 inches) in West Mahoning Township, **Indiana County**. To compensate for wetland loss, the applicant will create 0.131 acre of wetlands on an adjacent area.

WATER ALLOCATIONS

Application filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

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

Permit No. WA 28-518C. Water Allocations, **Mont Alto Water Authority, Franklin County.** *Responsible Official:* P. E. Nunemaker, P. O. Box 427, Mont Alto, PA 17237-0427. Request to increase withdrawal from 50,000 gallons per day to 135,000 gallons per day from pearl of the Park Spring. *Consulting Engineer:* Walter A. Mulewich, Design Engineer, Nassaux-Hemsley Inc., 56 North Second Street, Chambersburg, PA 17201-1820. Application received: August 18, 1999.

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.

| Parameter | Average Monthly (mg/l) | Maximum Daily (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
|-------------------------------|------------------------|----------------------|-----------------------|------------------------------|
| CBOD ₅ | 16 | | 24 | 32 |
| Percent Removal | 89.25 | | | |
| CBOD ₂₀ (lbs./day) | 365 | | | |

Other Requirements:

Continue to monitor influent and effluent for BOD₅

The EPA waiver is not in effect.

NPDES Permit No. PA0036234. Industrial waste. **Union Oil of California (UNOCAL)**, 2300 Barrington Road, Hoffman Estates, IL 60195, is authorized to discharge from a facility located at Ashland Chemical Company, 201 Colwell Lane, Conshohocken, PA 19428, in the Borough of Conshohocken, **Montgomery County** to receiving waters named Plymouth Creek.

NPDES Permit No. PA0056260. Sewage. **Kathleen J. Smith**, 2815 Rickerts Road, Dublin, PA 18917, is authorized to discharge from a facility located at Hilltown Township, **Bucks County** into an unnamed tributary to Morris Run.

NPDES Permit No. PA0051756. Sewage. **State Farm Mutual Automobile Insurance Company**, One

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

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

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

NPDES Permit No. PA 0028380. Sewage, **Tinicum Township Sewage Authority**, 125 Chippewa Street, Lester, PA 19029.

The following notice reflects changes to the notice published in the April 15, 1995, *Pennsylvania Bulletin*: the proposed Amendment No. 5 will allow the permittee use CBOD₅ for mass, concentration and percent removal reporting in lieu of BOD₅.

The CBOD₅ and CBOD₂₀ effluent limits, based on a flow of 1.4 mgd are as follows:

State Farm Drive, Concordville, PA 19331, is authorized to discharge from a facility located in Concord Township, **Chester County** to an unnamed tributary to West Branch Chester Creek.

WQM Permit No. 1599403. Sewerage. **Kennett Square Borough**, P. O. Box 5, Kennett Square, PA 19348. Approval for the construction and operation to upgrade and expand to serve their wastewater treatment plant located in Kennett Square Borough, **Chester County**.

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

Permit No. 3997407. Washington Township, P. O. Box 27, Slatedale, PA 18079-0027. Permit to construct and operate an interceptor sewer, collector sewer and pump station to serve the Village of Emerald and Slatedale, located in Washington Township, **Lehigh County**.

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

Permit No. PA 0021849. Sewerage. Millerstown Borough Municipal Authority, P. O. Box 200, Millerstown, PA 17062, is authorized to discharge from a facility located in Greenwood Township, **Perry County** to the receiving waters named Juniata River.

Permit No. PA 0085511. Sewerage. West Hanover Township Water & Sewer Authority (West Hanover Township WWTP), 7901 Jonestown Road, Harrisburg, PA 17112, is authorized to discharge from a facility located in West Hanover Township, **Dauphin County** to the receiving waters named Manada Creek.

Permit No. PA 0021075. Sewerage. Myerstown Borough, 101 East Washington Avenue, Myerstown, PA 17067, is authorized to discharge from a facility located in Jackson Township, **Lebanon County** to the receiving waters named Tulpehocken Creek.

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

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

WQM Permit No. 3286201-T1-A1. Industrial, Franklin Brine Treatment Corporation, 400 Fairway Drive, Suite 400, Coraopolis, PA 15108. Applicant has been granted permission to upgrade existing equipment and to modify operating procedures at a wastewater treatment plant used to treat oil and gas well production fluids and drilling fluids, with the discharge of treated effluent to Blacklick Creek.

INDIVIDUAL PERMITS

(PAR)

Approvals to Use NPDES and Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, 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 (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8 and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

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 arrangement made for copying at the contact office noted.

The Department has acted on the following requests for coverage under the specified General Permit as follows:

*List of
General Permit Type*

| | |
|-------|---|
| PAG-1 | General Permit for Discharges From Stripper Oil Well Facilities |
| PAG-2 | General Permit for Discharges of Stormwater From Construction Activities |
| PAG-3 | General Permit for Discharges of Stormwater From Industrial Activities |
| PAG-4 | General Permit for Discharges From Single Residence Sewage Treatment Plant |
| PAG-5 | General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems |
| PAG-6 | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems |
| PAG-7 | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge By Land Application |
| PAG-8 | General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site |
| PAG-9 | General Permit for Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site |

General Permit Type—PAG-2

| <i>Facility Location County and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Stream, Body of Water or Site Name and Address</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|--|---|---|
| Abington Township Montgomery County | PAR10-T552 | Abington School District 970 Highland Avenue, Abington, PA | Unnamed Tributary to Tacony Creek | Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130 |
| Worcester Township Montgomery County | PAR10-T557 | T-Squared Realty 5 Apollo Road, Box 368 Plymouth Meeting, PA 19462 | Unnamed Tributary to Stoney Creek | Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130 |
| Montour County Liberty Township | PAR104721 | Frederick and Sherry Todd 308 Tunnel Rd. Asbury, NJ 08802 | Unt. Chillisquaque Creek | Soils and Waterways Sect. 208 W. 3rd St., Suite 101 Williamsport, PA 17701 (570) 327-3574 |
| Butler County Summit Township | PAR10E105 | McGrady Development Pat McGrady 203 McGrady Road Fenelton, PA 16034 | Bonnie Brook/ Connoquenessing Creek | Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270 |
| Mercer County Jefferson and Lackawannock Townships | PAR104342 | William R. Linzenbold Forrest Brook Mobile Home Park 1871 Mary Jude Court Hermitage, PA 16148 | McCullough Run | Mercer Conservation District R. D. 2, Box 2055 747 Greenville Road Mercer, PA 16137 (724) 662-2242 |
| Mercer County City of Hermitage | PAR104343 | Sharon Retirement Resident Limited Partnership Columbia Pacific Independent Living Center 3131 Elliott Avenue Ste. 500 Seattle, WA 98121 | Pine Run | Mercer Conservation District R. D. 2, Box 2055 747 Greenville Road Mercer, PA 16137 (724) 662-2242 |

General Permit Type—PAG-3

| <i>Facility Location County and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Stream, Body of Water or Site Name and Address</i> | <i>Contact Office and Telephone No.</i> |
|--|-------------------|--|---|--|
| Schuylkill County West Penn Township | PAR702217 | Dosch-King Emulsions, Inc. 16 Troy Hills Road Whippany, NJ 07981 | Unnamed tributary of Lizard Creek | Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511 |
| Westmoreland County Penn Township | PAR116119 | Leybold Vacuum Products, Inc. 5700 Mellon Road Export, PA 15632 | UNT to Turtle Creek | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Allegheny County South Fayette Township | PAR206104 | Ionics, Incorporated Bridgeville Division 3039 Washington Pike P. O. Box 99 Bridgeville, PA 15017-1403 | Chartiers Creek | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |

| <i>Facility Location County and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Stream, Body of Water or Site Name and Address</i> | <i>Contact Office and Telephone No.</i> |
|--|-------------------|--|---|--|
| Allegheny County Pine Township | PAR606145 | Kenneth Cole 11490 Perry Highway Wexford, PA 15090 | UNT to Pine Creek | Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |

General Permit Type—PAG-5

| <i>Facility Location County and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Stream, Body of Water or Site Name and Address</i> | <i>Contact Office and Telephone No.</i> |
|--|-------------------|--|---|--|
| Delaware County Chadds Ford | PAG050010 | Sunoco, Inc. (R&M) 1801 Market Street 13 Ten Penn Center Philadelphia, PA 19103-1699 | West Branch of Chester Creek | Southeast Region Water Management (610) 832-6130 |

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. 4899503. Public water supply. **Ashland Specialty Chemical Company**, 400 Island Park Road, Easton, PA 18042. This proposal involves the installation of an air stripper to remove VOCs from the well water from the two sources of supply. It is located in Glendon Borough, **Northampton County**. Construction permit issued on August 3, 1999.

Permit No. 5298504. Public water supply. **Oak Manor Estates**, Dingman Township, **Pike County**. This proposal involves improvements to an existing unpermitted community water system. The system consists of a well with disinfection, pH adjustment and two 2,500 gallon pressure tanks and booster pumps. Construction permit issued on August 10, 1999.

Operations Permit issued to **Lake Lehman School District (Middle School)**, located in Lehman Township, **Luzerne County** on August 18, 1999.

Operations Permit issued to **Meadowbrook Mobile Home Park**, located in Washington Township, **Northampton County** on August 19, 1999.

Operations Permit issued to **Woodlyn Residences**, located in Cherry Ridge Township, **Wayne County** on August 13, 1999.

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

Permit No. 0799501. Public water supply, **Duncansville Municipal Authority**, Duncansville/Allegheny, **Blair County**. *Responsible Official:* James Grove, superintendent, Borough of Duncansville, P. O. Box 308, Duncansville, PA 16635-1349. *Type of Facility:* Construction permit issued for installation of a chemical feed

system at the water treatment plant. System will feed Aqua Mag to reduce calcium scale. *Consulting Engineer:* Stuart W. Sibold, PE, The EADS Group Inc., 1126 Eighth Avenue, Altoona, PA 16602. *Permit to construct issued:* August 26, 1999.

HAZARDOUS SITES CLEANUP**Under the Act of October 18, 1988****Proposed Settlement under the Comprehensive Environmental Response, Compensation and Liability Act and the Hazardous Sites Cleanup Act****North Penn Area 1 Superfund Site
Souderton Borough, Montgomery County**

The Department of Environmental Protection (Department), under the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA) and the Comprehensive Environmental Response Compensation, and Liability Act (42 U.S.C.A. § 9601 et seq.), has entered into a settlement with the Estate of Harry M. Maurer for reimbursement of certain response costs incurred to remediate hazardous substances disposed at the North Penn 1 Area Superfund Site (site). This site is located in Souderton, Montgomery County, PA and is one of 12 sites associated with contamination detected in the North Penn Water Authority Wells (No. NP1-NP12).

Between 1953 and approximately 1983, Gentle Cleaners, a dry cleaning business owned by Harry M. Maurer, operated on the site and generated, owned and possessed hazardous substances. Tetrachloroethene (PCE), 1,1,1-trichloroethane and other volatile organic compounds have contaminated groundwater, soil and sediments on the site. These conditions constituted a release and threatened release of hazardous substances on the site. In response, the Department and the United States Environmental Protection Agency have undertaken response actions to remediate contamination on the site.

Based on the available assets of the Estate of Harry Maurer, the Department and the Estate have agreed to enter an inability to pay settlement in which the estate shall reimburse the Department in the amount of \$3,000 for response costs incurred at the site.

This notice is provided under section 1113 of HSCA, which provides that "settlement shall become final upon the filing of the Department's response to the significant written comments." The Consent Order and Agreement, which contains the specific terms of the settlement, is available for public review and comment. The agreement can be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, located in Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428, by contacting either April Flipse, at (610) 832-5937 or Gina M. Thomas, at (610) 832-6300. A public comment period on the Consent Order and Agreement will extend for 60 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Persons may submit written comments regarding the agreement by November 17, 1999, by submitting them to April Flipse at the previous address.

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:

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

PAEDCO Property (Former Phoenix Steel Foundry Building Site), Phoenixville Borough, Chester County. Gerald L. Kirkpatrick, P.G., Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482-0810, has submitted a Final Report concerning remediation of site soil contaminated with lead and heavy metals. The report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

Clinton Garage, City of Philadelphia, Philadelphia County. David Stockar, P.G., Versar, Inc., 1900 Frost

Road, Suite 110, Bristol, PA 19007, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Cimeo Tract, Sadsbury Township, Chester County. Steven L. Tanen, P.G., HydroScience, Inc., Center City Executive Centre, 607 Washington Street, Reading, PA 19601, has submitted a Final Report concerning remediation of site soil contaminated with heavy metals. The report is intended to document remediation of the site to meet the Statewide health and background standards.

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 Remediation 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 final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

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

South Whit Shopping Center Associates, City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site groundwater contaminated with heavy metals, solvents and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on August 30, 1999.

Weisser Residence, Bristol Borough, **Bucks County**. Andrew C. Thomas, P.G., Brown Environmental Services Corp., 42 Sequoia Drive, Newtown, PA 18940, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on August 20, 1999.

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

Conrail South Altoona Material Distribution Center, Parcel 1, Lot Numbers 2, 3, 4 and 5, City of Altoona, **Blair County**. Mountain Research, Inc., 825 25th Street, Altoona, PA 16601, has submitted baseline environmental reports concerning the remediation of site soils contaminated with lead, solvents and asbestos and groundwater contaminated with lead, solvents and chromium. These reports are approved by the Department on September 1, 1999. This site is being remediated as a special industrial area.

Conrail South Altoona Material Distribution Center, Parcel 2, Lot Number 6, City of Altoona, **Blair County**. Mountain Research, Inc., 825 25th Street, Altoona, PA 16601, has submitted a baseline environmental report concerning the remediation of site soils contaminated with lead, solvents and asbestos and groundwater contaminated with lead, solvents and chromium. This report was approved by the Department on September 1, 1999. This site is being remediated as a special industrial area.

Charles and Cindy Stoudt Residence, Swatara Township, **Lebanon County**. Charles and Cindy Stoudt, 407 South Lancaster Street, Lebanon, PA 17046, has submitted a final report within 90 days of a spill concerning the remediation of site soils contaminated with BTEX, PHCs and PAHs. The final report did not demonstrate attainment of the Statewide health standard, and was disapproved by the Department on September 2, 1999.

SOLID AND HAZARDOUS WASTE

PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE

INFECTIOUS OR CHEMOTHERAPEUTIC WASTE

Registration issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and municipal waste management regulations for a general permit for the processing of infectious waste or chemotherapeutic waste.

Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Registration No. WMGI007R002. Holy Redeemer Health System, 1648 Huntington Pike, Meadowbrook, PA 19046. Registration to operate under General Permit WMGI007 for the processing of infectious waste using sodium hypochlorite and low pressure steam in a modular treatment unit. The registration was approved in the Central Office on August 23, 1999.

AIR QUALITY OPERATING PERMITS

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.

GP1-67-03073: IMO Corp., Fincor Electronics Division (3750 East Market Street, York, PA 17402), for use of a general permit for operation of a natural gas-fired boiler in Springettsbury Township, **York County**.

GP4-06-3108: Hub Fabricating Co. (100 Gibraltar Road, Reading, PA 19606), for use of a general permit for operation of a burn off oven in Exeter Township, **Berks County**.

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

GP-43-313: TRM Support Inc. (110 North Main Street) on August 31, 1999, for operation of jet fuel storage tank at Greenville Regional Hospital in Greenville, **Mercer County**.

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.

TVOP-15-00040: Beckett Corp. (219 Welsh Pool Road, Lionville, PA 19341), for operation of a Facility Title V Operating Permit in Uwchlan Township, **Chester County**.

TVOP-46-00070: Finnaren & Haley, Inc. (901 Washington Street, Conshohocken, PA 19428), for operation of a Facility Title V Operating Permit in Whitmarsh Township, **Montgomery County**.

TVOP-46-00067: MM SKB Energy LLC (709 Swedeland Road, King of Prussia, PA 19406), for operation of a Facility Title V Operating Permit in Upper Merion Township, **Montgomery County**.

TVOP-15-00043: Sunoco, Inc. (R&M) (Lincoln Highway and Malin Road, Malvern, PA 19355), for operation of a Facility Title V Operating Permit in East Whiteland Township, **Chester County**.

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

06-313-004E: IFS Industries, Inc. (P. O. Box 1053, Reading, PA 19603), on September 3, 1999, for operation of blending and mixing operations, adhesive manufacturing and two fabric collectors at the Reading Plant in Reading, **Berks County**.

36-316-031B: Conestoga Wood Specialties Corp. (245 Reading Road, East Earl, PA 17519), on August 30, 1999, for operation of a wood working operation controlled by a fabric collector in East Earl Township, **Lancaster County**.

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

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

OP-46-0011: Lukens Steel Co. (Conshohocken Road, Conshohocken, PA 19428), on August 31, 1999, for Facility VOC/NOX RACT in Plymouth Township, **Montgomery 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.

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

PA-46-0077B: Harvard Industries, Inc. (400 Old Reading Pike, Stowe, PA 19464), on August 31, 1999, for operation of a stack melter aluminum furnace in West Pottsgrove Township, **Montgomery County**.

PA-09-0112: Superior Woodcraft, Inc. (160 North Hamilton Street, Doylestown, PA 18901), on August 31, 1999, for operation of three surface coating (wood cabinet) in Doylestown Borough, **Bucks County**.

PA-46-0077C: Harvard Industries, Inc. (400 Old Reading Pike, Stowe, PA 19464), on September 1, 1999, for operation of an aluminum reverberatory furnace in West Pottsgrove Township, **Montgomery County**.

PA-23-0004: American Ref-Fuel Co. of DV, L. P. (10 Highland Avenue, Chester, PA 19013), for operation of a mass burn resource recovery facility in the City of Chester, **Delaware County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

13-318-004: Haulmark Industries, Inc. (P. O. Box 8, McAdoo, PA 18237), on September 1, 1999, for construction of a spray booth in Bank Township, **Carbon County**.

13-399-006: Kovatvh Mobile Equipment Corp. (One Industrial Complex, Nesquehoning, PA 18240), on September 1, 1999, for construction of spray booths and painting lines in Nesquehoning Borough, **Carbon County**.

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

01-310-050A: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809), on September 3, 1999, for construction of a Hewitt Robbins 6 × 16, double deck screen controlled by wet suppression at the Fairfield Quarry in Hamiltonban Township, **Adams County**.

38-03010A: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), on August 30, 1999, for modification of a stone crushing plant controlled by wet suppression

located in South Lebanon Township, **Lebanon County**. This source is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

PA-28-03026A: Gish Logging, Inc. (P. O. Box 282, Fort Loudon, PA 17224), on August 31, 1999, for construction of a 250 HP wood-fired boiler controlled by a mechanical collector in Metal Township, **Franklin County**. This source is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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.

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

09-318-077: Hi-Line Storage Systems Co. (Ridge and Rockhill Roads, Perkasio, PA 18944), on August 30, 1999, for operation of surface coating spray booths in East Rockhill Township, **Bucks County**.

PA-46-0025B: Lonza, Inc. (900 River Road, Conshohocken, PA 19428), on August 30, 1999, for operation of a hydrogenation reactor train in Upper Merion Township, **Montgomery County**.

PA-46-0025A: Lonza, Inc. (900 River Road, Conshohocken, PA 19428), on May 17, 1999, for operation of four prescrubbers in Upper Merion Township, **Montgomery County**.

PA-09-0046A: RJM Mfg., Inc. (250 Canal Road, Fairless Hills, PA 19030), on May 3, 1999, for operation of a surface coater line no. 3 in Falls Township, **Bucks County**.

PA-46-0078: BKL, Inc. (421 Fehely Drive, King of Prussia, PA 19406), on September 1, 1999, for operation of two screen printing presses/two coating in Upper Merion Township, **Montgomery County**.

PA-46-0018: Brown Printing Co. (668 Gravel Pike, East Greenville, PA 18041), on September 1, 1999, for operation of a web offset/heat set printing press in Upper Hanover Township, **Montgomery County**.

PA-15-0026: American Inks & Coatings Corp. (Pawlings Road, Schuylkill, PA 19460), on September 2, 1999, for operation of a specialty clear coat manufacturing in Schuylkill Township, **Chester County**.

PA-46-0005: Merck & Co., Inc. (770 Sumneytown Pike, West Point, PA 19486), on September 2, 1999, for operation of a Facility VOCs/NOx RACT in Upper Gwynedd Township, **Montgomery County**.

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

36-317-184B: Pepperidge Farm, Inc. (2195 North Reading Road, Denver, PA 17516), on August 21, 1999, to authorize temporary operation of a bread oven and cracker lines covered under this Plan Approval until December 18, 1999, at the Denver Bakery in East Cocalico Township, **Lancaster County**.

38-301-022A: Department of Veterans Affairs, Lebanon V. A. Medical Center (1700 South Lincoln Avenue, Lebanon, PA 17042), on July 17, 1999, to authorize temporary operation of an anthracite coal fired

atmospheric fluidized bed combustion system for hospital waste covered under this Plan Approval until November 13, 1999, in South Lebanon Township, **Lebanon County**.

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

PA-42-182A: Allegheny Store Fixtures, Inc. (500 Chestnut Street, P. O. Box 61, Bradford, PA 16701), on July 30, 1999, for surface coating in Bradford Township, **McKean County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Permits Issued

56890102. Permit Renewal for reclamation only, **Svonavec, Inc.** (150 West Union Street, Suite 201, Somerset, PA 15501), for continued restoration of a bituminous strip mine in Lower Turkeyfoot Township, **Somerset County**, affecting 92.5 acres, receiving stream unnamed tributaries to Casselman River and Casselman River. Application received May 10, 1999; issued August 31, 1999.

32823070. Permit Revision, **John R. Yenzi, Jr.** (P. O. Box 287, Anita, PA 15711), requesting approval for a land usage of pastureland rather than forestland usage in Banks and Canoe Townships, **Indiana County**, affecting 470.7 acres, receiving streams two unnamed tributaries to Canoe Creek. Application received May 7, 1999; issued September 2, 1999.

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

65950107. Ralph Smith & Son, Inc. (200 Second Street, Derry, PA 15627). Permit revised to change the land use from forestland to pastureland at a bituminous surface mine located in Loyalhanna and Bell Townships, **Westmoreland County**, affecting 97.7 acres. Application received: May 7, 1999. Revision issued: August 31, 1999.

03890107. McKay Coal Co., Inc. (R. D. 2, Templeton, PA 16259). Renewal issued for reclamation only of a bituminous surface mine located in Mahoning and Redbank Townships, **Armstrong County**, affecting 279.5 acres. Receiving streams: unnamed tributaries of Cathcart Run. Application received: June 2, 1999. Renewal issued: August 27, 1999.

30940102. Shafer Brothers Construction, Inc. (668 Lower Hildebrand Road, Morgantown, WV 26505). Permit

transfer issued for continued operation and reclamation of a bituminous surface mine formerly operated by Patriot Mining Company, Inc., in Greene Township, **Greene County**, affecting 17 acres. Receiving streams: unnamed tributary to Whiteley Creek. Application received: November 10, 1998. Transfer issued: September 1, 1999.

65940106. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal issued for continued reclamation only of a bituminous surface mine/coal crushing facility located in Derry Township, **Westmoreland County**, affecting 170 acres. Receiving streams: unnamed tributary to Miller Run. Application received: June 7, 1999. Renewal issued: September 2, 1999.

26940103. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal issued for continued reclamation only of a bituminous surface mine/coal crushing facility located in Springfield Township, **Fayette County**, affecting 23 acres. Receiving streams: unnamed tributary to Mill Run. Application received: June 7, 1999. Renewal issued: September 2, 1999.

63980105. Kerry Coal Company (R. R. 2, Box 2139, Wampum, PA 16157). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Smith Township, **Washington County**, affecting 34.2 acres. Receiving streams: unnamed tributaries to Raccoon Creek to the Ohio River. Permit is conditionally issued based upon continued compliance with: Consent Order and Agreement executed August 30, 1999, between Kerry Coal Company and the Department; and Compliance Orders Nos. 991044, 991045, and 991046 issued to Kerry Coal Company. Application received: October 5, 1998. Permit issued: September 7, 1999.

26940105. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal issued for continued reclamation only of a bituminous surface/auger mine located in Springfield Township, **Fayette County**, affecting 75.5 acres. Receiving streams: unnamed tributary to Indian Creek, Buck Run. Application received: June 7, 1999. Renewal issued: September 2, 1999.

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

54850104R2. Tracy Coal Co. (116 West Avenue, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** affecting 102.5 acres, receiving stream—unnamed stream to East Branch of Schuylkill River. Renewal issued August 30, 1999.

54840106R3. City of Philadelphia (21 South 12th Street, Philadelphia, PA 19107-3684), renewal of an existing anthracite surface mine operation in West Mahanoy and Butler Townships, **Schuylkill County** affecting 447.6 acres, receiving stream—none. Renewal issued August 31, 1999.

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

Noncoal Permits Issued

6075SM3C4. Eastern Industries, Inc. (4401 Camp Meeting Road, Center Valley, PA 18034), correction to NPDES Permit No. PA0069744 in Union Township, **Union County**, receiving stream—Winfield Creek. Correction issued September 1, 1999.

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

Small Noncoal (Industrial Mineral) Permits Issued

58990813. Gary M. Thatcher (R. D. 1, Box 195, New Milford, PA 18834), commencement, operation and restoration of a small quarry operation in New Milford Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued August 30, 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.)

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

E09-787. Encroachment. **Bensalem Township**, 2400 Byberry Road, Bensalem, PA 19020. To improve an existing storm sewer facility by installing and maintaining an additional 501 feet of 72-inch SBPEP. This storm sewer will supplement stormwater conveyance, which is currently conveyed by an existing 60-inch storm sewer. This storm sewer conduit will converge at Junction Box No. 1 and 197 lf of new 84-inch SBPEP will outlet the system into an unnamed tributary to Poquessing Creek. R-8 riprap will be installed at the outlet end of the conduit. The site is located near the intersection of Richlieu Road and Street Road (S. R. 132) along Richlieu Road (Beverly, PA Quadrangle N: 21.4 inches; W: 12.25 inches) in Bensalem Township, **Bucks County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E09-792. Encroachment. **Country Club Plaza Associates, L. P.**, 3359 Durham Road, Doylestown, PA 18901. To disturb a total of 0.24 acre of wetland (PEM) through

filling and grading activities associated with the construction of the Country Club Plaza consisting of a commercial facility, parking area and stormwater management basin. The site is located about 1,300 feet north of the intersection of Old York Road (S. R. 0263) and Mill Road (Buckingham USGS Quadrangle N: 2.0 inches; W: 12.8 inches) in Warwick Township, **Bucks County**. The permittee is required to provide a minimum of 0.24 acre of replacement wetlands.

E46-842. Encroachment. **James Allebach**, 2151 Koffel Road, Hatfield, PA 19440. To modify, operate and maintain an existing farm pond to be used for recreational purposes with the proposed Heather Meadows residential development and Municipal Park. The proposed activities include reshaping approximately 0.18 acre of the pond and removal of accumulated sediment from within the pond. The project is located approximately 1,000 feet northeast from the intersection of West Broad Street (S. R. 463) and Koffel Road (Telford, PA Quadrangle N: 4.25 inches; W: 7.27 inches) in Hatfield Borough, **Montgomery County**.

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

E39-365. Encroachment. **Wedgewood Golf Course, Inc.**, 1753 Panther Valley Road, Pine Grove, PA 17963. To fill in a de minimis area of wetlands equal to 0.01 acre; to place fill within the floodway (left overbank) of a tributary to Saucon Creek for the construction of Hole No. 7; to construct and maintain a low flow golf cart crossing, consisting of a 4-foot × 1-foot, 6-inch concrete box culvert, in a tributary to Saucon Creek. The project is associated with the Wedgewood Golf Course Expansion project and is located approximately 0.4 mile south of the intersection of S. R. 2044 and S. R. 2039 (Allentown East, PA Quadrangle N: 7.5 inches; W: 7.8 inches) in Upper Saucon Township, **Lehigh County**.

E45-346. Encroachment. **Dennis T. Anschau**, R. R. 2, Box 148-A, Kunkletown, PA 18058. To remove the existing structure and to construct and maintain a private low-flow bridge spanning bank to bank having a span of 10 feet and an underclearance of 2.3 feet across Chapple Creek. The project is located along Silver Spring Road, approximately 1,300 feet northwest of the intersection of T365 and T560 (Kunkletown, PA Quadrangle N: 22.6 inches; W: 14.2 inches) in Eldred Township, **Monroe County**.

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

E36-674. Encroachment. **PA Department of Transportation**, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structurally deficient structure, construct and maintain a bridge of prestressed concrete box beams set on cast in place reinforced concrete abutments having a 60 foot clear span with a 5.92 foot underclearance over the Conowingo Creek (CWF). The permit also authorizes the placement of fill in a de minimis area of wetlands equal to 0.045 acre required for the widening of the roadway approach. The bridge is located on Nottingham Road, SR 272, Section 013, Segment 0140, Offset 1358 (Wakefield, PA Quadrangle N: 6.25 inches; W: 9.0 inches) in Fulton Township, **Lancaster County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E26-257. Encroachment. **Fayette County Commissioners**, Courthouse, 61 East Union Street, Uniontown, PA 15401. To rehabilitate, operate and maintain the existing Fayette County Bridge No. 113 having a single normal span of 26.0 feet and an underclearance of 4.5 feet across Mill Run (HQ-CWF) located on TR-597, approximately 0.75 mile west of its intersection with Route 381 South (Mil Run, PA Quadrangle N: 17.4 inches; W: 12.3 inches) in Springfield Township, **Fayette County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E65-728. Encroachment. **Robert D. Shrum, Jr.**, R. D. 1, Box 153, Latrobe, PA 15650. To rehabilitate and maintain a bridge having a clear span of 11.5 feet and an underclearance of 3.5 feet across an unnamed tributary to Ninemile Run (WWF) located on a private road approximately 300 feet east of S. R. 982, halfway between Baggaley and Lycippus. The rehabilitation consists of raising the bridge deck 1 foot and reinforcement of the existing headwalls (Mammouth, PA Quadrangle N: 21.7 inches; W: 2.7 inches) in Unity Township, **Westmoreland County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E20-479. Encroachment. **PA Department of Conservation and Natural Resources**, P. O. Box 387, Prospect, PA 16057-0387. To fill approximately 0.6 acre of Pymatuning Reservoir along the east side of the Linesville Spillway and to construct and maintain a total of approximately 1,485 feet of steel sheet pile wall to expand the existing parking and waterfowl/fish feeding area located approximately 2 miles south of the intersection of S. R. 0006 and S. R. 3011 (Linesville, PA Quadrangle N: 1.0 inch; W: 9.0 inches) located in Pine and North Shenango Townships, **Crawford County**.

STORAGE TANKS

SITE SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site Specific Installation Permits under the authority of the Storage Tank and Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and 25 Pa. Code Chapter 245, Subchapter C have been issued by the Bureau of Watershed Conservation, Director, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-5267.

| <i>SSIP Permit No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Tank Type and Capacity</i> |
|------------------------|---|---------------------------------|---|
| 23-41511 | Tosco Refining Company Trainer Refinery 4101 Post Road Trainer, PA 19061 | Delaware County Trainer Boro | AST storing gasoline 7,770,000 gallons |
| 99-40-001 | Kama Corporation P. O. Box 538 Hazleton, PA 18201-7754 | Luzerne County Hazleton | 4 ASTs storing Styrene Monomer 72,000 gallons each |

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of August 1999, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

| <i>Name</i> | <i>Address</i> | <i>Type of Certification</i> |
|-----------------------------------|---|------------------------------|
| Airtech Radon Services, Inc. | 709 Sloop Road Pittsburgh, PA 15237 | Mitigation |
| Richard Armstrong | 1268 Laurelwood Road Pottstown, PA 19465 | Testing |
| William Cairnes | 9 Sunset Drive Auburn, PA 17922 | Testing Mitigation |
| Bryan Cole | 317 McWilliams Road Trafford, PA 15085 | Testing |
| Peter Cook U. S. Inspect, Inc. | 3975 Fair Ridge Drive, Suite 250 Fairfax, VA 22033 | Laboratory |
| T. Thomas d'Arcy, Sr. | 101 Hampstead Place West Chester, PA 19382 | Testing |
| Raymond King | 1812 Willow Street Pike Lancaster, PA 17602 | Mitigation |

| <i>Name</i> | <i>Address</i> | <i>Type of Certification</i> |
|---|--|------------------------------|
| Anthony LaMastra A.B.E. Radiation Measurements Lab | 1005 Old Route 22 Lenhartsville, PA 19534 | Testing Laboratory |
| Robert Lloyd | 1698 Walnut Bottom Road Newville, PA 17241 | Testing |
| Wayne Murray | 1021 Gypsy Hill Road Lancaster, PA 17602 | Testing |
| Patrick Orr | 10 Clifford Road McDonald, PA 15057 | Testing |
| James Roe | 161-B South Meadow Lane Hummelstown, PA 17036 | Testing |
| James Stein Affordable Radon Solutions | P. O. Box 1081 State College, PA 16805 | Mitigation |
| David Trygar | 31 Spangenberg Road Lake Ariel, PA 18436 | Testing |

[Pa.B. Doc. No. 99-1585. Filed for public inspection September 17, 1999, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (www.dep.state.pa.us) at the Public Participation Center. The "January 1999 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1999.

Ordering Paper Copies of DEP Technical Guidance

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Please check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Final Guidance

DEP ID: 012-4180-001 Title: Policy for the Acceptance of Community Environmental Projects in Conjunction with Assessment of Civil Penalty Description: The Department will follow a Department-wide policy of considering, in appropriate situations, performance of a Community Environmental Project (CEP) when determining the amount of civil penalty it will accept as a settlement. Effective Date: September 18, 1999 Contact: Mike Bedrin at (717) 787-4449

Draft Guidance—Substantive Revision

DEP ID: 274-0300-001 Title: Continuous Source Monitoring Manual (Revision Number 7) Description: The purpose of revising this guidance is to update requirements relative to monitoring system design and performance, testing, recordkeeping, reporting, and quality assurance for affected industrial and utility sources which are required to continuously monitor emissions of pollutants or operational parameters. Deadline for Comments: October 18, 1999 Anticipated Effective Date: November 30, 1999 Contact: Joseph Nazzaro at (717) 783-9247

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1586. Filed for public inspection September 17, 1999, 9:00 a.m.]

Citizens Advisory Council to the Department of Environmental Protection; September Meeting Change

Notice is hereby given of meetings of the Citizens Advisory Council to the Department of Environmental Protection on Wednesday, September 22, 1999, and Thursday, September 23, 1999. The meetings will be held at 7 p.m. and 8 a.m., respectively, at the Eden Resort and Conference Center, 222 Eden Road, Routes 30 and 272, Lancaster, PA. The meeting previously scheduled for September 20, 1999, in Harrisburg has been cancelled.

Questions concerning these meetings or agenda items can be directed to Stephanie Mioff at (717) 787-4527.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Stephanie Mioff directly at (717) 787-4527 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Council may accommodate their needs.

JOLENE CHINCHILLI,
Chairperson

[Pa.B. Doc. No. 99-1587. Filed for public inspection September 17, 1999, 9:00 a.m.]

Coal and Clay Mine Subsidence Insurance Board

A regular meeting of the Coal and Clay Mine Subsidence Board will take place on October 8, 1999 at 10 a.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the agenda can be directed to Lawrence Ruane at (717) 783-9590 or e-mail to Ruane.Lawrence@dep.state.pa.us. The agenda for this meeting will be available through the Public Participation Center on the DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Lawrence Ruane directly at (717) 783-9590 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1588. Filed for public inspection September 17, 1999, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

State Surplus Property Division; Dental Steri Strips

The Department of General Services, State Surplus Property Division is seeking buyers for Dental Steri Strips and various sized latex and vinyl examination gloves.

Individuals who are interested in more information or would like to receive a bid proposal for these items, should call (717) 787-4085 or write to the Department of General Services, State Surplus Property Division, Room G-48, 2221 Forster Street, Harrisburg, PA 17125. Requests for bid packets will be accepted until the bid opening on September 30, 1999.

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 99-1589. Filed for public inspection September 17, 1999, 9:00 a.m.]

DEPARTMENT OF REVENUE

Cigarette Tax Notice

Under section 227-A of the Fiscal Code (72 P. S. § 227-A) (relating to administration powers and duties), the Department hereby announces the lowest cost of the stamping agent, wholesaler, and retailer, respectively, effective upon publication of this notice, as follows:

| | <i>Premium Brands</i> | <i>Generic Brands</i> |
|--|---------------------------|---------------------------|
| <i>(a.k.a. Kings & Regulars)</i> | | |
| Cost of the Stamping Agent (for sales to wholesalers) | \$24.34 | \$21.64 |
| Cost of the Wholesaler (for sales to retailers) | \$25.32 | \$22.51 |
| Cost of the Retailer (for sales to retail customers) | \$26.84 | \$23.86 |

The Department considers these costs as presumptive minimum costs. Cigarette stamping agents, wholesalers and retailers are prohibited from selling cigarettes at a price lower than their respective presumptive minimum costs. These costs are listed on a per carton basis, 10 packs of cigarettes per carton, 20 cigarettes per pack. To determine the presumptive minimum price per pack of cigarettes, one should divide the costs listed by ten and round to the nearest hundredth of a percent. For example, the presumptive minimum price of a pack of cigarettes sold by a retailer to a consumer is \$2.69 for premium brands (\$26.84/10), \$2.39 for generic brands (\$23.86/10).

Cigarette dealers who either sell cigarettes under a different packaging setup (that is, eight packs per carton) or sell cigarettes that do not qualify as premium or generic brands (that is, subgeneric, foreign or specialty cigarettes) as described above are prohibited from selling cigarettes at a price lower than the cost of the stamping agent, cost of the wholesaler or cost of the retailer, respectively, as further defined and explained in the Department's cigarette tax regulations, 61 Pa. Code, Article III.

Cigarette dealers wishing to prove a cost different from the Department's presumptive costs stated above must follow the procedures listed under 61 Pa. Code Chapter 76 (relating to unfair sales of cigarettes).

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-1590. Filed for public inspection September 17, 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 Independent Methodist Church, located at 1921 New Butler Road, New Castle, Pennsylvania is seeking to lease highway right-of-way located on the northerly side of State Route 0422, at the intersection of State Route 0422 and Joyce Road, New Castle, Shenango Township containing 3,600 ± square feet, for purposes of member parking. 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 applica-

tion 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. 99-1591. Filed for public inspection September 17, 1999, 9:00 a.m.]

Application Receipt for Section 16 Program

The Department of Transportation, Bureau of Public Transportation, under the authority contained in Section 5310 of the Federal Transit Laws, 49 U.S.C.A. § 5310, gives notice that it will receive applications for the State-administered Section 16 Program. Under this program, private nonprofit organizations and designated public bodies may apply for Federal capital assistance to pay up to 80% of the purchase cost of new wheelchair accessible small transit vehicles and other equipment used to provide needed transportation services for elderly persons and persons with disabilities who cannot be reasonably accommodated by existing transportation providers. A Guidelines and Procedures package containing all application forms can be obtained by calling the Bureau of Public Transportation at (717) 787-7540. The initial filing deadline for the Program is November 1, 1999. Questions, comments or suggestions may be directed to Ben Brosius, Section 16 Program Manager, 555 Walnut Street, 8th Floor, (717) 787-7540.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1592. Filed for public inspection September 17, 1999, 9:00 a.m.]

Finding Beaver 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 remove the existing Tenth Street Bridge in the City of Beaver Falls and Borough of New Brighton, Beaver County. The existing Tenth Street Bridge has been determined eligible for the National Register of Historic Places. The effect of this project on the Tenth Street Bridge will be mitigated by the following measures to minimize harm to the resource.

1. Recordation of the Tenth Street Bridge will be conducted in accordance with state level recordation standards.
2. Expanded photographic documentation for the recordation of the bridge that will include the relationship of the bridge to the resources at both ends of the bridge.
3. All documentation will be completed and accepted by the PHMC prior to the demolition, and copies of this documentation will be made available to the PHMC and any appropriate local archives by the PHMC.

I have considered the environment, economic, social, and other effects of the proposed project as enumerated in

Section 2002 of the Administrative Code, and have concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from the removal of this bridge.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1593. Filed for public inspection September 17, 1999, 9:00 a.m.]

Finding Venango 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 rehabilitate the existing Pithole Bridge, which carries S.R. 1004, Section 112 over Pithole Creek in President Township, Venango County. The existing Pithole Bridge is listed on the National Register of Historic Places. The effect of this project on the Pithole Bridge will be mitigated by the following measures to minimize harm to the resource.

1. A commitment to include photographic documentation to record the rehabilitation of the bridge. Prior to commencement of rehabilitation work, the bridge will be documented in its present condition. After rehabilitation work begins, the bridge will be documented to show the original internal construction system and to record the new internal support system. After rehabilitation work is complete, the bridge will be photographed as the final element of the photographic folio of the Pithole Bridge.
2. A newspaper or journal article will be written and published to educate the public on historic significance of the Pithole Bridge and on the rehabilitation project.

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

No adverse environmental effect is likely to result from the rehabilitation of this bridge.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1594. Filed for public inspection September 17, 1999, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Mike Siegel v. DEP and JDN Development Company, Inc., Permittee; EHB Doc. No. 99-167-L, 7-26-99 NPDES Permit

Mike Siegel has appealed the issuance by the Department of Environmental Protection of an NPDES permit to JDN Development Company, Inc. for a facility in Lower Macungie Township, Lehigh County, PA.

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

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by an interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

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

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 99-1595. Filed for public inspection September 17, 1999, 9:00 a.m.]

Philip O'Reilly for No-Mart Coalition v. DEP and JDN Development Company, Inc., Permittee; EHB Doc. No. 99-166-L, 7-26-99 NPDES Permit

Philip O'Reilly for No-Mart Coalition has appealed the issuance by the Department of Environmental Protection of an NPDES permit to JDN Development Company, Inc. for a facility in Lower Macungie Township, Lehigh County, PA.

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

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by an interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

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

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 99-1596. Filed for public inspection September 17, 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 (71 P. S. § 745.5a(h) and (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> |
|----------------|--|---------------|---|
| 6-264 | Department of Education Institutional Preparation of Professional Educators (29 Pa.B. 3363 (July 3, 1999)) | 9/2/99 | 8/2/01 |

**Department of Education Regulation No. 6-264
Institutional Preparation of Professional Educators
September 2, 1999**

We have reviewed this proposed regulation from the Department of Education (Department) and submit for your consideration the following objections and recommendations. Subsections 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ in determining whether a regulation is in the public interest. In applying these criteria, our Comments address issues relating to statutory authority, reasonableness, economic impact and costs, need and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. *State Board of Education Approval.—Statutory Authority.*

The State Board of Education (Board) is authorized to promulgate rules and regulations governing the Commonwealth's education program, under 24 P. S. § 26-2603-B(k). Under 24 P. S. § 26-2606-B, the Department may, with Board approval, propose rules and regulations in the "areas under the control of the Board." We note that the Department submitted this proposed regulation to the Board, and the Board approved it on November 18, 1998.

It is not clear if the Department has interpreted 24 P. S. § 26-2606-B as the statutory authority to propose this regulation. If so, it should discuss the rationale for this interpretation in the Preamble when it submits the final-form version of this rulemaking. We understood that the Department will submit its final-form regulation to the Board. However, if the Department elects not to secure Board approval, it should explain why it failed to do so.

2. *Similarities between Chapter 354 and Chapter 49.—Clarity.*

There are marked similarities between a number of sections in Chapter 354 and Chapter 49 (relating to certification of professional personnel). Provisions in this proposed regulation define standards for individuals seeking professional certification, as well as requirements that must be met by units of preparing institutions.

The Department should explain why there are some individual standards for teacher certification in Chapter

354 that are not in Chapter 49. The standards are more appropriately located in Chapter 49 and cross-referenced in this rulemaking.

3. *Section 354.1. Definitions.—Clarity.*

Candidate

In certain instances, the term “candidate” refers to an individual currently enrolled in a program for the initial or advanced preparation of professional educators. In other situations, the term indicates those seeking admission to professional educator programs. For clarity, the term “candidate” should include only those currently participating in a program for initial or advanced preparation for professional educators. We suggest the Department use the term “applicant” for those individuals who are seeking admission to professional educator programs.

Educational institutions

This definition includes public and private schools, intermediate units, vocational-technical schools, colleges and universities, and private sectarian and nonsectarian schools, colleges and universities. The inclusion of each of these terms in the definition is confusing and can be misleading.

The House Education Committee (House Committee) recommends eliminating the term, and replacing it with the term “school entity,” a term common to the School Code. We agree with the Committee’s recommendation, and ask the Department to consider this change.

General standards

The term “general standards” is defined in part as “overall standards that shall be met for an institution to be approved.” There are no further details on what these overall standards are, or where they may be found. It is our understanding that these standards are contained in the Department’s program specific standards. The Department should indicate where these standards may be found and include that information in this definition.

Specific professional educator program standards

The definition includes the vague term “Department-defined competencies.” However, these competencies are not listed anywhere within the regulation. The Department should outline what these “Department-defined competencies” are and where they may be found, or delete the phrase.

Unit

This term refers to the department within a “preparing institution” responsible for the initial or advanced preparation of professional educators or the preparation of vocational instructional certificated personnel programs. It appears to be superfluous, since the definition of “preparing institution” describes essentially the same term as “unit.”

The House Committee recommends combining the two definitions under the term “preparing institution” and recommended an alternative definition. We agree with the Committee. We have not identified any requirements of the regulation that apply to a “unit” that would not also apply to the “preparing institution” and vice versa. In addition, the defined term should be used consistently throughout the regulation.

4. *Section 354.2. Purpose.—Need.*

Section 354.2 contains general concepts and undefined standards, such as “proven record of high academic achievement” and “shall maintain the highest standards of academic excellence.” We question the use of such

unspecific terms and phrases. A more appropriate Purpose section would be one that provides that this chapter establishes the standards and procedures for Department-approved institutional programs that prepare professional educators.

Subsection (b) uses the phrase “institutions of higher education that prepare professional educators.” That phrase should be deleted and replaced with the term “preparing institutions.”

5. *Section 354.11. Minimum requirements for approval.—Clarity.*

Subsection (1) provides that baccalaureate or graduate degree-granting institutions must have Department approval to conduct preparation programs. For improved clarity, the Department should include a cross-reference to the chapter and sections of the Department’s regulations that outline the approval process.

Subsection (2) provides that the institution must meet “specific professional educator program standards established by the Department.” Sections 354.25(a)(2), 354.26(c)(2) and 354.33(1) contain similar language. We understand that this language refers to the Department’s program specific standards, which are being revised and updated. For improved clarity and to facilitate compliance, there should be a citation to all applicable standards or a reference to their location.

6. *Section 354.12. Approval procedures.—Clarity.*

Subsections (a) and (d)

The proposed subsection (a) states that the Department may withdraw its approval of a preparing institution for failure to meet the minimum requirements for approval. Since this deals with what happens after the Department has completed its approval review process (and denies approval or withdraws prior approval), it should be the concluding subsection, not the first.

Since the proposed subsection (d) is the introduction to the approval process and deals with the basic requirements for securing the Department’s approval, it should be first. It provides that preparing institutions must apply to the Department for approval of new programs and changes to existing programs 90 days prior to implementation. Therefore, the order of these subsections should be reversed (that is, subsection (d) should be labeled subsection (a) and vice versa).

We also have a practical question relating to the proposed subsection (d). What happens if the Department does not respond to an institution’s application within 90 days? The regulation should cover that situation.

The subsection dealing with an institution’s loss of approval should reference the procedures the Department follows when withdrawing an institution’s approval, and the recourse available to the institution. It should also address what happens to candidates enrolled in a program that has lost its approved status. The Department should address all these issues by outlining program approval procedures and cross-referencing provisions relating to the appeal rights of institutions.

Subsection (b)

Subsection (b) states “[T]he Department may review approved preparation programs at any time.” The review process is unstructured. Therefore, we join the House Committee in requesting that the Department specify its program review procedures.

Subsection (c)

This subsection requires that evaluation teams shall consist of professional educators from basic education and "appropriate personnel from institutions of higher education." Who are these "appropriate personnel" and what will qualify them to evaluate programs? Some additional requirements or basic parameters should be provided.

The House Committee recommended that the Department show the specific composition of the evaluation teams. We do not recommend that this information be included in this regulation. However, the Department should provide a guidance document that specifies the composition of the evaluation teams.

7. Section 354.22. Field experience.—Clarity.

This section requires preparing institutions to develop sequential and developmental field experiences. Subsection (a) provides that these experiences may begin as early as the first semester of college enrollment. Subsection (b) provides that field experiences shall be an integrated part of the professional education curriculum and consistent with the overall program design. We question the need for this section given the references relating to "field experiences" in § 354.26(d), (d)(1) and (d)(2), and the requirements for "field experiences" in § 354.26(d)(3).

For clarity, the provisions of this section should be integrated into § 354.26(d). For example, § 354.22(a) could be integrated into § 354.26(d)(3), which would add the permissible beginning point to the latter subsection's "no later than" beginning point. The requirements of § 354.22(b) could be integrated into subsection 354.26(d)(2).

8. Section 354.23. Unit reporting.—Reasonableness, Economic Impact and Costs, and Clarity.

This section deals with the preparing institution's biennial reporting requirements to the Department. It provides that institutions shall submit a systematic evaluation, using information "which includes" information from the four sources described (emphasis added).

However, this section should specify what is to be evaluated and what specific information must be reported. If institutions are not collecting and reporting similar data, how will the data be evaluated and compared by the Department in any meaningful way? Of what value is it to the Department?

Subsection (a)

Subsection (a) uses the term "systematic evaluation" while subsection (b) uses the term "systemic evaluation." We presume that the correct term is "systematic." If so, the appropriate correction should be made in subsection (b). If these terms are intended to be different, that fact should be explained and clarified in the final regulation.

Subsection (a)(2) requires that data be collected from candidates, but does not specify what kinds. For clarity and to ensure uniformity in what institutions will be reporting, the final regulation should specify what data preparing institutions are to collect from candidates. In making its determinations, the Department should weigh the cost for preparing institutions to collect, process and submit the required data.

Subsection (a)(3) requires that the data be collected from "recent graduates." For purposes of reasonableness and clarity, the Department should define or specify the time frame encompassed by the term "recent" graduate.

What constitutes "other members of the professional community" in subsection (a)(4)? For improved clarity, the final-form regulation should explain that term and distinguish data in that category from the data for those in teaching positions or employed in education.

Subsection (c)

Subsection (c)(3) requires that an institution's placement rate information be supplied on "other professions, to be categorized by type of employment." What is the scope of the term "other professions?" Are candidates who have enrolled in advanced educator preparation programs included in this category? The final regulation should clarify these points to reduce ambiguity and to ensure that all institutions are reporting the same types of data.

9. Section 354.24. General studies.—Clarity.

This section is captioned "[G]eneral studies." Given its content, we question whether a more appropriate caption should be "[A]cademic achievement" or "[A]cademic preparation." For the same reason, we also question the use of the term "general studies" in subsection (b).

In subsection (a), what constitutes "experiences" in the liberal arts and sciences? This phrase should be explained or clarified in the final-form regulation. Subsection (a) also refers to "formal acceptance into a professional education program." For improved clarity, the final regulation should describe what actions or procedures constitute "formal acceptance" into the program.

10. Section 354.25. Academic competence.—Reasonableness and Clarity.

This section establishes the general standards and criteria that professional educator candidates must meet to demonstrate academic competence. Do these standards apply to those candidates who will be seeking acceptance into professional educator programs or those already admitted to, or in, a professional educator program? This aspect should be clarified in this section and in § 354.31 of the final regulation.

Subsection (a)(1)

In subsection (a)(1) (and in § 354.26(c)(1)), the scope of application and meaning of the word "experiences" are unclear. Does it mean only "field experiences" or does it also encompass other life experiences (for example, work, military, and the like)? The term "experiences" should be defined or its meaning and scope clarified.

Subsection (a)(1) requires that candidates must be able to demonstrate an understanding of, among other things, the "uses of technology." For improved clarity and relevance of application, this phrase should be amended to state that "uses of technology" should be related to promoting learning in the classroom.

Subsection (a)(3)

Many commentators have questioned the validity of requiring candidates to maintain a 3.0 GPA standard while in an approved teacher certification program. Why did the Department elect to use a 3.0 GPA standard? If it is retained, we request the Department explain its choice.

This subsection (and § 354.31(4)) provides for a phase-in of the 3.0 GPA standard, but § 354.33(4) does not. For improved clarity and internal consistency, all three provisions should provide for the same phase-in of the applicable standard.

Subsection (a)(3) of 354.25 uses the words "shall maintain a minimum grade point average in each academic discipline." If the 3.0 GPA standard is retained, for

improved clarity the word “cumulative” should be added to references to the 3.0 GPA standard.

11. *Section 354.26. Preparation program curriculum.—Clarity.*

Subsection (a)(1) requires that the preparation program’s design should “be of high quality.” How is this defined or measured? For clarity, we request that the Department explain its intent in using the phrase “high quality.”

Subsections (a) and (c)(3) use the word “students.” This word should be defined in the context of this rulemaking, or replaced by the word “applicants” or “candidates,” depending upon the section and the context.

12. *Section 354.27. Collaborative programs.—Clarity.*

Subsection (a)(2)

This section provides for the development of student teaching, internships and other field experiences. While the parameters of such relationships are defined, specific performance goals are not provided. In its comments, the House Committee stated that student teaching must be tied to specific performance objectives or standards.

We agree with the House Committee’s comments. The regulation should include or incorporate by reference performance standards as part of the student teaching component of collaborative programs designed by institutions.

Section (d) provides that the unit shall cooperate with local school entities in the development and implementation of *appropriate alternative certification programs* (emphasis added). For improved clarity, this type of program should be identified and explained (that is, what it is and where it may be found). Also, a citational reference to it should be included. If the programs are not in effect, this provision should be deleted from this rulemaking.

13. *Section 354.31. Admission.—Reasonableness, Need and Clarity.*

Section 354.31 requires a preparing institution to document that its program unit recruits, admits and retains candidates who demonstrate potential for professional success. We recommend that the Department supplement this section by providing examples of how these candidates will be recruited, and the minimum standards they must meet.

Subsection (3)(iv)

One of the criteria for admission into a teacher preparation program is “[B]iographical information.” This phrase is too vague. What biographical information must the institution consider? The Department should further clarify and expand upon this provision in the final regulation.

Subsection (4)

This subsection includes a minimum GPA *exclusive of professional education courses* (emphasis added) as a candidate requirement. The Senate Education Committee questioned why grades attained in professional education courses should not be included in benchmarks for admission. Several members of the House Committee submitted a comment recommending deletion of the exclusion of pedagogical courses from the required GPA. We request the Department explain why professional education courses would not be included in the minimum GPA for candidates.

Subsection (4)(i)—(iv)

Many commentators have questioned the validity of using the 3.0 GPA standard as an entrance requirement to an approved teacher certification program. Why did the Department elect to use a 3.0 GPA standard as the academic entrance requirement? If it is retained, we request the Department to explain its choice.

How will the required academic standard (3.0 GPA or some other standard) apply to nontraditional students (that is, those returning after a period of time away from academia or those who have not majored in Education)? As written, this rulemaking does not deal with those types of applicants and those who are completing or have completed their academic studies prior to the date of imposition of the academic standard required under this regulation.

If the Department finalizes the 3.0 GPA standard, how will it impact those students currently enrolled in initial and advanced preparation programs that are not subject to such a standard? Will candidates currently enrolled in preparation programs be “grandfathered?” We have similar concerns regarding the basis for determining the minimum Praxis I test scores, an alternative standard in subsection (4)(v). In these regards, the regulation should be clarified.

Further, there is no mention of minimum college entrance exams (SAT or ACT). We, along with the House Committee, question why the Department did not include minimum scores on the SAT or ACT tests in the program entrance requirements for an approved program.

Subsections (5) and (7)

Under these subsections, preparation programs may accept up to 10% of their candidates from individuals who do not meet the minimum GPA standard only “if exceptional circumstances justify admission.” The phrase “exceptional circumstances” is too vague. It is our understanding that the 10% requirement is intended to give institutions the flexibility to accept students that may not otherwise qualify for the program. The Department should clarify that institutions have the responsibility to draft the criteria for, or otherwise define, what each considers to be “exceptional circumstances.”

Subsection (6)

The phrase “[T]he criteria for admission to advanced programs” should be revised to read “[T]he criteria for admission to advanced *preparation* programs” (emphasis added), to be consistent with the definitions section and the rest of the regulation.

The phrase “shall include at least” denotes that admission to advanced preparation programs must be based upon all of the criteria that are specified in this subsection, as well as other requirements that may be imposed by each institution. What else is or could be included? The language of this subsection should be further clarified.

We question the reasonableness of applying the proposed 3.0 GPA requirement of subsection (6)(ii) to program applicants who completed their undergraduate academic studies at an earlier time, before this regulation imposed the minimum academic standard requirement. The Department should amend the regulation to provide whether in such cases the 3.0 GPA standard is either deleted or waived. Also, for improved clarity, the term “undergraduate applicants” should be added to this subsection.

Similarly, the requirement for faculty and professional recommendations in subsection (6)(iii) may also present problems for applicants who are not recent graduates. As a practical matter, applicants who have not attended a college or university for a number of years may not be able to obtain faculty recommendations. Therefore, the Department should amend subparagraph (iii) to provide for "faculty or professional recommendations" (emphasis added).

Subsection (8)(iv)

This subsection states that "the unit seeks to recruit, admit and retain a diverse student body." Does this phrase replicate certain Pennsylvania and Federal requirements? If this phrase replicates certain Pennsylvania and Federal requirements, why is it necessary?

14. *Section 354.32. Monitoring and assessment.—Clarity.*

We have a number of questions relating to subsection (a). First, the subsection states "[T]he unit shall develop a program that systematically monitors and assesses the progress of candidates and confirms they receive appropriate academic and professional counseling." The term "appropriate" is vague. We recommend that the Department clarify what constitutes "appropriate academic and professional counseling."

Second, what are the "performance based assessments" in subsection (a)(1)? The Department should clarify what standards will apply, or provide specific examples of performance-based assessments. The same subsection should also be amended to require instructional technical skills as one of the listed "skill dimensions." Such a provision is necessary, and is consistent with our recommendation on this same subject under § 354.25(a)(1).

Third, in subsection (a)(1)(xiii), what does the Department mean by, and how will the institution measure, a candidate's "[T]olerance for stress?" The Department should clarify, or cite specific examples of, what constitutes a tolerance for stress and what standards should apply.

Finally, in subsection (a)(1)(xiv), what are the "professional standards and practice" that the institution's unit is to establish? The Department should provide citations to where they may be found and specific examples of the professional standards and practices used to assess a candidate's progress through the program.

15. *Section 354.33. Professional competency.—Reasonableness and Clarity.*

Subsection (4) is inconsistent with the phased-in introduction of the 3.0 GPA standard described in § 354.31 (4)(i)—(iv), as we noted under Issue No. 10. It should be amended to include the same phase-in provisions.

Under subsection (4), if a candidate does not achieve a 3.0 GPA, does this mean the candidate will not qualify for a teaching certificate? This subsection should be clarified to explain the effect it will have upon those enrolled in the program prior to the effective date of this regulation, and at what point currently enrolled candidates must meet the 3.0 GPA standard.

In subsection (5), the phrases "an acceptable percentage of candidates" and "at a satisfactory level" are too vague. The Department should clarify these phrases by assigning a specific value (or a range of values) and acceptable percentages that will satisfy the State Board of Education and the Department's Secretary.

16. *Section 354.41. Faculty quality.—Clarity.*

Section 354.41 is vague. Are there minimum standards that will be required of a preparing institution's professional education faculty? If so, the Department should specify what they are or provide examples of minimum standards.

Subsection (b) states that "the unit shall provide documentation to confirm that the unit seeks to recruit, admit and retain a diverse student body." As mentioned in Issue No. 13, above, if this phrase replicates certain Pennsylvania and Federal requirements, why is it necessary?

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1597. Filed for public inspection September 17, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority

York Town Manor Associates, L. P. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at The Manor at York Town, in Jamison, PA. The initial filing was received on September 30, 1999, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act of June 18, 1984 (P. L. 391, No. 82) as amended. Persons wishing to comment on the grounds of public or private interest to the issuance of a certificate of authority are invited to submit a written statement to the Insurance Department within 30 days from publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda E. Bybee, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557; email cbybee@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1598. Filed for public inspection September 17, 1999, 9:00 a.m.]

Application and Request for a Certificate of Authority

Livingston Mutual Insurance Company of PA has applied for a Certificate of Authority to operate as a mutual fire insurance company in Pennsylvania. The initial filing was received on September 7, 1999, and was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 et seq. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving this Certificate of Authority are invited to submit a written statement to the Pennsylvania Insurance Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must in-

clude name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Pennsylvania Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda E. Bybee, Insurance Company Licensing Specialist, Pennsylvania Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail cbybee@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1599. Filed for public inspection September 17, 1999, 9:00 a.m.]

Application and Request for a Certificate of Authority

The Green Tree Perpetual Assurance Company has applied for a Certificate of Authority to operate as a stock fire insurance company in Pennsylvania. The initial filing was received on August 31, 1999, and was made under the requirements set forth under the Business Corporation Law of 1988 (15 Pa.C.S. § 1 et seq.). Persons wishing to comment on the grounds of public or private interest to the issuance of the Insurance Department's (Department) order approving this Certificate of Authority are invited to submit a written statement to the Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1600. Filed for public inspection September 17, 1999, 9:00 a.m.]

Deadline for Submission of Merger, Consolidation, Acquisition, Redomestication and Recapitalization Filings

Merger, consolidation, acquisition of voting stock, redomestication and recapitalization filings requiring the approval of the Insurance Commissioner as mandated by the Insurance Company Law of 1921 (40 P. S. §§ 991.1402) or the Business Corporation Law (15 Pa.C.S. § 21101 et seq.) should be submitted to the Insurance Department on or before October 1, 1999, if the filer requires approval on or before December 31, 1999. Filings made on or after October 1, 1999, cannot be guaranteed appropriate review and disposition by the Insurance Department by December 31, 1999.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1601. Filed for public inspection September 17, 1999, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Nicholas Bucciarelli; file no. 99-278-32693; American International Companies; doc. no. PH99-08-034; October 4, 1999, 2:30 p.m.;

Appeal of Monique Webb; file no. 99-267-33037; Erie Insurance Exchange; doc. no. PH99-09-002; October 4, 1999, at 3:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1602. Filed for public inspection September 17, 1999, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

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

Governor's Office

Manual M110.1 2000-01 Budget Instructions—Dated August 1999.

Manual M315.1 Municipal Tax Rate Schedules—Revision No. 10, dated August 9, 1999.

Management Directive No. 230.14—Foreign Areas Sub-sistence Allowances, Amended July 30, 1999.

Management Directive No. 505.21—Office Hours, Amended July 30, 1999.

Administrative Circular No. 99-26—Revenue Estimates, 2000-01 Fiscal Year, Dated August 10, 1999.

Administrative Circular No. 99-27—Appropriation, Authorization, and Expenditure of Federal Funds, Dated August 10, 1999.

Administrative Circular No. 99-28—2000-01 Budget Instructions, Dated August 11, 1999.

Administrative Circular No. 99-29—Correction to the 1999 Commonwealth of Pennsylvania Telephone Directory for the Insurance Department, Dated August 16, 1999.

Administrative Circular No. 99-30—Holidays-1999, Dated August 18, 1999.

GARY R. HOFFMAN,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 99-1603. Filed for public inspection September 17, 1999, 9:00 a.m.]

Proposals due: October 1, 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 #0249, Whitehall Terrace Shopping Center, 4120 Brownsville Road, Pittsburgh, PA 15227-3307.

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 near the intersection of Brownsville Road and PA Route 51. Site must have free, off-street parking and access for tractor trailer deliveries.

Proposals due: October 1, 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: Joseph Molhoek, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0255, 914 Pittsburgh Street, Springdale, PA 15144.

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 to 2,500 net useable square feet of new or existing retail commercial space on Pittsburgh Street-Freepport Road in the Springdale-Cheswick area.

Proposals due: October 8, 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

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 99-1604. Filed for public inspection September 17, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:
Clarion County, Wine & Spirits Shoppe #1604, Knox, PA 16232-0460.

Lease Expiration Date: August 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,200 net useable square feet of new or existing retail commercial space serving the Knox area.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Railroad With Hearing

A-00105628. Consolidated Rail Corporation. Application of Consolidated Rail Corporation, for approval of the abolition of the crossing, above grade, where the tracks of the railroad cross above Century Road and partly in the Township of Brownsville and partly in the Borough of Brownsville, all in Fayette County.

An initial hearing on this matter will be held Thursday, October 7, 1999, at 10 a.m. in an available hearing room, Pittsburgh State Office Building, 11th floor hearing room, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1605. Filed for public inspection September 17, 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 October 12, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation of household goods in use as described under each application.

A-00110235, F. 1, Am-A. Chadderton Trucking, Inc. (P. O. Box 687, Sharon, Mercer County, PA 16146), a corporation of the Commonwealth of Pennsylvania—amendment to its common carrier certificate: *So as to permit* the discontinuance of household goods in use authority which reads as follows: (1) as a Class D carrier, from those portions of the townships of Center and Potter, Beaver County, located more than 5 miles by the usually traveled highways of the limits of the borough of Bridgewater, Beaver County, to other points in the county of Beaver, and vice versa; (2) as a Class B carrier, between points in the borough of Bridgewater, Beaver County, and within 5 miles by the usually traveled highways of the limits of said borough; and (3) as a Class D carrier, from points in the borough of Bridgewater, Beaver County, and within 5 miles by the usually traveled highways of the limits of said borough, to points within 45 miles by the usually traveled highways of the limits of said borough and vice versa, provided no shipment shall be transported between points exceeding a distance of 40 miles from point of origin to point of destination; with right (3) subject to the following conditions: that no right, power or privilege is granted to transport to or from the borough of Grove City, Mercer County, and within 15 miles by the usually traveled highways of the limits of said borough, and that no right, power or privilege is granted to transport to, from or between points in Lawrence County.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.

A-00111011, F. 3, Am-A. The Rose Limousine Service, Inc. (676 Main Road, Wilkes-Barre, Luzerne County, PA 18702), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the county of Luzerne, and from points in the said county, to points in Pennsylvania, and return: *So as to permit* the transportation of persons in limousine service, between points in the county of Columbia, and from points in the said county, to points in Pennsylvania, and return.

JAMES J. MCNULTY,
Chairperson

[Pa.B. Doc. No. 99-1606. Filed for public inspection September 17, 1999, 9:00 a.m.]

STATE ETHICS COMMISSION

Public Meeting

The Public Official and Employee Ethics Law requires that the State Ethics Commission (Commission) hold at least two public hearings each year to seek input from persons and organizations who represent any individual subject to the provisions of the law and from other interested parties.

The Commission will conduct public meetings in Room 307, Finance Building, Harrisburg, PA on September 30, 1999, beginning at 4 p.m. and on October 1, 1999, beginning at 9 a.m. for purposes of receiving input and for the conduct of other agency business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present statements, information or other comments in relation to the Ethics Law, the regulations of the Commission or agency operations should contact Claire J. Hershberger at (717) 783-1610 or (800) 932-0936. Written copies of statements should be provided at the time of the meeting.

AUSTIN M. LEE,
Chairperson

[Pa.B. Doc. No. 99-1607. Filed for public inspection September 17, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Temporary Change in Location of the Central Administration Building

The Turnpike Commission's Central Administration Building is moving to 176 Kost Road, Carlisle, PA 17013-9779 (parcel delivery address) for approximately 18 months, and will be open for business on Monday, September 27, 1999.

Mailing address will remain the same: Pennsylvania Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676. Telephone numbers, extensions and fax numbers will also remain the same.

Directions to 176 Kost Road, Carlisle from Turnpike Exit 16 and from I-81 Exit 17: From I-81 overpass, proceed on U. S. 11 North toward Harrisburg traveling approximately 1.5 miles to the fourth traffic light at Kost Road. Turn right and travel approximately 1/2 mile. After

crossing railroad tracks, turn left into PTC Administration Building parking lot.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 99-1608. Filed for public inspection September 17, 1999, 9:00 a.m.]
