

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, October 27, 1999. The hearing will be part of the Commission's regular business meeting. Both the conference and business meeting are open to the public and will be held in Courtroom No. 1 of the Carbon County Courthouse, at 4 Broadway, Jim Thorpe, PA.

The conference among the Commissioners and staff will begin at 9:30 a.m. and will include reports on the following subjects: hydrologic conditions in the basin; activities of the Flow Management Technical Advisory Committee; status of the Proposed Determination Regarding the Assimilative Capacity of the Tidal Delaware River for Volatile Organics and Chronic Toxicity; and status of discussions with the Army Corps of Engineers regarding an agreement for storage of water at Francis E. Walter Reservoir and the matter of Federal funding for the Commission. In addition, a presentation will be made on the stream restoration program of the Waterway Corridors Subcommittee of the Commission's Water Quality Advisory Committee.

The 1:30 p.m. business meeting will include a public hearing on the projects summarized as follows. In addition, the Commission will address the following: minutes of the September 30, 1999 business meeting; announcements; report on hydrologic conditions in the basin; reports of the Executive Director and General Counsel; a Resolution Establishing a Watershed Advisory Council; and public dialogue.

The subjects of the hearing will be as follows:

1. *Borough of Brooklawn Water Department D-85-18 CP Renewal* 2. An application for the renewal of a ground water withdrawal project to supply up to 15 million gallons (mg)/30 days of water to the applicant's distribution system from Well Nos. 1, 3 and 4. Commission approval on December 8, 1989 was extended to 10 years and will expire unless renewed. The applicant requests that the total withdrawal from all wells remain limited to 15 mg/30 days. The project is located in Brooklawn Borough, Camden County, NJ.

2. *Moon Nurseries, Inc. D-88-28 Renewal*. An application for the renewal of a ground water withdrawal project to supply up to 8 mg/30 days of water to the applicant's nursery irrigation system from Well No. 1. Commission approval on April 26, 1989 was extended to 10 years. The applicant requests that total withdrawal from the well remain limited to 8 mg/30 days. The project is located in Lower Makefield Township, Bucks County, PA.

3. *Pennsauken Township D-98-36 CP*. A project to withdraw up to 20 mg/30 days of water from the tidal reach of the South Branch Pennsauken Creek, for irrigation of the Pennsauken Country Club golf course. The proposed withdrawal will replace the existing municipal potable water supply system as the source of irrigation water. The project golf course is located just northeast of the intersection of Haddonfield Road and Moorestown Pike in Pennsauken Township, Camden County, NJ. The intake

will be situated at the eastern side of the golf course on the west bank of South Branch Pennsauken Creek.

4. *Citizens Utilities Water Company of Pennsylvania D-98-43 CP*. An application for approval of a ground water withdrawal project to supply up to 28 mg/30 days of water to the applicant's Penn Water District distribution system from new Well No. 27, and to retain the existing withdrawal limit of 127 mg/30 days from all wells. The project is located in South Heidelberg Township, Berks County, PA.

5. *Northeast Schuylkill Joint Municipal Authority D-99-33 CP*. An application to construct a new 0.245 million gallons per day (mgd) sewage treatment plant (STP) to serve portions of Rush and Ryan Townships, Schuylkill County, PA. The proposed extended aeration/activated sludge STP will be situated just east of Barnesville at the northeast corner of State Route 54 and Holly Road (Township Road 856) in Rush Township, Schuylkill County, PA, and will discharge to Pine Creek, a tributary of the Little Schuylkill River.

6. *Allen Family Foods, Inc. D-99-49*. An application to rerate the applicant's existing 0.91 mgd wastewater treatment plant to an average monthly flow of 1.25 mgd. The plant will continue to provide secondary treatment only to the applicant's poultry processing facility, which is located on the west side of Route 5 approximately 1,400 feet south of Route 18 in the Village of Harbeson, Sussex County, DE. Treated plant effluent will continue to discharge to Beaverdam Creek, a tributary of Broadkill River.

7. *Warwick Township Water & Sewer Authority D-99-51 CP*. A project to expand the applicant's existing 0.12 mgd Country Crossing STP to provide advanced secondary treatment of 0.32 mgd. The STP is located just north of the intersection of Bristol and Mearns Roads in Warwick Township, Bucks County, PA and will continue to serve Warwick Township. Although the applicant will maintain its outfall to an unnamed tributary of Little Neshaminy Creek, the effluent will be conveyed to Heritage Creek Golf Course pond for irrigation purposes, as needed.

8. *Toll Brothers, Inc. D-99-52*. An application for approval of a surface water withdrawal project to supply up to 19.5 mg/30 days of water from Ponds A and G to irrigate the applicant's Laurel Creek Country Club golf course. The project is located in Moorestown Township, Burlington County, NJ.

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

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the hearing should contact the Secretary, Pamela M. Bush, at (609) 883-9500, Ext. 222 or the New Jersey Relay Service at (800) 852-7899 (TTY) to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 99-1797. Filed for public inspection October 22, 1999, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 12, 1999.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-8-99	NBT Bancorp, Inc., Norwich, New York, to acquire 100% of the outstanding shares of Lake Ariel Bancorp, Inc., Lake Ariel, Pennsylvania, and thereby acquire LA Bank, National Association, Lake Ariel, Pennsylvania	Norwich, New York	Filed

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-1-99	Northeast Pennsylvania Trust Company Hazleton Luzerne County	2 East Broad St. Hazleton Luzerne County	Commenced Operations

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-24-99	United Bank of Philadelphia Philadelphia Philadelphia County	Philadelphia	Effective

Purchase of assets/assumption of liabilities of four branch offices of First Union National Bank, Charlotte, North Carolina, located at:

	1620 Wadsworth Avenue Philadelphia Philadelphia County	3945-49 Chestnut Street Philadelphia Philadelphia County	
	2836 West Girard Avenue Philadelphia Philadelphia County	1501 North Broad Street Philadelphia Philadelphia County	
10-5-99	First Bank of Philadelphia, Philadelphia, and Pennsylvania Savings Bank, Philadelphia Surviving Institution—First Bank of Philadelphia, Philadelphia, with a change in corporate title to "First Penn Bank"	Philadelphia	Approved Effective 10-12-99
	<i>Branches Acquired By Merger:</i>		
	1424 Walnut Street Philadelphia Philadelphia County (Former Main Office of First Bank of Philadelphia)		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-4-99	Lebanon Valley Farmers Bank Lebanon Lebanon County	115 West Main Street Campbelltown S. Londonderry Twp. Lebanon County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-7-99	The Peoples Bank of Oxford Oxford Chester County	Jenners Pond Retirement Community Allison Building 2000 Greenbriar Lane Penn Township Chester County	Approved
10-7-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 73 Old Dublin Pike Doylestown Bucks County	Approved
10-7-99	Summit Bank Bethlehem Northampton County	Genuardi's Family Market 2395 York Road Jamison Bucks County	Approved
10-7-99	The Madison Bank Blue Bell Montgomery County	Pennsylvania Business Campus 100 Gibraltar Road Horsham Montgomery County	Filed
10-8-99	Premier Bank Doylestown Bucks County	General Hancock Shopping Center Horsham and Upper State Roads Montgomeryville Montgomery County	Approved
10-8-99	Main Street Bank Reading Berks County	15 Maplewood Drive Amity Township Berks County	Approved
10-8-99	Main Street Bank Reading Berks County	100 Progress Drive Doylestown Township Bucks County	Approved
10-8-99	Northwest Savings Bank Warren Warren County	800 State Street Erie Erie County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-5-99	Laurel Bank Johnstown Cambria County	<i>To:</i> Route 88 & Route 188 Rices Landing Jefferson Township Greene County <i>From:</i> 36 Greene Street Jefferson Greene County	Approved
10-12-99	Harris Savings Bank Harrisburg Dauphin County	<i>To:</i> 1100 Cocoa Avenue Hershey Derry Township Dauphin County <i>From:</i> 114 West Chocolate Ave. Hershey Derry Township Dauphin County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-8-99	FirstService Bank Lansdale Montgomery County	To provide for the acquisition of full fiduciary powers.	Approved and Effective

SAVINGS ASSOCIATIONS**Branch Relocations**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
10-8-99	East Stroudsburg Savings Association Stroudsburg Monroe County	<i>To:</i> 601 Route 940 Mount Pocono Monroe County	Filed

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> 29 Mount Pocono Blvd. Mount Pocono Monroe County	

Voluntary Liquidations

<i>Date</i>	<i>Name of Association</i>	<i>Action</i>
10-6-99	Building Association of Landenburg, PA Landenburg Chester County	Articles of Dissolution filed with the Department of State. Corporate existence terminated.

CREDIT UNIONS

No activity.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1798. Filed for public inspection October 22, 1999, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of November 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 November, 1999, is 9%.

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 an individual who finances the sale or exchange of residential real property which the individual owns and which the 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 6.43 to which was added 2.50 percentage points for a total of 8.93 that by law is rounded off to the nearest quarter at 9%.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 99-1799. Filed for public inspection October 22, 1999, 9:00 a.m.]

DEPARTMENT OF EDUCATION

School District Performance Measures

Under legislation that was passed by the General Assembly in June 1999, the Department of Education is authorized to implement another new incentive program that builds upon the success of the School Performance Funding (SPF) initiative and focuses squarely on the individual performance of professional employees: The School District Performance Measures (SDPM) program.

To foster the continued development and implementation of SDPM for professional employees, \$1 million is available in the 1999-2000 school year to provide funding for local SDPM initiatives. The purpose of this grant program is to provide incentives to school districts, AVTSs and intermediate units (IUs) for programs that reward individual teachers and other professional employees based on the quality of their professional performance.

One million dollars will be awarded to school districts, AVTSs and IUs proportionate to the impact of the local SDPM plan. Impact is determined by a combination of the number of professional employees affected and manner in which they are affected. Proposals will be accepted from school districts, AVTSs and IUs that have SDPM programs or intend to implement programs in the 1999-2000 school year.

Individuals can access the School District Performance Measures Request for Proposal (RFP) on the PDE website at <http://www.pde.psu.edu> under Issues and Initiatives. The RFP requires Adobe Acrobat Reader. The form portions of the document have been formatted so individuals can complete and print them while the document is open in Acrobat Reader.

Questions regarding this program should be directed to Tim Daniels in the Office of Educational Initiatives at (717) 705-2343.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 99-1800. Filed for public inspection October 22, 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.

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

PA 0028401. Sewage, **Borough of Dravosburg**, 226 Maple Avenue, Dravosburg, PA 15034.

This application is for renewal of an NPDES permit to discharge treated sewage from the Dravosburg Borough Sewage Treatment Plant in Dravosburg Borough, **Allegheny County**.

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

Outfall 001: existing discharge, design flow of 0.48 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

Outfall 002, which discharges to the receiving waters known as the Monongahela River, serves as a combined sewer overflow necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or

the treatment plant. This combined sewer overflow is permitted to discharge only for this reason. There are at this time no specific effluent limitations on the outfall. The discharge shall be monitored for cause, frequency, duration and quantity of flow.

The EPA waiver is in effect.

PA 0203955. Sewage, **84 Lumber Company**, P. O. Box 584, Eighty-Four, PA 15384.

This application is for renewal of an NPDES permit to discharge treated sewage from the 84 Lumber Company Sewage Treatment Plant in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Chartiers Creek, which are classified as a high quality 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 Western Pennsylvania Water Company on Little Chartiers Creek.

Outfall 001: existing discharge, design flow of 0.025 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 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	1.4			3.3
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0101664. Sewage. **Orchard Park Plan of Lots**, R. D. 2, Box 161, Bredinsburg Road, Franklin, PA 16323.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Lower Twomile Run in Cranberry Township, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 31 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.018 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	20	40
TSS	20	40
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0222976. Sewage, **Albert R. Shouey**, Rt. 26, Sigel, PA 15860.

This application is for a new NPDES permit, to discharge treated waste to Unnamed Tributary of Cathers Run in Barnett Township, **Jefferson County**. This is an existing discharge.

The receiving water is classified for the following uses: high-quality-cold water fishes, aquatic life, water supply and recreation. Downstream potable water evaluation is not necessary for TDS, NO₃-NO₃, fluoride and phenolics.

The proposed discharge limits for Outfall No. 001, based on a design flow of 400 gpd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	20	40
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is not in effect.

PA 0104272. Sewage, **North East Access Area, Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage to an unnamed tributary to Lake Erie in North East Township, **Erie County**. This is an existing discharge.

The receiving water is classified for cold water fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, there is no potable water supply considered during the evaluation until it reaches Lake Erie.

The proposed effluent limits for Outfall 001, based on an average design flow of 0.005 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10	20
Total Suspended Solids	10	20
NH ₃ -N		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	12.0
Phosphorus as P	1.0	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.50	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

PA 0103811, Amendment No. 3. Industrial waste, SIC: 4953 and 4959, **Northwest Sanitary Landfill**, 1436 West Sunbury Road, West Sunbury, PA 16061.

This is for a redraft of an NPDES permit, to discharge treated industrial waste and stormwater to Findlay Run in Cherry Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Salvation Army Camp on Slippery Rock Creek located at Slippery Rock, approximately 30 miles below point of discharge.

This amends the notice contained in the February 13, 1999 *Pennsylvania Bulletin*. During the comment period, the Department decided that a modification to Special Condition C was appropriate. Special Condition C previously required the permittee to collect and submit quarterly influent samples and results of the leachate. This redraft modifies that condition to require annual effluent samples and analysis. The results must be submitted to the Department on an annual basis. This analysis is in addition to that required on Pages 2 and 2a of the permit.

PA 0221759. Sewage, **Robert L. Shuttleworth**, Jerry Road, Rasselas, PA 15870.

This application is for renewal of an NPDES permit, to discharge treated waste to Unnamed Tributary to Swamp Creek in Jones Township, **Elk County**. This is an existing discharge.

The receiving water is classified for the following uses: high-quality-cold water fishes, aquatic life, water supply and recreation. Downstream potable water evaluation for TDS, NO₂-NO₃, fluoride and phenolics is not necessary.

The proposed discharge limits for Outfall 001, based on a design flow of 400 gpd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	20	40
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is not in effect.

PA 0029378. Sewage. **Redbank Valley School District, Hawthorn Elementary School**, 920 Broad Street, New Bethlehem, PA 16242-1117.

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

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Hawthorn Area Water Authority intake on Redbank Creek located at Hawthorn Borough, approximately 0.7 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.0067 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0222852. Sewage. **West Fallowfield Township WWTP**, West Fallowfield Township Supervisors, 6993 Westford Road, Hartstown, PA 16131.

This application is for a new NPDES permit to discharge treated sewage to Patton Run in West Fallowfield Township, **Crawford County**. This is a new discharge.

The receiving water is classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Greenville Municipal Authority on the Shenango River located at Greenville, approximately 13 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.05 mgd, are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Ammonia-Nitrogen			
(5-1 to 10-31)	3.5		7
(11-1 to 4-30)	17		34
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	8,800/100 ml as a geometric average		
Phosphorus as P	1		2
Total Residual Chlorine	0.7		1.5
pH	within limits of 6.0 to 9.0 standard units at all times.		

The EPA waiver is in effect.

PA 0222968. Sewage. **Humane Society of Mercer County, Inc.**, P. O. Box 331, Sharpsville, PA 16150.

This application is for a new NPDES permit to discharge treated sewage to the Unnamed Tributary to Daley Run in Jefferson Township, **Mercer County**. This is a new discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Sharpsville Municipal Water Authority intake on the Shenango River located at Sharpsville, approximately 14 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.0012 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	9.5	19
(11-1 to 4-30)	28	56
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	11,700/100 ml as a geometric average	
Total Residual Chlorine	1.5	3.5
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0004251. Industrial waste, SIC: 3321, **Advanced Cast Products, Inc.**, P. O. Box 417, Mill Street, Meadville, PA 16335.

This application is for renewal of an NPDES permit, to discharge noncontact cooling water and stormwater runoff to French Creek in Vernon Township, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: WWF, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the City of Franklin on French Creek located at Franklin, approximately 28.2 miles below point of discharge.

The proposed discharge limits for Outfall No. 002, based on a design flow of 0.16344 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
Oil and Grease	15		30
pH	6.0 to 9.0 at all times		

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.

Southeast Regional Office: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19448, (610) 832-6130.

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0053121	Elizabeth D. Nover 970 Almshouse Road Warrington, PA 18976-1102	Doylestown Township Bucks County	UNT to Neshaminy Creek	
PA0052191	Frank H. Duke 1085 Wood Lane West Chester	Westtown Township Chester County	Goose Creek	TRC
PA0053236	Raymond E. Woodward 2086 Strasburg Road Coatesville, PA 19320	Newlin Township Chester County	UNT to West Branch of Brandywine	TRC
PA0011231	Tosco Refining L. P. and Buckeye PipeLine Co. L. P. P. O. Box 368 Emmaus, PA 18049-0368	Upper Chichester Town- ship Delaware County	Boozers Run	TRC
PA0056375	Carol C. Curcio P. O. Box 312 Dublin, PA 18917	Hilltown Township Bucks County	UNT Deep Run Creek	TRC

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

**Applications under the Pennsylvania Clean
Streams Law**

(Part II Permits)

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department).

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

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

A. 2699201. Industrial waste. **The Municipal Authority of the Township of Washington**, 1390 Fayette Avenue, Belle Vernon, PA 15012. Application for the construction and operation of a water treatment plant located in Fayette City Borough, **Fayette County**.

A. 6374406, Amendment No. 3. Sewerage. **The Canonsburg-Houston Joint Authority**, 68 East Pike Street, Canonsburg, PA 15317. Application for the construction and operation of approximately 12,900 l. f. of interceptor sewer parallel to the existing interceptor sewer and the expansion and operation of the raw sewage pump station located in North Strabane Township and Canonsburg Borough, **Washington County**.

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

WQM Permit No. 2099411. Sewerage. **West Fallowfield Township**, 6993 Westford Road, Hartstown, PA 16131-0157. This project is for the construction and operation of a sewage treatment facility to serve the Hartstown-Adamsville area in West Fallowfield Township, **Crawford County**.

WQM Permit No. 4399423. Sewerage. **Wilbur J. Taylor, SRSTP**, 7 Bell Road, Grove City, PA 16127. This project is for the construction of a single residence sewage treatment plant in Pine Township, **Mercer County**.

INDIVIDUAL PERMITS

(PAS)

Stormwater Individual

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

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

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

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

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

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

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

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

NPDES Permit PAS10Q184. Stormwater. **Walter Frisch, Anthony Danner**, 5664 Railroad Road, Germansville, PA 18053, has applied to discharge

stormwater from a construction activity located in Heidelberg Township, **Lehigh County**, to an UNT to Jordan Creek.

NPDES Permit PAS10Q185. Stormwater. **Lehigh Valley Hospital & Health Network**, Carol Anne Bury, P. O. Box 689, Allentown, PA 18105-1556, has applied to discharge stormwater from a construction activity located in the City of Bethlehem, **Lehigh County**, to Monocacy Creek.

SAFE DRINKING WATER

Applications received for a Construction Permit issued under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

Application No. Minor Amendment. The Department has received a permit application from **Pike Township Municipal Authority**, P. O. Box 27, Hixon Road, Curwensville, PA 16833, Pike Township, **Clearfield County**. The project involves the construction of 150,000 gallon bolted steel, glass fused to steel or painted steel finished water storage tank, approximately 270 linear feet of 8-inch water transmission line and appurtenances.

Application No. Minor Amendment. The Department has received a permit application from **Hamilton Township Municipal Authority**, P. O. Box 236, Morris Run, PA 16939, Hamilton Township, **Tioga County**, to replace the filter media and support gravel in the existing microfloc package filtration plant at the Morris Run Water Treatment Facility.

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

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

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

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

Amtrak 2.5 Acre Site—Richmond Station, City of Philadelphia, **Philadelphia County**. Robert A. LaRosa, P.E., Senior Environmental Compliance Engineer, National Railroad Passenger Corp., 30th and Market Streets, Philadelphia, PA 19104, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Inquirer* on August 30, 1999.

SOLID AND HAZARDOUS WASTE

REQUEST FOR PROPOSALS FOR MUNICIPAL SOLID WASTE CAPACITY

The following notices are placed through the Department of Environmental Protection as required by section 502(d) of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904).

Request for Proposal

In accordance with the Municipal Waste Planning, Recycling and Waste Reduction Act and section 272 of the Pennsylvania Solid Waste Rules and Regulations (as amended), the County of Indiana is seeking waste disposal capacity for municipal solid waste (MSW) for the next 10 years. Indiana County is hereby soliciting responses to qualify facilities to provide processing/disposal capacity for County-generated MSW beginning on or after February 1, 2000.

Copies of Indiana County's Facility Qualification Request (FQR) may be obtained from the Indiana County Solid Waste Authority, 1715 Route 119 South, Homer City, PA 15748, (724) 479-0444. All responses must be made on the Submittal Form and in accordance with the Instructions to Respondents provided in the FQR. Respondents must submit the original and three copies to the address listed above, attention Timothy T. Long. Responses must be received by the Indiana County Solid Waste Authority on or before November 22, 1999.

Indiana County reserves the right to reject any or all responses and to waive any informalities in the solicitation process.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

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

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

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

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

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

OPERATING PERMITS

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

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

06-319-099E: General Battery Corp. (P. O. Box 13995, Reading, PA 19612-3995), for a lead/acid battery manufacturing facility controlled by various collectors in Laureldale/Muhlenberg Township, **Berks County**. The sources are subject to 40 CFR Part 60, Subpart KK, Standards of Performance for New Stationary Sources.

07-03019: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664), for operation of a stone crushing plant controlled by wet suppression in Greenfield Township, **Blair County**.

28-05004A: Martin's Famous Pastry Shoppe, Inc. (1000 Potato Roll Lane, Chambersburg, PA 17201), for operation of the Chambersburg Bakery in Guilford Township, **Franklin County**.

44-304-009: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368), for operation of a cold-box core machine at the Belleville foundry in Union Township, **Mifflin County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

41-310-001F: Hanson Aggregates Pennsylvania, Inc. (P. O. Box 231, Easton, PA 18044-0231), for operation of stone crushing and screening equipment and associated air cleaning device (a fabric collector) at the Pine Creek Quarry in Limestone Township, **Lycoming County**.

19-310-002C: Hanson Aggregates Pennsylvania, Inc. (P. O. Box 231, Easton, PA 18044-0231), for operation of a vertical shaft impact crusher and associated air cleaning device (a fabric collector) at the Bloomsburg Quarry in Hemlock Township, **Lycoming County**. This crusher is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

08-303-006B: Dalrymple Gravel and Contracting Co., Inc. (2105 South Broadway, Pine City, NY 14871), for operation of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Athens Township, **Bradford County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

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.

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

46-00062. Jefferson Smurfit/Container Corp. (500 Church Road, North Wales, PA 19454), in Upper Gwynedd Township, **Montgomery County**. The facility's major emission points include: two boilers, three rotogravure presses, solvent cleaning unit, Renzmznn Washing Unit, and a thermal oxidizer which emit major levels of VOCs.

09-00012: Klearfold (364 Valley Road, Warrington, PA 18976), in Warrington Township, **Bucks County**. The facility's major emission points include: three silk screen presses, four sheet fed, nonheatset, offset lithographic presses, a finishing section with gluers, a storage and mixing section which emit major levels of VOC.

23-00045: Sunoco, Inc. (R&M) Twin Oaks Terminal (4041 Market Street, Aston, PA 19014), in Upper Chichester Township, **Delaware County**. The facility's major emission points include: four storage tanks, gasoline/distillate loading rack, carbon absorber and a flash absorber system, two additive tanks, heating oil tank, two oil and water separators and furnace which emit major levels of VOCs and HAPs.

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

35-00004: Plainwell Tissue, Inc. (Main Street, Ransom, PA 18653), in Ransom Township, **Lackawanna County**. The facility's major source of emissions include the paper mill area which primarily emit volatile organic compounds (VOCs).

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Attn: Mark Wayner, (412) 442-4161.

TVOP-04-00059: Koppel Steel Corp., Koppel Plant (P. O. Box 750, Beaver Falls, PA 15010), in Beaver Falls, **Beaver County**. The facility is a steel melting operation and subsequent production of hot rolled bars in both carbon and alloy grades. The melt shop features an electric arc furnace, a ladle refining station and a continuous caster. Other sources at this major facility include a rotary hearth furnace and other natural gas sources that support the steel making operations. The facility has the potential to emit greater than 100 tons of the following pollutants oxides of nitrogen (NO_x), carbon monoxide, oxides of sulfur and volatile organic compounds respectively.

Nitrogen Oxides (NO_x) Allowance Program

Proposed Revisions to Operating Permit No. OP-24-0009 for Willamette Industries, Inc. for Boilers 81 and 82 to remove Conditions Relating to the NO_x Allowance Requirements in 25 Pa. Code §§ 123.101—123.120.

The Department of Environmental Protection (Department) intends to issue a revised Operating Permit to

remove the requirements of 25 Pa. Code §§ 123.101—123.120 (relating to NO_x allowance requirements) for Willamette Industries, Inc. Willamette shall operate Boilers Nos. 81 and 82 so that the heat input value for each boiler is less than 250 MMBtu as measured on an hourly basis. This measurement shall be performed in accordance with a Department approved protocol.

If Willamette operates either Boiler 81 or 82 at a maximum heat input value of 250 MMBtu, or greater, on an hourly basis, the boilers shall be subject to the nitrogen oxide allowance requirements of 25 Pa. Code §§ 123.101—123.120 and shall be treated as a new affected source under § 123.117; and Willamette shall not be entitled to any allowances through the opt-in provisions of § 123.116.

Persons wishing to file protests or comments on the proposed Operating Permit 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 permit. Any comments or protests filed at the previous address must include a concise statement of the objections to the issuance of the 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* and a newspaper of general circulation, where the facility is located, at least 30 days prior to the date of the hearing.

Copies of the proposed permit and other relevant information are available for review at the Bureau of Air Quality, Division of Permits, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

PLAN APPROVALS

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

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

PA-46-0084: Wampler Foods, Inc. (Route 113 and Allentown Road, Franconia, PA 18924), for installation of a wet scrubber in Franconia Township, **Montgomery County**.

PA-46-0197: Hershey Foods Corp. (2452 Quakertown Road, Pennsburg, PA 18073), for installation of a starch deduster (fabric filter) in Upper Hanover Township, **Montgomery County**.

PA-23-0001L: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061), for construction of two racing fuel storage tanks in Marcus Hook Borough, **Delaware County**.

PA-46-0025G: Lonza, Inc. (900 River Road, Conshohocken, PA 19428), for modification of two prescrubbers in Upper Merion Township, **Montgomery County**.

PA-23-0001M: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061), for construction of a CO boiler in Marcus Hook Borough, **Delaware County**.

PA-46-0150: Montgomery County SPCA (1059 Sweifford Road, Perkiomenville, PA 18074), for construction of an animal crematory in Upper Frederick Township, **Montgomery County**.

PA-23-0001N: Sunoco, Inc. (R&M) (Delaware Avenue and Green Street, Marcus Hook, PA 19061), for modification of boiler no. 9 in Marcus Hook Borough, **Delaware County**.

PA-09-0063A: New Hope Crushed Stone Company (6970 Phillips Mill Road, New Hope, PA 18938), for construction of a stone crushing plant in Solebury Township, **Bucks County**.

PA-46-0123: Wesco Industrial Products, Inc. (1250 Welsh Road, Lansdale, PA 19446), for modification of spray paint booths in Montgomery Township, **Montgomery County**.

PA-46-0198: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041), for construction of an alkalization reactor in Upper Hanover Township, **Montgomery County**.

PA-46-0198A: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041), for construction of a cocoa bean deshelling operation in Upper Hanover Township, **Montgomery County**.

PA-09-0087A: Solkatronic Chemicals (351 Philadelphia Avenue, Morrisville, PA 19067), for construction of an ammonia scrubber in Falls Township, **Bucks County**.

PA-09-0125: Naceville Materials (5031 Pt. Pleasant Pike, Doylestown, PA 18901), for modification of a crushing plant in Plumstead Township, **Bucks County**.

09-312-025GP: Fres-co System USA, Inc. (3005 State Road, Telford, PA 18969), for construction of aboveground storage tanks in West Rockhill Township, **Bucks County**.

09-312-024GP: Fres-co System USA, Inc. (3005 State Road, Telford, PA 18969), for construction of aboveground storage tanks in West Rockhill Township, **Bucks County**.

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

31-05011A: U. S. Silica Co. (P. O. Box 187, Berkeley Springs, WV 25411-0187), for construction of a low iron sand project for a facility in Brady Township, **Huntingdon County**. This source is subject to 40 CFR, Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

31-309-029B: Advanced Glassfiber Yarns, LLC (1200 Susquehanna Avenue, Huntingdon, PA 16652), for modification of the South Forming, glass batch mixing, blending and delivery system controlled by fabric collectors in Huntingdon Borough, **Huntingdon County**.

67-320-022D: Fry Communications, Inc. (800 West Church Road, Mechanicsburg, PA 17055), for installation of a heatset printing press with control at Building No. 5 (Plant No. 3) in Manchester Township, **York County**.

PA-67-03075: Central PA Veterinary Emergency Group, PC (3256 Susquehanna Trail North, York, PA 17402), for installation of a small pet crematorium in Manchester Township, **York County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

17-329-002: Petroleum Development Corp. (103 East Main Street, P. O. Box 26, Bridgeport, WV 26330-1706), for construction of a 115 horsepower natural gas-fired reciprocating internal combustion compressor engine and a natural gas dehydrator at the Tate Compressor Site in Greenwood Township, **Clearfield County**.

17-329-003: Petroleum Development Corp. (103 East Main Street, P. O. Box 26, Bridgeport, WV 26330-1706), for construction of a 180 horsepower natural gas-fired reciprocating internal combustion compressor engine and a natural gas dehydrator at the Passmore Compressor Site in Bell Township, **Clearfield County**.

Notice of Intent to Approve

Plan Approval PA-63-014B

Under 25 Pa. Code § 127.44(a)(4), the Department of Environmental Protection (Department) intends to issue a Plan Approval to Duquesne Light for the installation of low NO_x burners at the Elrama Power Station, as described in its application received on March 19, 1999.

Based on the information provided by the applicant and on the Department's analysis of that information, these installations will result in a potential NO_x reduction of 734 tons/yr.

Copies of the application, the Department's analysis and other documents used in evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

In order for the Department to assure compliance with all applicable standards, the Department proposes to place the following conditions on the Plan Approval:

Special Conditions for Plan Approval PA-63-014B

3. This Plan Approval is for the installation of DDI low NO_x burning systems and associated modifications on Unit 4 of the Duquesne Light Co. Elrama Power Station located at Route 837 in Union Township, Washington County.

4. NO_x emissions from this facility shall be limited to .54 lb/mmBtu based on a 30-day rolling average.

5. For periods when Unit 4 is out of service for longer than 30 days, the NO_x emissions from this facility shall be limited to .57 lbs/mmBtu based on a 30-day rolling average.

6. NO_x emissions from this facility shall be limited to 13,170 tons in any period of 12 consecutive months.

7. The Department may revise the NO_x (as NO₂) emission limits in this Plan Approval based on a minimum of two quarters of actual emission data from the continuous emission monitor.

8. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met.

a) The Department must receive written notice from the owner/operator of the completion of construction and the operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice should state when construction will be completed and when the operator expects to commence operation.

b) Operation is authorized only to facilitate the start-up and shake-down of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c) This condition authorizes temporary operation of the sources for a period of 180 days from the date of

commencement of operation, provided the Department receives notice from the owner/operator under subpart (a), above.

d) The owner/operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance, and the reasons compliance has not been established.

e) The notice submitted by the owner/operator under subpart (a), above, prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the written notice.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department at the following address. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed Plan Approval (specify the Plan Approval number).
- Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines the notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to: Joseph Pezze, Regional Air Quality Program Manager, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

For additional information persons may contact the following at the same address: Thomas J. Joseph, Air Pollution Control Engineer III, Air Quality Control.

REASONABLY AVAILABLE CONTROL TECHNOLOGY

(RACT)

Proposed Revision to the State Implementation Plan for Oxides of Nitrogen and Volatile Organic Compounds and Public Hearing

Approval of an amendment of a Reasonably Available Control Technology (RACT) plan for PP&L, Inc. in Derry Township, Montour County.

The Department of Environmental Protection (Department) has made a preliminary determination to approve an amendment of a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for an electric generating facility (Montour Steam Electric Station) owned and operated by PP&L, Inc. in Derry Township, Montour County.

The proposed SIP revision does not adopt new regulations. It incorporates the provisions and requirements

contained in the amendment of the RACT approval for the facility which are intended to comply with existing regulations.

The preliminary RACT determination, if finally approved, will result in the revision of Operating Permit OP-47-0001A issued on September 18, 1997, and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The following is a summary of the preliminary RACT determination which the Department proposes to incorporate into Operating Permit OP-47-0001A, as a revision to the permit, for three emergency diesel generators:

NO_x (Nitrogen Oxides) RACT Determination

- Under the presumptive RACT requirements of 25 Pa. Code § 129.93(c), each of the three respective emergency diesel generators shall be maintained and operated in accordance with manufacturer's specifications and good air pollution control practices. Additionally, none of the respective three generators shall be operated 500 or more hours in any 12 consecutive month period.

VOC (Volatile Organic Compound) RACT Determination

- Under the RACT requirements of 25 Pa. Code §§ 129.91—129.95, the total combined potential to emit volatile organic compounds from the respective three emergency diesel generators shall not exceed 3 pounds per hour or 2.7 tons per year (as determined by the Department). The respective three generators shall additionally comply with the presumptive RACT requirements specified elsewhere in the permit.

One public hearing will be held for the purpose of receiving comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held on December 2, 1999, at 1 p.m. at the Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (570) 327-3659 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (570) 327-3659 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to David W. Aldenderfer, Air Quality Environmental Program Manager, Pennsylvania DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments must be received by the Department by no later than December 17, 1999.

All pertinent documents are available for review from 8 a.m. to 4 p.m. in the Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-3693.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

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

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

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

Coal Applications Received

32910105. Permit Revision, **GLR Mining, Inc.** (P. O. Box 105, Clymer, PA 15728), for a land use change from pastureland to unmanaged natural habitat on the lands of David G. Mock Estate and Elmer V. and Laura Mae Willard in Canoe Township, **Indiana County**, affecting 52.8 acres, receiving stream unnamed tributary to Brewer Run. Application received September 30, 1999.

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

37990103. **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip operation in Washington Township, **Lawrence County** affecting 108.6 acres. Receiving streams: Potter Run; Unnamed tributary thereto. Application received October 6, 1999.

16793005. **Terry Coal Sales, Inc.** (P. O. Box 58, Distant, PA 16223). Renewal of an existing bituminous surface strip and auger operation in Redbank Township, **Clarion County**, affecting 624.1 acres. Receiving streams: Unnamed tributary to Middle Run; an unnamed tributary to Leisure Run. Application for reclamation only. Application received October 7, 1999.

16693007. **Terry Coal Sales, Inc.** (P. O. Box 58, Distant, PA 16223). Renewal of an existing bituminous surface strip, auger and tiple refuse disposal operation in Redbank Township, **Clarion County**, affecting 618.5 acres. Receiving streams: Unnamed tributaries to Town Run; Town Run; Unnamed tributary to Middle Run; Middle Run; all to Redbank Creek. Application for reclamation only. Application received October 7, 1999.

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

63940102. **Mulligan Mining, Inc.** (5945 Pudding Stone Lane, Bethel Park, PA 15102). Application to transfer permit currently issued to Bologna Coal Company for a bituminous surface mine site located in Smith Township, **Washington County**, affecting 108.5 acres. Receiving streams: ephemeral drainage to Burgetts Fork to Raccoon Creek to Ohio River. Application received: August 26, 1999.

03910101. **Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Application received to revise the permit to include changes to the erosion and sedimentation plan, a 100 foot road variance and a 100 foot stream variance and construction of a stream crossing at a bituminous surface/auger mining site located in Boggs Township, **Armstrong County**, affecting 208.5 acres. Receiving streams: unnamed tributaries to North Fork of Pine Creek to Pine Creek to the Allegheny River. Application received: October 4, 1999.

65990105. **V. P. Smith Co., Inc.** (P. O. Box 242, Ligonier, PA 15658). Application received for commencement, operation and reclamation of a bituminous surface mine located in Salem Township, **Westmoreland County**, proposed to affect 138.1 acres. A social and economic justification is included with this application. Receiving streams: unnamed tributaries of Beaver Run and Thorn Run to Beaver Run Reservoir to Kiskiminetas River to Allegheny River. Application received: October 1, 1999.

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

33971301. Laurel Energy, L. P. (One Energy Place, Suite 7500, Latrobe, PA 15650), to transfer the permit for the Dora No. 8 Mine in Perry Township, **Jefferson County** from Doverspike Bros. Coal Co., no additional discharges. Application received August 24, 1999.

30743701. LTV Steel Co., Inc. (200 Public Square, Cleveland, OH 44114-2308), to renew the permit for the Nemacolin Coal Refuse Disposal Area in Cumberland Township, **Greene County**, renewal, no additional discharges. Application received September 15, 1999.

30841317. Consol PA Coal Co. (P. O. Box 174, Graysville, PA 15337), to revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County**, to change water handling from C2 borehole to Bailey Slurry Pond, no additional discharges. Application received September 21, 1999.

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

54840207C4. CLS Coal Company (P. O. Box 81, Port Carbon, PA 17965), correction to an existing coal refuse reprocessing operation in Branch and Reilly Townships, **Schuylkill County** affecting 90.0 acres, receiving stream—Muddy Branch Creek. Application received September 22, 1999.

54900105C. Tuscarora Mines & Minerals Corporation (Box 116, Tuscarora, PA 17982), correction to an existing anthracite surface mine operation for a stream variance, in Schuylkill Township, **Schuylkill County** affecting 40.0 acres, receiving stream—intermittent creek to Schuylkill River. Application received September 22, 1999.

Knox District Office, P. O. Box 669, Knox, PA 16232. Noncoal Applications Received

10990302. Quality Aggregates, Inc. (200 Neville Road, Pittsburgh, PA 15225). Commencement, operation and restoration of a limestone and Lower Kittanning operation in Marion Township, **Butler County**, affecting 127.5 acres. Receiving streams: Three unnamed tributaries to North Branch of Slippery Rock Creek; North Branch of Slippery Rock Creek to Slippery Rock Creek; one unnamed tributary to Slippery Rock Creek; Slippery Rock Creek to Connoquenessing Creek to Beaver River. Application to include a land use change from Forestland to Unmanaged Natural Habitat on the lands of John C. Kay, Jr., William A. Bovard, David L. Bovard, Jackson W. Gray, Quality Aggregates, Inc. and Patsy V. Martino. Application received September 30, 1999.

302831-10990302-E-1. Quality Aggregates, Inc. (200 Neville Road, Pittsburgh, PA 15225). Application for a stream encroachment to encroach to within 25 feet of and construct a temporary stream crossing over an unnamed tributary to Slippery Rock Creek located on the Jackson W. Gray property in Marion Township, **Butler County**, affecting 127.5 acres. Receiving streams: Three unnamed tributaries to North Branch of Slippery Rock Creek; North Branch of Slippery Rock Creek to Slippery Rock Creek; one unnamed tributary to Slippery Rock Creek; Slippery Rock Creek to Connoquenessing Creek to Beaver River. Application received September 30, 1999.

302831-10990302-E-2. Quality Aggregates, Inc. (200 Neville Road, Pittsburgh, PA 15225). Application for a stream encroachment to encroach to within 25 feet of an unnamed tributary to North Branch Slippery Rock Creek located on the David L. Bovard property in Marion Township, **Butler County**, affecting 127.5 acres. Receiving streams: Three unnamed tributaries to North Branch

of Slippery Rock Creek; North Branch of Slippery Rock Creek to Slippery Rock Creek; one unnamed tributary to Slippery Rock Creek; Slippery Rock Creek to Connoquenessing Creek to Beaver River. Application received September 30, 1999.

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

8073SM4A2C4. Reading Materials, Inc. (394 Sanatoga Road, Pottstown, PA 19464), correction to an existing quarry operation for a depth correction and update to NPDES Permit No. PA0594849 in Lower Pottsgrove Township, **Montgomery County** affecting 52.93 acres, receiving stream—Sanatoga Creek. Application received September 20, 1999.

6478NC4C. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), renewal of NPDES Permit No. PA0121606 in Antrim Township, **Franklin County**, receiving stream—unnamed tributary to Muddy Run. Application received September 23, 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.

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

E64-207. Encroachment. **Robert and Gerald Bunting**, R. R. 2, Box 1100, Honesdale, PA 18431. To dredge a 100' × 50' section of Lake Cadjaw shoreline. The area will give access to the lake's water resources for farmland irrigation. The project is located on the north side of the intersection S. R. 3036 and S. R. 3031. (Honesdale, PA Quadrangle N: 5.25 inches; W: 3.25 inches), Cherry Ridge Township, **Wayne County** (Philadelphia District, U. S. Army Corps of Engineers).

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

E08-350. Encroachment. **Paul E. Heise, Dist. Engineer, PA Dept. of Transportation**, P. O. Box 218, Montoursville, PA 17754. To remove sediment deposits from under the SR 14 bridge. The work includes 250 feet upstream of the structure, under the structure, and 200 feet downstream of the structure (Troy, PA Quadrangle N: 4.76 inches; W: 5.69 inches) in Troy Borough, **Bradford County**. This project proposes to impact 500 linear feet of Fall Brook Creek, which is designated as a trout stocked fishery and does not propose to impact any wetlands.

E14-360. Encroachment. **Jeff and Angel Woodward**, P. O. Box 540, Port Matilda, PA 16870-0540. To maintain a single span bridge with a span of 34 feet and an unclear of 5 feet. This is a post-construction permit application (Port Matilda, PA Quadrangle N: 15.9 inches; W: 9.1 inches) in Worth Township, **Centre County**. This project impacted 20 linear feet of an unnamed tributary to Bald Eagle Creek which is designated as cold water fishery and does not propose to impact any wetland.

E18-277. Encroachment. **James W. Miller, P.E., PA DOT**, Engineering District 2-0, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA 16830. To maintain approximately 14,000 tons of rock and fill in the floodway of Young Woman's Creek approximately 400 feet east of the center of Gleasonton (Renovo-East, PA Quadrangle N: 19.0 inches; W: 7.5 inches) in Chapman Township, **Clinton County**. The project will not impact on wetlands or the stream. Young Woman's Creek is a high quality-cold water fisheries stream.

E49-231. Encroachment. **Charles Hopta, County Engineer, Northumberland County Commissioners**, Court House, 201 Market Street, Sunbury, PA 17801. To remove the existing stone masonry abutment and to construct and maintain a new reinforced concrete abutment located 0.65 mile east on LR 3010 from Red Cross then north on T-412 to the site (Pillow, PA Quadrangle N: 16.5 inches; W: 4.1 inches) in Washington Township, **Northumberland County**. This project proposes to impact 40 linear feet of Schwaben Creek, which is designated as a trout stocked fishery and does not propose to impact any wetlands.

E53-335. Encroachment. **Gary Lamphier, Harrison Township**, P. O. Box 92, Harrison Valley, PA 16927. To maintain a 6 foot corrugated metal pipe on Marsh Creek located 0.1 mile north of SR 1010 (Harrison Valley, PA Quadrangle N: 17.8 inches; W: 13.9 inches) in Harrison Township, **Potter County**. This project proposes to impact 30 linear feet of Marsh Creek, which is designated as a warm water fishery and does not propose to impact any wetlands.

E59-389. Encroachment. **Delmar Township**, RR 5, Box 70A, Wellsboro, PA 16901. To (1) remove existing structures; (2) construct, operate and maintain two minor road crossings of Pine Island Run—Exceptional Value; (3) construct and maintain rock stream deflectors in and along Pine Island Run—Exceptional Value; and (4) place and maintain roadway fill and wearing surfaces in the floodway of the same waterway for dirt and gravel roadway improvements. The dirt and gravel road project covers 1.3 miles of Delmar Township Road Number 355 (T-355). The upstream most minor road crossing shall be constructed with a corrugated metal arch culvert pipe that has a minimum span of 6.92 feet, a rise of 4.75 feet

and a length of 36.0 feet. The downstream most minor road crossing shall be constructed with a corrugated metal culvert that has a minimum diameter of 6.0 feet and a length of 50.0 feet. The rock stream deflectors shall be constructed with a minimum of R-8 riprap. The project will not impact wetlands while impacting a maximum of 120.0 feet. The project is located along the western right-of-way of S. R. 0414 approximately 1.3 miles east of Clay Mine Road and T-355 (Tiadaghton, PA Quadrangle N: 3.3 inches; W: 5.5 inches) in Delmar Township, **Tioga County**. This permit does not authorize any temporary or permanent wetland impacts.

E59-390. Encroachment. **Erick Coolidge, LE-MA-RE Farms**, R. R. 7, Box 106, Wellsboro, PA 16901. To periodically remove gravel and sediment for a period of 5 years on an as-needed basis for a distance of 1,800 feet and to construct and maintain an agricultural crossing and stream bank fencing. The project is located in and adjacent to an unnamed tributary to Wilson Creek in Collidge Hollow beginning at the intersection of T-403 and Route 287 (Antrim, PA Quadrangle N: 12.2 inches; W: 5.3 inches) in Delmar Township, **Tioga County**.

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

E32-409. Encroachment. **Indiana Borough**, 80 North Eighth Street, Indiana, PA 15701. To remove the existing structure and to construct and maintain two 253.5-foot long, 71-inch × 47-inch corrugated metal pipe culverts in an unnamed tributary to Marsh Run (CWF) as part of the Water Street Park Expansion Project located at the southwest corner of the intersection of Water Street and Second Street (Indiana, PA Quadrangle N: 22.5 inches; W: 2.3 inches) in the Borough of Indiana, **Indiana County**.

E63-476. Encroachment. **Washington County Commissioners**, Courthouse Square, 100 West Beau Street, Washington, PA 15301. To rehabilitate and maintain the existing Longdon Bridge (Wheeling Bridge No. 19) having two spans of 40.0 feet each with a minimum underclearance of 6.0 feet across Templeton Fork Wheeling Creek (TSF) located on Township Road 414 (Wind Ridge, PA Quadrangle N: 18.8 inches; W: 10.0 inches) in West Finley Township, **Washington County**.

E02-1290. Encroachment. **The McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. To construct and maintain a stream enclosure consisting of a pipe arch culvert having a span of 9.6 feet with an underclearance of 6.5 feet in an unnamed tributary to Pine Creek (CWF) and to place and maintain fill in approximately 0.28 acre of wetlands (PEM/PSS) for the purpose of constructing a management and maintenance facility located approximately 1,600 feet northwest from the intersection of McKnight Road and Arcadia Drive (Emsworth, PA Quadrangle N: 14.4 inches; W: 4.3 inches) in McCandless Township, **Allegheny County**.

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

E10-307. Encroachment. **Victory Christian Church**, 216 Mystic Pine Trail, Cranberry Township, PA 16066. To include the following activities as part of the expansion of the Victory Christian Church: 1. To place and maintain two 70-foot-long by 103-inch-wide by 71-inch-high pipe arch culverts and associated fill in a tributary to Brush Creek (WWF) for access to parking areas; 2. To relocate and maintain an existing sanitary sewer across and

under a de minimis wetland area (0.011 acre); 3. To place fill in a de minimis wetland area (0.029 acre) of wetland (PEM/PSS) to expand existing parking area and to relocate 140 linear feet of a tributary to Brush Creek (WWF); 4. To expand an existing stormwater detention basin by placing an earthen embankment within the 100-year floodway of a tributary to Brush Creek (WWF).

The project is located at the Victory Christian Church at 216 Mystic Pine Trail approximately 2 miles west of the intersection of SR 19 and SR 228 (Baden, PA Quadrangle N: 10.4 inches; W: 1.5 inches) located in Cranberry Township, **Butler County**.

E16-112. Encroachment. **Redbank Township**, P. O. Box 47, Fairmount City, PA 16224. To remove the existing structure and to construct and maintain a prestressed concrete arch culvert having a clear span of 12.315 meters and an underclearance of 2.855 meters on a 63 degree skew across Pine Creek (CWF) on T-510. This project will also include placement of fill in 0.0467 hectare of a wetland and the construction of a 0.0552 hectare replacement wetland. The project is located on T-510 across Pine Creek approximately 600 feet northwest of the intersection of T-510 and SR 28 (New Bethlehem, PA Quadrangle N: 10.1 inches; W: 0.2 inch) located in Redbank Township, **Clarion County**.

E62-353. Encroachment. **John R. and Judith A. Morley**, 210 River Road, Warren, PA 16365. To maintain a personal boat landing constructed without a permit consisting of a backfilled 30-foot-long by 4-foot-high retaining wall built of railroad ties and an access stairway within the 100-year floodway and along the Allegheny River (WWF, Nominated 1-A). The project is located along the Allegheny River (north side) approximately 1,500 feet southwest of the intersection of SR 6 and Preston Road (Warren, PA Quadrangle N: 15.8 inches; W: 10.0 inches) located in Conewango Township, **Warren County**.

E62-354. Encroachment. **PA Dept. of Transportation**, Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. To remove the existing structure and to construct and maintain a reinforced concrete box culvert having a waterway opening with a span of 12 feet and a rise of 8 feet across a tributary to Stillwater Creek (CWF) locally known as Stauffer Run on SR 957. This project will include placement of the box culvert invert approximately 1 foot 4 inches below the existing streambed elevation to allow for unobstructed access for aquatic organisms. This project is located on SR 957 across a tributary to Stillwater Creek approximately 150 feet east of the intersection of SR 957 and Stillwater Road (Sugar Grove, PA Quadrangle N: 19.1 inches; W: 13.7 inches) located in Borough of Sugar Grove, **Warren County**.

ENVIRONMENTAL ASSESSMENT

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

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

EA06-006CO. Environmental Assessment. **Galen Hall Corporation** (815 Lancaster Avenue, Reading, PA 19607). To construct and maintain two nonjurisdictional dams across a tributary to Cacoosing Creek (WWF) to control stormwater at the proposed Galen Hall (Phase I) subdivision impacting 0.11 acre of wetlands (PFO) and

approximately 400 linear feet of stream channel. The proposed subdivision is located approximately 2,000 feet northwest of the intersection of Galen Hall Road and Cushion Peak Road (Sinking Spring, PA Quadrangle N: 8.9 inches; W: 12.5 inches) in South Heidelberg Township, **Berks County**.

EA28-001CO. Environmental Assessment. **J. Gary Rine** (45 Jumper Road, Shippensburg, PA 17257-9723). To construct and maintain a nonjurisdictional dam across a tributary to Conodoguinet Creek (HQ-CWF) for recreation located approximately 7,100 feet southwest of the intersection of Upper Horse Valley Road and Keefer Road (Fannettsburg, PA Quadrangle N: 6.3 inches; W: 9.0 inches) in Letterkenny Township, **Franklin County**.

ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER (Part I Permits)

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of 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. 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).

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

Permit No. 6499401. Honesdale Borough Council, 958 Main Street, Honesdale, PA 18431. Permit to construct and operate a sewage pumping station, located in Honesdale Borough, **Wayne County**.

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

NPDES Permit No. PA0039225. Sewage. **Blaine E. Rhodes Sewer Company**, P. O. Box 397, Reno, PA

16343-0397, is authorized to discharge from a facility located in Sugar Creek Borough, **Venango County** to the Allegheny River.

NPDES Permit No. PA0103446. Industrial waste. **Superior Greentree Landfill**, 635 Toby Road, Kersey, PA 15846, is authorized to discharge from a facility located in Fox Township, **Elk County** to an unnamed tributary to Bear Run and Little Toby Creek.

NPDES Permit No. PA0004898. Industrial waste. **Loranger Manufacturing Corporation, Clark Street**, P. O. Box 948, Warren, PA 16365, is authorized to discharge from a facility located in the City of Warren, **Warren County** to the Allegheny River.

NPDES Permit No. PA0221571. Industrial waste. **Loranger Manufacturing Corporation, Starbrick**, P. O. Box 948, Warren, PA 16365, is authorized to dis-

charge from a facility located in the City of Warren, **Warren County** to an unnamed tributary to Morse Run.

WQM Permit No. 2099410. Sewerage, **David S. Graham SRSTP**, 400 Ash Street, Kane, PA 16735. Construction of David S. Graham SRSTP located in North Shenango Township, **Crawford County**.

INDIVIDUAL PERMITS

(PAS)

The following NPDES Individual Permits for discharges of stormwater from construction activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10Q174	Richard Birdoff R. D. Management 810 7th Ave., 28th Floor New York, NY 10019	Lehigh County City of Allentown	Trout Creek
PAS10Q028-R	Byron B. Ashbrook Brook Haven Development Corp. 2910 Lindberg Ave. Allentown, PA	Lehigh County Lower Macungie Township	Little Lehigh
PAS10S020-R	Keystone Hollow Corp. P. O. Box 1158 Marshalls Creek, PA 18335	Monroe County Middle Smithfield Township	Tributaries to Sand Hill Creek and Pond Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10F078	Eastern States Exploration P. O. Box 178 Snow Shoe, PA 16874	Centre County Snow Shoe Township	Beech Creek, Rock Runk, Unt. Sandy Run

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS102305	Paul Agnew 9905 Harmonsburg Rd. Linesville, PA 16424	Crawford County Sadsbury Township	Conneaut Lake Unnamed Tributary

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>
Schuylkill County West Mahanoy Township	PAR105792	Pennsylvania Power & Light Co. PP&L Service Center P. O. Box 236 Morea Industrial Rd. Frackville, PA 17931	Stoney Cr.	Schuylkill CD (570) 622-3742
Luzerne County Hanover Township	PAR10R184	Mericle Properties (Han. Ind.—Lot 10) 600 Baltimore Dr. Wilkes-Barre, PA 18702	Unnamed Trib. to Warrior Cr.	Luzerne CD (570) 674-7991
Luzerne County Dupont Borough	PAR10R183	William S. Gilchrist (Petro Stopping Center) 98 Grove St. Dupont, PA 18641	Mill Creek	Luzerne CD (570) 674-7991
Butler County Jackson Township	PAR10E117	Freight Transfer Service Station & Maintenance Shop A. Duie Pyle, Inc. 650 Whites Town Road West Chester, PA 19381	Breakneck Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Union County Kelly Township	PAR106836	Kelly Commons P. O. Box 46 Lewisburg, PA 17837	Unt. Susquehanna River	Union County CD 60 Bull Run Crossing Lewisburg, PA 17837 (570) 523-8782
Washington Township Franklin County	PAR-10-M183	Waynesboro Market Place Associates L. P. 1398 Logan Circle Marietta, GA 30062	Red Run	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Springettsbury Township York County	PAR-10-Y412	St. Onge Company Lot 1A St. Onge Company 1407 Williams Road York, PA 17402	Unt. to Mill Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430

<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>
Chanceford Township York County	PAR-10-Y407	Rutter's Farm Store No. 24 CHR Corporation 2100 North George Street York, PA 17404	Toms Run	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Spring Garden Township York County	PAR-10-Y416	Spring Garden Apartments York College of PA 439 Country Club Road York, PA 17405	Unt. to Codorus Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Stoney Run York County	PAR-10-Y400	Rosado & Hare Properties Carlos Rosado 126 North Fileys Road Dillsburg, PA 17019	Monaghan	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Penn Township York County	PAR-10-Y410	Park Hills Elementary School South Western School District 225 Bowman Road Hanover, PA 17331-4297	Plum Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Warrington Township York County	PAR-10-Y362	Deer Run Robert Muller P. O. Box 75 Dillsburg, PA 17019	Unt. to Conewago Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430

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 Mahanoy Township	PAG052207	Jack Rich, Inc. 617 Altamont Boulevard Frackville, PA 17931	Tributary to Mud Run	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Allegheny County Neville Township	PAR206125	AMG Resources Corporation 4100 Grand Avenue Pittsburgh, PA 15225	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<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>
Knox Township Clarion County	PAG048618	Timothy S. and Rise L. Graham R. R. 1, Box 779 Lucinda, PA 16235	Step Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG048628	Fred W. and Mary J. White	Unnamed Tributary to Big Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<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>
North Shenango Township Crawford County	PAG048625	David S. Graham 400 Ash Street Kane, PA 16735	Tributary Bennett Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-5</i>				
<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>
Somerset County Somerset Borough	PAG056135	Somerset Fuel Co. P. O. Box 430 S. Kimberly Ave. Somerset, PA 15501	Coxes Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington County Peters Township	PAG056136	Guttman Oil Company 200 Speers Street Belle Vernon, PA 15012	UNT of Brush Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

West Fallowfield Township, Crawford County

West Fallowfield Township, 6993 Westford Road, Hartstown, PA 16131-0157.

The purpose of this update is to change the location of the proposed sewage treatment facility to a site approximately 4,000 feet south of the formerly approved site near the Village of Hartstown. The proposed receiving stream is Patton Run.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

SAFE DRINKING WATER

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

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

Permit No. 3899503. Public water supply, **Richland Borough**, Mill Creek Township, **Lebanon County**. *Responsible Official:* Dwight Belleman, Water Superintendent. *Type of Facility:* Construction and use of Well No. 6

as a source of supply. Water is to be disinfected using existing treatment facilities. *Consulting Engineer:* Jeffrey A. Warmkessel, Motley Engineering Co., Inc., 1300 New Holland Rd., Kenhorst, PA 19607. *Permit to Construct issued:* October 14, 1999.

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

Permit No. Minor Amendment. The Department issued a construction permit to **Beech Creek Borough Authority**, P. O. Box 216, Beech Creek, PA 16822, Beech Creek Borough, **Clinton County**, to replace the pump in Well No. 2, construct a new salt storage room at the treatment building, and construct a new system booster pump station at the treatment building.

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

Permit No. 5699505-E. Public water supply. **Somerset Borough Municipal Authority**, 340 West Union Street, Somerset, PA 15501. *Type of Facility:* Emergency use of Walker Farm Wells. *Permit for Operation issued:* September 27, 1999.

Permit No. 3292501-A1. Public water supply. **Indiana County Municipal Services Authority**, P. O. Box 351, Indiana, PA 15701. *Type of Facility:* Hood School Road water storage tank and distribution lines. *Permit for Construction issued:* October 4, 1999.

Permit No. 2699501. Public water supply. **Pennsylvania American Water Company**, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317. *Type of Facility:* Route 40 Chemical Feed Station. *Permit for Operation issued:* September 28, 1999.

Permit No. 2699502. Public water supply. **Indian Creek Valley Water Authority**, P. O. Box 486, Indian Head, PA 15446. *Type of Facility:* Law's Hill pump station and water storage tank. *Permit for Construction issued:* September 27, 1999.

Permit No. 0299506. Public water supply. **Harrison Township Municipal Authority**, 1705 Rear Freeport Road, Natrona Heights, PA 15065. *Type of Facility:* Liquid chemical feed system (Aqua-Mag). *Permit for Operation issued:* October 6, 1999.

Permit No. 0284505-A2. Public water supply. **Borough of Sewickley Water Authority**, P. O. Box 190, Sewickley, PA 15143. *Type of Facility:* Sewickley Reservoir No. 4 Cover. *Permit for Construction issued:* October 6, 1999.

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Notice of Prompt Interim Response under the Hazardous Sites Cleanup Act

Bottle House Site

Allentown, Lehigh County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), has initiated a prompt interim response at the Bottle House Site (site). This response has been undertaken under section 505(b) of HSCA. The site is located at 451 Front Street in the City of Allentown, Lehigh County, PA.

The site consists of a large three story brick building that was formerly the bottling house for the Neuweiler Brewery. The site is an industrial property that is located in a residential area. The site had been used by a tenant for the production and packaging of pesticides, herbicide, plasticizers and cleaning compounds from approximately 1989 to 1998. Currently stored in the abandoned building are approximately 2,000 55-gallon drums; numerous small (1 pint to 5 gallons) containers; five laboratories containing unidentified chemicals; various process mixing vats; numerous bags of chemicals; and 1-cubic yard containers containing plastic-like flakes and pellets.

To date, the Department has identified the following hazardous substances and/or contaminants at the site: ammonium hydroxide; hydrogen peroxide; liquid caustic soda; isocyanuric acid; organotin compounds; sulfonic acid (a.k.a. chlorosulfuric acid); sulfamic acid; piperonyl butoxide; sodium hypochlorites; chlorene tablets; hydrogen peroxide; hydrochloric acid; ethyl ether; various pesticides, herbicides and algicides; and various organic solvents, corrosives and oxidizers.

The objective of this prompt interim response action is to eliminate the immediate threat to human health and safety and the environment posed by the hazardous waste, hazardous substances and/or contaminants present on the site.

Given the specific circumstances at this site, the Department has determined that removal of hazardous substances to an approved offsite treatment/storage/disposal/recycling facility is the only viable alternative to implement at this site. This response action is needed in a prompt manner to protect human health and the environment.

On September 27, 1999, the Department mobilized an Interim Response Services contractor to the site to conduct preliminary activities necessary to identify and

characterize site materials. Removal of site wastes may be initiated prior to publication of this notice.

This notice is being provided under sections 505(b) and 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response action, is available for public review and comment. The administrative record is located at the DEP Bethlehem District Office at 4530 Bath Pike (Route 512) in Hanover Township, Northampton County and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will be open for comment from October 23, 1999, until January 24, 2000. Persons may submit written comments into the record during this time only, by sending them to Joseph Iannuzzo, DEP Project Officer, at the DEP Bethlehem Office at 4530 Bath Pike (Route 512) in Hanover Township, Northampton County or by delivering them to that office in person.

In addition, persons may present oral comments on the remedy selection for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on December 7, 1999, at 1 p.m. at the Department's Bethlehem District Office at 4530 Bath Pike (Route 512) in Hanover Township, Northampton County. Persons wishing to present comments must register with Joseph Iannuzzo before November 30, 1999, (570) 826-2589 or in writing at the Department's Bethlehem District Office.

If no person registers to present oral comments by November 30, 1999, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should contact Joseph Iannuzzo.

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

Public Notice of Proposed Consent Order and Agreement

Swissvale Auto Surplus Parts Site

Swissvale, Allegheny County

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. § 6020.1113) the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Consolidation Coal Company, Dravo Corporation, Duquesne Light, USX Corporation and CBS Corporation f/k/a Westinghouse Electric Corporation (Consenting Parties) concerning the Swissvale Auto Surplus Parts site (site). The site is located in Swissvale, Allegheny County, PA. The site was utilized from the 1940s until 1984 as a scrap reclaiming facility and was last operated by a now defunct business called Swissvale Auto Surplus Parts.

During site operations, operators dismantled polychlorinated biphenyls (PCBs)—containing transformers at the site. Site operators recycled the transformers' copper windings and burned the PCBs-containing oils in an onsite incinerator. Those actions resulted in PCBs- and dioxin-contamination. From 1984 through 1987, the United States Environmental Protection Agency (EPA) conducted an emergency removal action at the site to remove drummed PCBs-waste and contaminated soils. The EPA's action was incomplete inasmuch as remaining onsite were a building, metal scrap and soils found to be

contaminated with PCBs. In May and June of 1999, in a prompt interim response under section 505(b) of HSCA (35 P.S. § 6020.505(b)), the Department removed all remaining contaminated materials and, in doing so, incurred approximately \$500,000 in costs.

In comparison to other hazardous substances contributed to the site by known and financially viable persons, the amounts of the hazardous substances the Department has determined are associated with the Consenting Parties, as well as the toxic or other hazardous effects of those substances, are minimal. The Department has therefore determined that the Consenting Parties are de minimis settlers. The Department has agreed to enter into a de minimis financial settlement with the Consenting Parties providing for an in-kind contribution by USX Corporation and a collective payment of \$118,750 by the other Consenting Parties to the Hazardous Sites Cleanup Fund. The specifics of the settlement are set forth in the CO&A.

The Department will receive and consider comments relating to the CO&A for 60 days from the date of this public notice. The Department may withdraw its consent to the settlement with the Consenting Parties if the comments concerning the CO&A disclose facts or issues which indicate that the settlement is impracticable or not in the public interest. After the public comment period, the Department's settlement with the Consenting Parties shall become final upon the Department's filing of a response to any significant comments made to the CO&A.

Copies of the Consent Order and Agreement are available for review and comment at the Department's Southwest Regional Office, located at 400 Waterfront Drive, Pittsburgh, PA. Comments may be submitted in writing to Gary Mechtly, Project Officer, Department of Environmental Protection, Hazardous Sites Cleanup Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. A copy of the Consent Order and Agreement or further information may be obtained by contacting Gary Mechtly at (412) 442-4201. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 645-5984.

Public Notice of Proposed Consent Order and Agreement

Fair Oaks Dump Site

Leet Township, Allegheny County

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. § 6020.1113), the Department of Environmental Protection (Department) entered into a Consent Order and Agreement (CO&A) with Robertson CECO Corporation (RCC) concerning the Fair Oaks Dump site (site). The site is located in Leet Township, Allegheny County, PA.

During the late 1940s and through the early 1950s, waste was trucked to the top of a ravine located at the site and tail-end dumped over the hillside. The Department investigated site conditions and determined that waste at the site should be removed and disposed of properly to protect the public and the environment.

After extensive negotiation between the Department and RCC, the parties agreed that RCC shall conduct a site investigation and shall conduct a cleanup of site waste in the form of proper disposal at Department-approved disposal facilities. In turn, given the possibility of some portion of site waste being orphan (that is, of unknown origin), the Department agreed to subsidize a portion of the site's investigation and cleanup costs.

The Department will receive and consider comments relating to the CO&A for 60 days from the date of this public notice. The Department may withdraw its consent to the settlement with RCC if the comments concerning the CO&A disclose facts or issues which indicate that the settlement is impracticable or not in the public interest. After the public comment period, the Department's settlement with RCC shall become final upon the Department's filing of a response to any significant comments made to the CO&A.

Copies of the CO&A are available for review and comment at the Department's Southwest Regional Office, located at 400 Waterfront Drive, Pittsburgh, PA. Comments may be submitted in writing to Jeffrey J. Jones, Project Officer, Department of Environmental Protection, Hazardous Sites Cleanup Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. A copy of the Consent Order and Agreement or further information may be obtained by contacting Jeffrey Jones at (412) 442-4142. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 645-5984.

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.

Ashbourne Cleaners Site, Cheltenham Township, **Montgomery County**. Gregory S. Van Hook, Millennium Environmental Group, 6205 Easton Road, Pipersville, PA 18947, has submitted a Remedial Investigation/Final Report concerning remediation of site groundwater contami-

nated with solvents. The report is intended to document remediation of the site to meet site-specific standards.

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 Final Report concerning remediation of site soil contaminated with lead, solvents and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 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 Act 2 for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and report, please contact the Environmental Cleanup Program in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a plan or report is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

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

U. S. Plywood Corp. Facility (Former), City of Philadelphia, **Philadelphia County**. Eugene A. Belli, ENSR, 2005 Cabot Blvd., West Langhorne, PA 19047, has submitted a Baseline Remedial Investigation Work Plan concerning remediation of site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated with lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons. The Work Plan was approved by the Department on May 27, 1999.

Devitts Hardware Store (Former), City of Coatesville, **Chester County**. Ana Maria Caram, Senior Environmental Engineer, Bethlehem Steel Corp., 1170 Eighth Avenue, Bethlehem, PA 18016-7699, has submitted a Baseline Remedial Investigation Work Plan concerning remediation of site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The Work Plan was approved by the Department on August 10, 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 Final Report concerning remediation of site soil contaminated with heavy metals. The Final Report demonstrated attainment of Statewide health and site-specific standards and was approved by the Department on September 3, 1999.

Elf Atochem North America, Inc.—Technical Center, Upper Merion Township, **Montgomery County**. Mark Piazza, Elf Atochem North America, Inc., 2000 Market Street, Philadelphia, PA 19103, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX and polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 10, 1999.

Van Waters and Rogers, Inc., City of Philadelphia, **Philadelphia County**. Anthony J. Pirelli, Van Waters and Rogers, Inc., W205 N6849 Woodward Court, Menomonee Falls, WI 53051, has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with solvents and BTEX. The Report demonstrated attainment of Statewide health and site-specific standards and was approved by the Department on September 15, 1999.

Unisys Downingtown Facility (Former), Downingtown Borough, **Chester County**. Randy L. Shuler, Environmental Resources Management, Princeton Crossroads, 250 Phillips Blvd., Suite 280, Ewing, NJ 08618, has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with heavy metals and solvents. The Reports and the Cleanup Plan were approved by the Department on September 23, 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 Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 24, 1999.

Mad Platter, West Chester Borough, **Chester County**. Mark Fortna, DelVal Soil & Environmental Consultants, Inc., 4050 Skyron Drive, Suite A1,

Doylestown, PA 18901, has submitted a Final Report concerning remediation of site soil contaminated with polycyclic aromatic hydrocarbons. The Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 27, 1999.

Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Easton Roundhouse Site, City of Easton, **Northampton County**. As part of the Department of Environmental Protection's Key Sites Initiative program, a Baseline Environmental Report was submitted on behalf of the City of Easton, One South Third Street, Easton, PA 18042, concerning the characterization of site soils and groundwater found to have been contaminated with petroleum hydrocarbons, solvents, metals, pesticides and BTEX (benzene, toluene, ethylbenzene and xylenes) compounds. The Baseline Environmental Report demonstrated attainment of the Special Industrial Area standard and was approved on October 6, 1999.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101069. Southeastern Chester County Refuse Authority, P. O. Box 221, Kennett Square, PA 19348, was issued a 10-year renewal permit for their municipal waste landfill located in London Grove Township, **Chester County**. Permit was renewed by the Southeast Regional Office on October 5, 1999.

Southcentral Regional Office: Regional Solid Waste Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706.

Permit No. 300620. Williamsburg Generating Station, Sithe Pennsylvania Holding LLC, (450 Lexington Avenue, 37th Floor, New York, NY 10017). Application for permit reissuance of a residual waste landfill for a site in Catherine Township, **Blair County**. Permit issued in the Regional Office September 30, 1999.

Closure plan approved under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for closure of a solid waste disposal area or site.

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

Permit I. D. No. 300693. Hercules Cement Company Landfill, Hercules Cement Company, 501 Center Street, P. O. Box 69, Stockertown, PA 18083. A Closure Plan Approval for this CKD Residual Waste Landfill, located in Upper Nazareth Township, **Northampton County**. The Closure Plan Approval was granted in the Regional Office on September 15, 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.

GP3-31-03002: New Enterprise Stone and Lime C., Inc. (P. O. Box 77, New Enterprise, PA 16664), for operation of a portable nonmetallic mineral processing plant in Spruce Creek Township, **Huntingdon 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.

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

01-310-052: Carmeuse Pennsylvania, Inc. (875 Oxford Road, Hanover, PA 17331), on October 4, 1999, for operation of a silo and truck loadout controlled by a fabric filter in Oxford Township, **Adams County**.

05-310-016: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664), on October 1, 1999, for operation of a portable limestone crushing plant-wash plant controlled by wet suppression at the Ashcom Quarry in Snake Spring Valley Township, **Bedford County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

06-05037: McConway and Torley Corp. (230 Railroad Street, Kutztown, PA 19530), on October 1, 1999, for operation of nine fabric collectors at the Kutztown Foundry in Kutztown Borough, **Berks County**.

06-301-090A: Bridgeview, Inc. (P. O. Box 364, R. D. 1, Morgantown, PA 19543), on October 6, 1999, for operation of an incinerator at the Morgantown Plant in Robeson Township, **Berks County**.

06-301-091: Bridgeview, Inc. (P. O. Box 364, R. D. 1, Morgantown, PA 19543), on October 6, 1999, for operation of an incinerator at the Morgantown Plant in Robeson Township, **Berks County**.

06-301-093A: Bridgeview, Inc. (P. O. Box 364, R. D. 1, Morgantown, PA 19543), on October 6, 1999, for operation of an incinerator with secondary chamber at the Morgantown Plant in Robeson Township, **Berks County**.

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

AR-03-023: West Penn Power, Armstrong Station (800 Cabin Hill Drive, Greensburg, PA 15601), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for two coal-fired boilers in Washington Township, **Armstrong County**.

AR-03-027: Keystone Owners Group, Keystone Station (1001 Broad Street, Johnstown, PA 15907), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for two coal fired boilers in Plumcreek Township, **Armstrong County**.

AR-04-235: Pennsylvania Power, Bruce Mansfield Station (P. O. Box 128, Shippingport, PA 15077), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for three coal-fired boilers in Shippingport Borough, **Beaver County**.

AR-04-044: Zinc Corp. of America, G. F. Wheaton Station (300 Frankfort Road, Monaca, PA 15061), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for two coal-fired boilers in Potter Township, **Beaver County**.

AR-30-099: West Penn Power, Hatfield's Ferry Station (800 Cabin Hill Drive, Greensburg, PA 15601), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for three coal-fired boilers in Monongahela Township, **Greene County**.

AR-32-040: Sithe Pennsylvania Holdings, LLC, Seward Station (1001 Broad Street, Johnstown, PA 15907), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for three coal-fired boilers in East Wheatfield Township, **Indiana County**.

AR-32-055: Edison Mission Energy, Homer City Station (18101 Von Karman Avenue, Suite 1700, Irvine, CA 92715), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for three coal-fired boilers in Center Township, **Indiana County**.

AR-32-059: Conemaugh Owners Group, Cone-maugh Station (1001 Broad Street, Johnstown, PA 15907), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for two coal-fired boilers in West Wheatfield Township, **Indiana County**.

AR-63-014: Duquesne Light, Elrama Station (411 Seventh Avenue, Pittsburgh, PA 15230), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain), for four coal-fired boilers in Union Township, **Washington County**.

AR-63-016: West Penn Power, Mitchell Station (800 Cabin Hill Drive, Greensburg, PA 15601), reopened on October 1, 1999, in accordance with 40 CFR 72.85, to include NOx allowances (Acid Rain) for four coal-fired boilers in Union Township, **Washington 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-15-0017: Transcontinental Gas Pipeline Corp. (Station 200 60 Bacton Hill Road, Frazer, PA 19355), on October 5, 1999, for Facility VOCs/NOx RACT in East Whiteland Township, **Chester 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-46-0155C: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468), on September 27, 1999, for operation of a binder mix tank in Limerick Township, **Montgomery County**.

PA-46-0155B: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468), on September 27, 1999, for operation of a thermal spray unit in Limerick Township, **Montgomery County**.

PA-46-0169A: H & N Packaging, Inc. (92 County Line Road, Colmar, PA 18915), on October 5, 1999, for operation of an ink room in Hatfield Township, **Montgomery County**.

PA-09-0117: Heucotech LTD (99 Newbold Road, Fairless Hills, PA 19030), on October 5, 1999, for operation of additional process equipment in Falls Township, **Bucks County**.

PA-15-0013A: Graphic Packaging Corp. (2400 Continental Boulevard, Malvern, PA 19355), on October 6, 1999, for operation of a flexographic/gravure press in Tredyffrin Township, **Chester County**.

PA-23-0016: PQ Corp. (1201 West Front Street, Chester, PA 19013), on October 8, 1999, for operation of an alternative opacity limit/furnace in City of Chester, **Delaware County**.

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

01-318-009D: Aristokraft, Inc. (P. O. Box 5, Littlestown, PA 17340), on October 1, 1999, for construction of two sealer booths at 80 Keystone Street in Littlestown Borough, **Adams County**.

28-05022: RJC Industries, Inc. (5171 Innovation Way, Chambersburg, PA 17201), on October 6, 1999, for construction of two spray paint booths controlled by dry panel filters located at the Letterkenny Industrial Park, Building 7 in Greene Township, **Franklin County**.

67-05026B: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368-0040), on October 4, 1999, for installation of a blast-cleaning machine controlled by a fabric filter at the Wrightsville Foundry in Wrightsville Borough, **York County**.

PA-36-05086B: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368-0040), on October 8, 1999, for installation of a cold-box core machine at the Mount Joy Foundry in Mount Joy Borough, **Lancaster County**.

Minor Modification of 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.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

08-316-013A: Masonite Corp. (P. O. Box 311, Towanda, PA 18848), on October 4, 1999, to authorize use of an alternate zinc borate addition system in Wysox Township, **Bradford County**.

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.

09-302-065A: Rohm & Haas Co. (Rte 413 & Old Route 13, Bristol, PA 19007), on October 5, 1999, for operation of two boilers to amend waste in Bristol Township, **Bucks County**.

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

36-05067A: C & D Technologies, Inc. (82 East Main Street, Leola, PA 17540), on October 1, 1999, to authorize temporary operation of a lead-acid battery manufacturing plant, covered under this Plan Approval until January 29, 2000, on Route 23 in Upper Leacock Township, **Lancaster County**. This source is subject to 40 CFR, Part 60, Subpart KK—Standards of Performance for New Stationary Sources.

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 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. §§ 4401—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Coal Applications Issued

56980105. Permit revision. **Dunamis Resources, Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650), to conduct auger mining activities on this bituminous strip mine in Lincoln Township, **Somerset County**, affecting 93.0 acres, receiving stream UNTs to North Branch of Quemahoning Creek and unnamed tributaries to Horner Run, application received August 9, 1999, issued October 5, 1999.

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

33813020. John R. Yenzi, Jr. (P. O. Box 287, Anita, PA 15711). Revision to an existing bituminous strip operation to add Coal Ash Placement in Winslow Township, **Jefferson County** affecting 270 acres. Receiving streams: two unnamed tributaries to Front Run, Unnamed tributary to Trout Run. Application received: February 26, 1999. Permit issued: September 30, 1999.

33803012. Starr Coal Company (P. O. Box 245, Brockport, PA 15823) Renewal of an existing bituminous strip and auger operation in Washington Township, **Jefferson County** affecting 94.3 acres. This renewal is issued for reclamation only. Receiving streams: Rattlesnake Run. Application received: July 23, 1999. Permit issued: August 23, 1999.

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

03990104. Reichard Contracting, Inc. (R. D. 3, New Bethlehem, PA 16242). Permit issued for commencement, operation and reclamation of a bituminous surface mine/coal preparation-processing facility located in Wayne Township, **Armstrong County**, affecting 11.1 acres. Receiving streams: unnamed tributary to Glade Run to Glade Run to Mahoning Creek to Allegheny River. Application received: June 18, 1999. Permit issued: October 4, 1999.

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

30960701. Cyprus Emerald Resources, Inc. (145 Elm Dr., Waynesburg, PA 15370), to operate the Emerald No. 1/CRDA No. 2 in Franklin Township, **Greene County**, unnamed tributary to Smith Creek. Permit issued September 29, 1999.

30841314. Eberhart Coal Co. (R. R. 2, Box 114, Smithfield, PA 15478), to renew the permit for the Titus Mine in Dunkard Township, **Greene County**, no additional discharges. Permit issued October 1, 1999.

03921602. Glacial Sand & Gravel Co. (P. O. Box 1022, Kittanning, PA 16201-5022), to renew the permit for the Glacial Coal Tipple in East Franklin Township, **Armstrong County**, no additional discharges. Permit issued October 1, 1999.

30841317. Consol PA Coal Co. (P. O. Box 174, Graysville, PA 15337), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County**, to install air shaft and future portal site (3 North No. 2 Airshaft), Rocky Run. Permit issued October 1, 1999.

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

Noncoal Permits Issued

40960304T. Pacton Corporation (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), transfer of an existing quarry operation in Plains Township, **Luzerne County** affecting 72.0 acres, receiving stream—none. Transfer issued October 6, 1999.

Small Noncoal (Industrial Mineral) Permits Issued

58990818. Larry A. Lee (R. R. 2, Box 2642, Nicholson, PA 18446), commencement, operation and restoration of a bluestone quarry operation in Brooklyn Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued October 7, 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 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 Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984.

Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rule 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 on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); 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.

E09-771. Encroachment. **Department of Conservation and Natural Resources**, Bureau of State Parks, 400 Rachel Carson State Office Building, Harrisburg, PA 17105-8451. To construct and maintain two picnic areas (Virginia Forrest and Teddy Roosevelt Day-Use Areas) in and along the 100-year floodplain of the Delaware River and adjacent to the Pennsylvania Canal (AKA Delaware Canal). A de minimis amount of wetland (0.03 acre) will be affected by the proposed activities. The proposed work for each picnic area will include: 1. The construction of 100 linear feet of access road at both areas. 2. The construction of a paved parking area. 3. The construction of a well and water supply system. 4. The construction of a wastewater treatment system and associated comfort facilities. 5. The construction of river access trails.

The Virginia Forrest Day-Use Area is located 5,600 feet west of the intersection of Cuttalussa Road and SR 32 (Lumberville, PA-NJ Quadrangle N: 5.75 inches; W: 0.55 inch) in Solebury Township, **Bucks County**.

The Teddy Roosevelt Day-Use Area is located along the Delaware Canal approximately 3,000 feet south of the intersection of Hellertown Road and Route 611 (Easton, NJ-PA Quadrangle N: 0.4 inch; W: 9.2 inches) in Williams Township, **Northampton County**.

E23-386. Encroachment. **City of Philadelphia**, Division of Aviation Terminal E, Philadelphia International Airport, Philadelphia, PA 19153. To place fill in 1.88 acres of wetland (PEM) associated with the construction of a new international terminal one in the 100-year floodplain of the Delaware River, located at the Philadelphia International Airport (Bridgeport, PA-NJ USGS Quadrangle N: 22.5 inches; W: 0.2 inch) in Tinicum Township, **Delaware County**. This application proposes 2.36 acres of replacement wetlands.

E46-843. Encroachment. **Klein Company**, 1700 Market Street, Suite 2600, Philadelphia, PA 19103. To replace and maintain 640 linear feet (noncontinuous) of existing gabion mats with cable concrete mats and to perform associated grading work in and along Indian Creek, located approximately 2,000 feet northeast of the intersection of Egypt Road and Trooper Road (PA Route 363) at the Willowbrook Apartment site (Collegeville, PA Quad-

rangle N: 1.4 inches; W: 2.85 inches) in West Norriton Township, **Montgomery County**. This permit was issued under § 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

E46-845. Encroachment. **Abington Township**, 1176 Old York Road, Abington, PA 19001.

To perform the following activities associated with the Baeder Run Flood Control Project:

1. To install and maintain 455 linear feet of 9-foot by 4-foot reinforced concrete box stream enclosure along Baeder Run (WWF). This structure will be installed adjacent to an existing 5.5-foot diameter reinforced concrete enclosure to increase the hydraulic conveyance capacity.

2. To widen and maintain a 1,100 linear foot section of Baeder Run. The total width of the proposed channel will be about 18 feet between the downstream terminus of the aforementioned culvert and Wanamaker Road (average width increase is 7 feet).

3. To construct and maintain a reinforced modular block retaining wall along the streambank where the widening will occur.

The project is located (Germantown, PA Quadrangle N: 19.9 inches; W: 0.9 inch) in Abington Township, **Montgomery County**.

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

E35-313. Encroachment. **Karl J. Kincel, III**, 1431 Thomas Drive, Dunmore, PA 18512. To construct and maintain a single span, steel I-beam bridge, having a span of 25-feet and an underclearance of 6-feet across a Tributary to Gardner Creek. The project will provide access to a single residential dwelling and is located on the south side of T-383, approximately 0.2 mile east of the intersection of T-382 and T-383 (Ransom, PA Quadrangle N: 14.6 inches; W: 1.9 inches) in Newton Township, **Lackawanna County**.

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

E14-350. Encroachment. **Richard Wamsher**, 23 Eagle Lane, Reading, PA 19607. To construct, operate and maintain a water intake structure in the channel of an unnamed tributary to Big Poe Creek for the supply of water to an earthen embankment pond. The water intake shall be constructed with a 4-inch diameter pipe. The project is located along the northern right-of-way of SR 0322 approximately 400 feet east of Millheim Pike and Big Poe Valley Road intersection (Spring Mills, PA Quadrangle N: 10.9 inches; W: 1.9 inches) in Penn Township, **Centre County**. The water intake structure shall be constructed in the dry by installing sandbags; plastic dams and/or pipes to convey stream flow around the work area. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E17-328. Encroachment. **Huston Township Supervisors**, P. O. Box 38, Penfield, PA 15849. To rehabilitate and stabilize approximately 400 feet of stream bank along Bennett Branch, Sinnemahoning Creek located next to Diamond Road about 2,000 feet from SR 255 (Penfield, PA Quadrangle N: 12.2 inches; W: 14.0 inches) in Huston Township, **Clearfield County**. This permit was issued

under § 105.13(e) "Small Projects." This permit also include 401 Water Quality Certification.

E41-450. Encroachment. **Pennsylvania Department of Transportation**, P. O. Box 218, Montoursville, PA 17754-0218. To remove the existing structure and to construct and maintain a single span concrete box beam bridge with a normal span of 35 feet and an underclearance of 3.9 feet across an unnamed tributary to Blockhouse Creek on SR 1009, Section 003 about 700 feet south of SR 1011 (Liberty, PA Quadrangle N: 2.75 inches; W: 16.56 inches) in Jackson Township, **Lycoming County**.

E49-226. Encroachment. **Pennsylvania Department of Transportation**, P. O. Box 218, Montoursville, PA 17754-0218. To: 1) reconstruct and maintain the existing structure; and 2) construct and maintain, next to the existing structure, a dual ten span continuous composite steel multigirder bridge with nine 1.83-meter wide sharp-nosed piers, normal span to abutments measuring 39.32-meters, 2 @ 47.28-meters, 48.18-meters, 2 @ 47.28-meters, 48.18-meters, 2 @ 47.28-meters, 38.72-meters and a minimum underclearance of 15.11-meters across the West Branch of the Susquehanna River; 3) to construct and maintain, for a period of 3 years from the date of permit issuance, one of the two alternative causeways Alternative No. 1—a 15.25 meters (50 foot) wide clean stone causeway that extends across the West Branch Susquehanna River just upstream of the westbound bridge's piers with "fingers" extending downstream from the causeway, a top elevation of 135.03 meters (443 feet) and four temporary 16.15 meters (53 feet) long bridge spans; Causeway Alternative No. 2—a 15.25 meters (50 foot) wide clean stone causeway that extends across the West Branch Susquehanna River between the eastbound and westbound spans with "fingers" extending downstream and upstream from the causeway, a top elevation of 135.03 meters (443 feet) and four temporary 16.15 meters (53 feet) long bridge spans. The piers for both the westbound and eastbound spans will be accessed by "fingers" extending both upstream and downstream from the causeway; both of which are to be located 3,900 feet east of Exits 30 (Milton, PA Quadrangle, N: 9.10 inches; W: 15.44 inches) in Turbot Township, **Northumberland County** and White Deer Township, **Union County**; 4) to construct and maintain a dual four span concrete prestressed I-beam bridge with three 0.91-meter wide flat-nosed piers, normal span to abutments measuring 12.57-meters, 17.98-meters, 17.98-meters, 12.57-meters and a minimum underclearance of 8.10-meters across Muddy Run; plus to construct and maintain, for a period of 1 year from the date of permit issuance, six 1.83 meters (6 foot) diameter corrugated metal pipes with associated clean cover fill across Muddy Run; both of which are located 9,100 feet east of Exits 31 (Milton, PA Quadrangle N: 6.07 inches; W: 8.58 inches) in Turbot Township, **Northumberland County**.

E59-385 Denied. Encroachment. **Mansfield University**, Mansfield, PA 16933-1607. To construct and maintain a stormwater pipe arch outfall 44 inches by 72 inches by 50 feet in length to Corey Creek. The project is located approximately 150 feet north of Rt. 6 and 600 feet east of the Eastern Mansfield Borough boundary line (Mansfield, PA Quadrangle N: 10.6 inches; W: 9.1 inches) in Richmond Township, **Tioga County**.

EA53-001NC Issued. Encroachment. **U. S. Fish & Wildlife Service**, 315 South Allen St., State College, PA

16801. To construct cross vanes, single rock vanes, J-Hook rock vanes and natural material bank revetments on two reaches of Kettle Creek (EV) for the purpose of improving streambank stability, streambed stability and fish habitat. The stream reaches are approximately 2,660 feet and 900 feet in length and are located approximately 5 miles north of the village of Cross Fork and approximately 750 feet upstream from the SR 144 bridge near the village of Oleona (Short Run, PA Quadrangle N: 2.5 inches; W: 0.5 inches, and Oleona, PA Quadrangle N: 10.0 inches; W: 9.9 inches) in Stewardson Township, **Potter County**.

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

E10-218. Encroachment. **Philip Litwak**, 100 Deniston Street No. 7, Pittsburgh, PA 15206. To provide after-the-fact authorization for excavation of approximately 1.03 acres of a wetland for the construction of the impoundment area of a nonjurisdictional dam at 1140 Branchton Road approximately 3,000 feet southeast of the intersection of S. R. 4010, Atwell Road and Harrisville Road (West Sunbury, PA Quadrangle N: 15.6 inches; W: 4.7 inches) located in Cherry Township, **Butler County**. Project includes restoration of 0.05 acre of impacted wetland and construction of 2.2 acres of replacement wetlands.

E10-305. Encroachment. **Penreco**, 138 Petrolia Street, Karns City, PA 16041-9299. To install two 2-inch-diameter aerial oil pipelines and to modify and maintain existing aerial pipelines and support structure across South Branch Bear Creek at the Bender Unit Area within the existing Karns City Penreco refinery (Chicora, PA Quadrangle N: 22.3 inches; W: 13.8 inches) located in Karns City Borough, **Butler County**.

E25-578. Encroachment. **James P. Lay**, 558 West 6th Street, Erie, PA 16507-1129. To extend and widen an existing concrete groin from 40 feet long by 4 feet wide to 70 feet long by 10 feet wide along the shore of Lake Erie approximately 1 mile west of the Presque Isle Peninsula in front of 3827 Lakefront Drive (Swanville, PA Quadrangle N: 18.4 inches; W: 6.6 inches) located in Millcreek Township, **Erie County**.

E25-582. Encroachment. **National Fuel Gas Supply Corporation**, 1100 State Street, Erie, PA 16501. To replace the 20-inch-diameter and 12-inch-diameter natural gas pipeline across French Creek approximately 1 mile upstream of the confluence of West Branch French Creek and to operate and maintain the 20-inch-diameter and 12-inch-diameter natural gas pipelines across French Creek (Wattsburg, PA-NY Quadrangle N: 0.65 inch; W: 6.0 inches) and across West Branch French Creek approximately 1 mile upstream of its mouth (Wattsburg, PA-NY Quadrangle N: 1.9 inches; W: 8.45 inches) located in Venango Township, **Erie County**.

E25-592. Encroachment. **Franklin Township**, 10411 Route 98, Edinboro, PA 16412. To remove the existing Falls Road Bridge No. 2 and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 28.5 feet and an underclearance of 14 feet across Falk Run on T-424 (Falls Road) at Howard Falls approximately 0.5 mile northwest of S. R. 98 (Edinboro North, PA Quadrangle N: 14.6 inches; W: 14.3 inches) located in Franklin Township, **Erie County**.

E37-125. Encroachment. **PA Department of Transportation, District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017-2853. To remove the existing Seipel

Avenue Bridge and to construct and maintain a composite multigirder steel bridge having a clear, normal span of 195 feet and an underclearance of 36.5 feet across Connoquenessing Creek on S. R. 0488, Section L02 between Ellport and Wurtemberg (Beaver Falls, PA Quadrangle N: 19.6 inches; W: 1.1 inches) located in Ellport Borough, Wayne and Perry Townships, **Lawrence County**.

E37-126. Encroachment. **Kirk O'Neill**, R. R. 1, Box 232A, Enon Valley, PA 16120. To remove a temporary bridge constructed without a permit and to construct and maintain a three span steel beam bridge having concrete block abutments and timber decking with a clear center span of 54 feet and an underclearance of 14 feet across North Fork Little Beaver Creek on a private driveway extending north from Old Enon Unity Road approximately 0.75 mile west of S. R. 351 (New Galilee, PA Quadrangle N: 20.3 inches; W: 14.4 inches) located in Little Beaver Township, **Lawrence County**.

E42-264. Encroachment. **Smethport Borough Authority**, P. O. Box 152, Smethport, PA 16749. To construct and maintain the following improvements at the existing Smethport Borough Water Authority Wastewater Treatment Plant within the 100-year floodplain and floodway of Potato Creek along S. R. 46 approximately 2,000 feet north of S. R. 6 (Smethport, PA Quadrangle N: 11.8 inches; W: 7.4 inches) located in Smethport Borough, **McKean County**: 1. Expand the existing headworks and influent wetwell on the southwest side of the existing control building. 2. Construct a return sludge pump station, two final clarifiers and chlorine contact tank with associated fill northwest of the existing aeration tanks. 3. Construct a sludge storage tank and sludge dewatering building northwest of the existing control building. 4. Resurface existing service road, construct new paved driveways and concrete walkways.

E61-224. Encroachment. **Polk Borough**, P. O. Box 1037, Polk, PA 16342. To remove the existing bridge and to construct and maintain a composite prestressed concrete adjacent box beam bridge having a clear, normal span of 27 meters and an underclearance of 2.662 meters across Sandy Creek on Church Street approximately 150 meters south of S. R. 62 (Polk, PA Quadrangle N: 21.0 inches; W: 7.4 inches) located in Polk Borough, **Venango County**.

E61-225. Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323-1289. To remove the existing bridge and to construct and maintain a precast reinforced concrete box culvert having a 14-foot-wide by 4.25-foot-high waterway opening in Lick Run on S. R. 4006, Segment 0010, Offset 2270 approximately 2,500 feet east of S. R. 322 (Utica, PA Quadrangle N: 10.6 inches; W: 0.1 inch) located in Sugar Creek Borough, **Venango County**.

DAM SAFETY

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); 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)).

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D30-046. Dam. **Cyprus Emerald Resources Corporation** (145 Elm Drive, Waynesburg, PA 15370). To construct, operate and maintain the Emerald Mine Area No. 2 Coal Refuse Dam located across a tributary to Smith Creek in Franklin Township, **Greene County**.

D30-047. Dam. **Cyprus Emerald Resources Corporation** (145 Elm Drive, Waynesburg, PA 15370). To construct, operate and maintain Sedimentation Pond No. 1 Dam located across a tributary to Smith Creek in Franklin Township, **Greene County**.

ENVIRONMENTAL ASSESSMENT

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

EA18-001NC. Environmental Assessment. **Clinton County Commissioners**, Dan Vilello, Chairperson, Clinton County Courthouse, Lock Haven, PA 17745. To remove a three span concrete encased I-beam bridge with stone masonry piers and abutments. The demolition is necessary due to deterioration and will consist of removal of the superstructure and piers down to the streambed. The project is located on Township Road 551 over Young Womans Creek (HQ-CWF) approximately 0.2 mile from the intersection with SR 0120 (Renovo East PA Quadrangle N: 18 inches; W: 10.1 inches) in Chapman Township, **Clinton County** (Baltimore District, U. S. Army Corps of Engineers). Approval of an Environmental Assessment is requested in conjunction with § 105.12(a)(11), Dam Safety and Waterway Management regarding restoration activities.

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

EA16-002NW. Environmental Assessment. **Hedin Environmental**, 195 Castle Shannon Boulevard, Pittsburgh, PA 15228. To construct and maintain a passive wetland treatment system to restore water quality from an acid mine seep discharge to Little Hefren Run (CWF). This system will include a 400-ton Anoxic Limestone Drain, a 4,000-square-foot settling pond, a 10,000-square-foot wetland, and a rock lined discharge channel to Little Hefren Run approximately 180 feet upstream of the confluence of Little Hefren Run and Toms Run. This project will also utilize a temporary road crossing of Toms Run (EV, stocked trout, wildtrout) with a bridge having a single span of 60 feet (bank to bank). The project is located approximately 500 feet northwest of the confluence of Little Hefren Run and Toms Run in Cooks Forest State Park (Cooksburg, PA Quadrangle N: 20.9 inches; W: 15.7 inches) located in Farmington Township, **Clarion County**.

EA61-002NW/WL6199601. Environmental Assessment. **Cornplanter Township**, R. R. 1, Box 98A, Oil City, PA 16301-9717. To request authorization under waiver of permit requirements in § 105.12(a)(11) to remove the superstructure of the abandoned old Rynd Farm Bridge across Cherrytree Run near its confluence with Oil Creek west of S. R. 8 (Oil City, PA Quadrangle N: 19.5 inches; W: 9.9 inches) located in Cornplanter Township, **Venango County**.

WATER ALLOCATIONS

Actions taken on applications 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.

Northwest Regional Office, Regional Manager, Water Supply Management, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6899.

Permits Issued

Permit No. WA20-1000. Water Allocation. **Cambridge Township Municipal Authority**, 22530 Electric Drive, Cambridge Springs, PA 16403, grants the right to purchase 42,100 gpd based on a 30-day average from Cambridge Springs Borough. This permit request is to ensure an adequate water supply to customers in a section of Cambridge Township, **Crawford County**. Type of Facility: Township Municipal Authority, Bruce Patterson, Authority Engineer, Northwest Engineering, Inc., P. O. Box Q, Tidioute, PA 16351. Permit Issue Date: October 8, 1999.

SPECIAL NOTICES

The Pennsylvania Department of Environmental Protection (Department) has scheduled a public hearing to receive testimony and comments on the proposed 102 Individual NPDES permit for Stormwater Discharges from Construction Activities for Carlisle Evangelical Free Church in South Middleton Township, Cumberland County. Construction of the proposed project will result in a stormwater discharge to the Letort Spring Run. The Letort Spring Run is an EV (exceptional value) watershed. The hearing will be held on Wednesday, December 1, 1999, beginning at 7 p.m. at the Cumberland County Conservation District, 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013.

Persons intending to testify at the hearing should register by Friday, November 12, 1999, by calling Karen Sitler, (717) 705-4904. If no person registers to present oral comments by November 12, the hearing will not be held. Finally, persons interested in finding out if any one has registered, and if the hearing will be held, should also contact Ms. Sitler at the same number.

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

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

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

[Pa.B. Doc. No. 99-1801. Filed for public inspection October 22, 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 "1999 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search

the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 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: 383-3310-609 Title: PADWIS Reporting Description: This document establishes uniform instructions and protocol for assessing and printing computerized inventory for public water systems in support of the Safe Drinking Water Program. Effective Date: October 23, 1999 Contact: Trudy Troutman at (717) 783-3795

Interim Guidance

DEP ID: 383-2131-001 Title: Screening Criteria on Water Quality/Quantity Impacts for Drinking Water Permits Description: The purpose of this guidance is to further DEP's policy with regard to the review and approval of safe drinking water permit applications for the development of new or expanded ground or surface sources of supply. Anticipated Effective Date: Upon publication in the *Pennsylvania Bulletin*. Comment Period Ends: November 22, 1999 Contact: Trudy Troutman at (717) 783-3795

Draft Guidance

DEP ID: 274-0300-003 Title: Continuous Emission Monitoring (CEM) Systems Description: This document is an internal procedural guide for Bureau and Regional personnel responsible for conducting quality assurance auditing activities on existing monitoring systems. As such, the document was developed by the Continuous Emission Monitoring Section to reflect existing quality assurance auditing procedural requirements. Anticipated Effective Date: Currently in use, but comments on guidance accepted until November 22, 1999 Comment Period Ends: November 22, 1999 Contact: Joseph C. Nazzaro at (717) 783-9247.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 99-1802. Filed for public inspection October 22, 1999, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Payments to Nursing Facilities; October 1, 1999 Proposed Rates

The purposes of this notice are to announce the proposed changes in payment rates for nursing facilities beginning October 1, 1999, and to identify the methodology and justification for these proposed rates. Under 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997, P. L. 105-33, § 4711, a State must use a public process when it proposes to make changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan. The Department of Public Welfare (Department) is not proposing to amend its State Plan or to change its regulations, 55 Pa. Code Chapter 1187, relating to the rate-setting methodology used to set nursing facility payment rates. Rather, the Department is proposing to make changes in its nursing facility payment rates because those rate changes are required by the rate-setting methodology contained in its approved State Plan and regulations.

Rates

The proposed October 1, 1999 rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout the Commonwealth, or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

Methodology

The methodology that the Department used to set the proposed rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

Justification

The justification for the proposed rates is that they were set under the rate-setting methodology required by the Commonwealth's approved State Plan and the current regulations.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 1999-2000 is \$9.313 million (\$4.302 million in State funds).

Interested persons are invited to submit written comments about the proposed rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Attention: Suzanne Love, Room 515 Health and Welfare Building, Harrisburg, PA 17105.

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

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-221. (1) General Fund; (2) Implementing Year 1999-00 is \$4.302 Million; (3) 1st Succeeding Year 2000-01 is \$4.928 Million; 2nd Succeeding Year 2001-02 is \$5.174 Million; 3rd Succeeding Year 2002-03 is \$5.433 Million; 4th Succeeding Year 2003-04 is \$5.704 Million; 5th Succeeding Year 2004-05 is \$5.990

Million; (4) 1998-99 Program—\$721.631 Million; 1997-98 Program—\$617.252 Million; 1996-97 Program—\$591.910 Million; (7) Medical Assistance—Long Term Care; (8) recommends adoption. There are funds available in the Department's budget to cover the cost of this increase.

[Pa.B. Doc. No. 99-1803. Filed for public inspection October 22, 1999, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Census 2000 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Census 2000.

2. *Price:* The price of a Pennsylvania Census 2000 instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Census 2000 instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$7⁰⁰ (SVN DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN) and \$2,000 (TWO THO).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$7, \$10, \$20, \$50, \$100 and \$2,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 6,720,000 tickets will be printed for the Pennsylvania Census 2000 instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$2,000 (TWO THO) in the play area on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the play area on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area on a single ticket, shall be entitled to a prize of \$20.

(e) Holders of tickets with three matching play symbols of \$10⁰⁰ (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(f) Holders of tickets with three matching play symbols of \$7⁰⁰ (SVN DOL) in the play area on a single ticket, shall be entitled to a prize of \$7.

(g) Holders of tickets with three matching play symbols of \$5⁰⁰ (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets with three matching play symbols of \$3⁰⁰ (THR DOL) in the play area on a single ticket, shall be entitled to a prize of \$3.

- (i) Holders of tickets with three matching play symbols of \$2.⁰⁰ (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.
- (j) Holders of tickets with three matching play symbols of \$1.⁰⁰ (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,720,000 Tickets</i>
3-\$1	\$1	1:9.09	739,200
3-\$2	\$2	1:15	448,000
3-\$3	\$3	1:42.86	156,800
3-\$5	\$5	1:75	89,600
3-\$7	\$7	1:100	67,200
3-\$10	\$10	1:150	44,800
3-\$20	\$20	1:500	13,440
3-\$50	\$50	1:2,400	2,800
3-\$100	\$100	1:4,800	1,400
3-\$2,000	\$2,000	1:560,000	12

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Census 2000 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Census 2000, prize money from winning Pennsylvania Census 2000 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Census 2000 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Census 2000 or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 99-1804. Filed for public inspection October 22, 1999, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Cambria County

Project Reference No. 08430AG2428

The Department will retain an engineering firm to provide preliminary engineering and environmental stud-

ies for S. R. 0056, Section 023 (West End Transportation Improvements) in the City of Johnstown, Lower Yoder and West Taylor Townships, Cambria County; Saint Clair Township, Village of Seward, Westmoreland County; and East Wheatfield Township, Borough of Armagh, Indiana County. The total estimated construction cost of the project is \$64 million.

This will be a one part Agreement. The selected firm will be required to provide the following engineering, design, and environmental services: need analysis, Phase 1 and Phase 2 alternatives analysis, EIS preparation, and preliminary engineering.

All engineering services for this project will be performed in accordance with the current Department metric Design Standards. English measurements will also be included.

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

- a. Past performance of firm with respect to quality of work, administrative and cost controls, ability to meet schedules, and previous experience on similar engineering and environmental projects. The specific experiences of individuals who constitute the firm shall be considered.
- b. Specialized experience and technical competence of firm.
- c. Resumes of key personnel and listing of proposed subconsultants.
- d. Relative size of firm to size of project to be completed under this contract.
- e. Demonstrated capacity for the innovative engineering to resolve complex problems.
- f. Geographic location of the consultant with respect to Engineering District 9-0.

The District will announce the shortlisted firms at an open public meeting to be held in Engineering District 9-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648. All candidates that have submitted a Letter of Interest will be notified of the date. Specify a contact person in the Letter of Interest.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be ten (10%) percent

of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. Include a copy of the conformation letter from the Department stating the consultant's current FAR overhead rate. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Earl L. Neiderhiser, P.E., District Engineer
Engineering District 9-0
1620 N. Juniata Street
Hollidaysburg, PA 16648
Attention: Mr. Joseph Reed

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Joseph Reed, District 9-0, at (814) 696-7179.

Lebanon County

Project Reference No. 08430AG2429

The Department will retain an engineering firm to provide environmental studies, preliminary engineering, final design, and construction consultation for S. R. 0081, Section 023, Interstate 81 reconstruction, in Union, Swatara, and Bethel Townships, Lebanon County. This project involves highway reconstruction and bridge rehabilitation from I-78 to Schuylkill County line for a total length of approximately 8.2 miles. The limits of work are from Segment 0880, Offset 0000 to Segment 0960, Offset 3968 and from Segment 0881, Offset 000 to Segment 0961, Offset 3912. The estimated project construction cost is \$37.5 million.

The required services will include: life cycle cost analysis/pavement survey report; field surveys; plotting of topography and cross sections; pavement and drainage design; highway signing updating; field views; safety review/Step 9 submission and presentation; value engineering submission; project team meetings; traffic control plans; structural rehabilitation design; erosion and sediment pollution control plans and narrative; utility and property involvement investigations; Route 72 Interchange traffic analysis and signals; preparation of environmental studies and documentation; interagency permits; construction plans specifications and estimates; and consultation during construction.

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

- a. Specialized experience and technical competence with similar Department projects especially interstate restoration projects and their ability to provide innovative solutions to complex technical problems, such as M & P of traffic and structures.
- b. Having the resources and ability to meet an accelerated schedule.
- c. Project team composition.
- d. Past performance.

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

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer
Engineering District 8-0
2140 Herr Street
Harrisburg, PA 17103-1699
Attention: Mr. John M. Bachman

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the sixth (6th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. John M. Bachman, District 8-0, at (717) 783-4519.

Butler County

Project Reference No. 08430AG2430

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately twenty (20) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S. R. 0079, Section 290, Cranberry Interchange/Turnpike Connector; Butler County.

This project involves the relocation and reconfiguration of the Cranberry Interchange (connecting the PA Turnpike with S. R. 0019) along with the construction of a new interchange on I-79 (I-79 Connector) at the border of Butler and Allegheny Counties, approximately fifteen (15) miles north of Pittsburgh in Cranberry and Marshall Townships. The project will provide a direct link between I-79 and the PA Turnpike when complete. The new I-79 interchange will require the relocation of the I-79 southbound lanes and conversion into a collector-distributor roadway along with replacement of the Freeport Road Structure. The I-79/S. R. 0228 partial interchange will also be completed to provide for full directional access to/from I-79.

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

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

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, roadway and structural rehabilitation.

- b. Understanding of Department's requirements, policies, and specifications.
- c. Past performance.
- d. Number of NICET certified inspectors in each payroll classification.
- e. Number of available inspectors in each payroll classification.
- f. Ability to provide CPM scheduling.

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

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	2 (2)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	2 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	12 (6)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

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

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

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

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$46.27
(TCIS)	\$40.54
(TCI-Materials)	\$36.55
(TCI)	\$35.47
(TA)	\$24.39

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

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

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

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

- 4 Nuclear densometer gages/license (at point of need)

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

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 and/or TCIS positions, giving their approval to use their name in your letter of interest for this specific project. The Technical Assistant(s) do(es) not need to be identified in the letter of interest.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	3
TCIS	4
TCI-M	3
TCI	15

No resumes are required for the TA Classification.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Richard H. Hogg, P.E., District Engineer
 Engineering District 10-0
 Route 286 South
 P. O. Box 429
 Indiana, PA 15701
 Attention: Mr. George McAuley, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 p.m. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. George McAuley, P.E., District 10-0, at (724) 357-2815 or Mr. Terry Miller, P.E., District 10-0, at (724) 357-2814.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

All consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

By submitting a letter of interest for the projects that requests engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

The requirements for Letters of Interest, in addition to the requirements stipulated in the individual advertisement, are as follows:

1. The Letter of Interest must include the project reference number, the firm's legal name, and the firm's federal identification number.
2. Identify the project manager.
3. Identify subconsultants, if any, including DBE/WBE, if required.
4. Identify key project staff.

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

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

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

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

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 99-1805. Filed for public inspection October 22, 1999, 9:00 a.m.]

FISH AND BOAT COMMISSION

Temporary Changes to Fishing Regulations at Leaser Lake, Lehigh County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), is taking immediate action temporarily modify fishing regulations at Leaser Lake in Lehigh County. Specifically, the Executive Director is designating Leaser Lake as a "Panfish Enhancement Special Regulation" water to be regulated and managed under 58 Pa. Code § 65.11. This designation applies to sunfish, yellow perch and crappie at Leaser Lake, effective immediately. The Executive Director of the Commission finds that designating Leaser Lake as a "Panfish Enhancement Special Regulation" water and applying the regulation to these species is necessary and appropriate for the protec-

tion, preservation and management of fish and fish habitat and to conserve and preserve fishing opportunities.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 99-1806. Filed for public inspection October 22, 1999, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (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 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>
16A-414	State Architects Licensure Board Fees (29 Pa.B. 4170 (August 7, 1999))	10/7/99	9/07/01
16A-566	State Real Estate Commission Application Fees (29 Pa.B. 4171 (August 7, 1999))	10/7/99	9/07/01

State Architects Licensure Board Regulation No. 16A-414

Fees

October 7, 1999

We have reviewed this proposed regulation from the State Architects Licensure Board (Board) and submit for 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 to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to fiscal impact and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

Section 9.3. Fees.—Fiscal impact and Clarity

Administrative overhead costs

In the proposed regulation's Fee Report Forms, there are significant differences in the costs covered by different

fees except for "Administrative Overhead" costs. According to the Preamble, the Bureau of Professional and Occupational Affairs (BPOA) calculated the allocated share of overhead cost for each fee category by dividing total overhead costs by the number of active licensees. This method of overhead cost allocation is not unreasonable and has been consistently applied. On the other hand, the cost allocations are based on estimates of the actual time BPOA staff spends performing the tasks related to each fee.

For overhead cost allocations, there appears to be no relationship to the services covered by the fees or frequency of fee payments. Therefore, there is no indication that the fees will recover actual or projected overhead costs. In addition, the allocated costs are based on past expenditures rather than estimates or projections of future expenditures. There is no certainty that the fees' "projected revenues will meet or exceed projected expenditures" under section 11(a) of the Architects Licensure Law (63 P. S. § 34.11(a)).

We question the use of a constant overhead cost allocation that appears to be unrelated to the actual costs of activities covered by different fees. Even though this process was used to determine other fees, why should BPOA maintain this approach? The Board and BPOA should specifically identify the overhead costs, or portion of the total overhead, to be recouped by these fees, and review their method of allocating these overhead costs. Is it the Board's goal to allocate all overhead costs by category to each fee? If so, we do not believe the current allocation formula gives the desired result.

Differing overhead costs

The administrative overhead costs for all fees are \$17.78, except for the verification of licensure and certification of scores, or licensure, which is \$9.76. The Board should explain why the administrative costs for the verification of licensure and certification of scores, or licensure are different.

State Real Estate Commission Regulation No. 16A-566

Application Fees

October 7, 1999

We have reviewed this proposed regulation from the State Real Estate Commission (Commission) and submit for 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 to determine whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to fiscal impact and clarity. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

1. Section 39.72. Fees.—Fiscal impact and Clarity

Administrative overhead costs

In the proposed regulation's fee report forms, there are significant differences in the costs covered by different fees except for "Administrative Overhead" costs. According to staff at the Department of State and its Bureau of Professional and Occupational Affairs (BPOA), the allocated share of overhead cost for each fee category is calculated by dividing total overhead costs by the number of active licensees. This methodology for overhead cost allocation is not unreasonable and has been consistently applied. On the other hand, the staff cost allocations are

based on estimates of the actual time BPOA staff spends performing the tasks related to each fee.

For overhead cost allocations, there appears to be no relationship to the services covered by the fees or frequency of fee payments. Therefore, there is no indication that the fees will recover actual or projected overhead costs. In addition, the allocated costs are based on past expenditures rather than estimates or projections of future expenditures. Hence, there is no certainty that the fees' "projected revenues will meet or exceed projected expenditures" under section 407(a) of the Real Estate Licensing and Registration Act (63 P. S. § 455.407(a)).

We question the use of a constant overhead cost allocation that appears to be unrelated to the actual costs of activities covered by different fees. Even though this process was used to determine other fees, why should BPOA maintain this approach? The Commission and BPOA should specifically identify the overhead costs, or portion of the total overhead, to be recouped by these fees, and review their methodology for allocating these overhead costs. Is it the Commission's goal to allocate all overhead costs by category to each fee? If so, we do not believe the current allocation formula gives the desired result.

Differing overhead costs

The administrative overhead costs for all fees are \$13.56, except for the certification of history of licensure, registration or approval, which is \$9.76. The Commission should explain why the administrative cost for certification of history of licensure, registration or approval is different.

2. Section 35.203. Fees—Clarity.

Addition of satellite location or instructor for real estate school

This section lists the category "Addition of a satellite location or instructor for real estate school." The existing regulation includes "course" in this category. The proposed regulation lists "Addition of course for real estate school" as a separate category. As published in the *Pennsylvania Bulletin*, a comma that should have been shown as a deletion was inadvertently omitted. Therefore, the final regulation should be revised to read as follows: "Addition of satellite location[, course] or instructor for real estate school."

Certification of history of licensure, registration or approval

This category of fees is included in the regulation. However, the accompanying fee report forms do not include "certification of registration" or "certification of approval." The Commission should clarify if "certification of registration" and "certification of approval" were intended to be part of the fee report form for "certification of history of licensure." If so, these fees should be added to the fee report form that accompanies the final regulation. If the Commission intended to include these fees on separate fee report forms, those forms should be included with the final regulation.

Fee report form for ownership change—private real estate school

This fee report form contains a typographical error. The administrative overhead is listed as \$3.56. It should be changed to \$13.56.

Name change—private real estate school and initial license application—private real estate school

The fee report form for "Name change—private real estate school" lists the Commission meeting average cost

as \$39.67. The fee report form for "Initial license application—private real estate school" lists the average cost of Commission review as \$21.87. The Commission review of an initial license application is more detailed than the review of a name change. We request the Commission explain why the cost for the Commission meeting for a name change is higher than the more detailed Commission review of an initial license application.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1807. Filed for public inspection October 22, 1999, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-463	Department of Public Welfare Office of Medical Assistance Programs Emergency Medical Condition	10/07/99
14-464	Department of Public Welfare Subsidized Child Day Care Eligibility	10/13/99

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 99-1808. Filed for public inspection October 22, 1999, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws

Wesley K. Wyatt; Doc. No. SC99-08-017

Notice is hereby given of the Order to Show Cause issued on September 28, 1999 by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: Insurance Department Act of 1921 (40 P. S. §§ 234 and 279), 31 Pa. Code §§ 37.46 and 37.47, 18 U.S.C.A. § 1033.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code §§ 31.1—35.193, 35.225—35.251 (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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 ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1809. Filed for public inspection October 22, 1999, 9:00 a.m.]

Application for Approval to Acquire Control of Provident Indemnity Life Insurance Company

AHC Acquisition, Inc. has filed an application for approval to acquire control of Provident Indemnity Life Insurance Company, a Pennsylvania domiciled stock limited life insurance company. The filing was made under the requirements set forth under the Insurance Holding Companies Act (40 P.S. § 991.1402, et seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 15 days from the date of 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 and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Insurance Company Licensing Specialist, 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. 99-1810. Filed for public inspection October 22, 1999, 9:00 a.m.]

List of Approved Data Service Vendors

Under the authority of the Motor Vehicle Physical Damage Appraisers Act (63 P.S. §§ 851—863), the Insurance Commissioner hereby lists data service providers approved to calculate the replacement value of total loss or unrecovered vehicles under 31 Pa. Code § 62.3(e)(1), Motor Vehicle Physical Damage Appraisers regulation.

A listing of approved replacement value data service providers will be published annually in the *Pennsylvania Bulletin*. In the interim, an updated listing may be obtained by contacting the Insurance Department, Bureau of Consumer Services, 1321 Strawberry Square, Harrisburg, Pa. 17120. Requests for this information may also be submitted to consumer@ins.state.pa.us or telephone toll free (877) 881-6388 or faxed to (717) 787-8585.

Approved Replacement Value Data Service Providers

<i>Red Book</i> National Market Reports, Inc. Circulation Department 29 N. Wacker Drive Chicago, Illinois 60606-3298 (800) 621-9907	<i>NADA Book</i> Subscription Department Post Office Box 7800 Costa Mesa, California 92628-9924 (800) 544-6232
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CCC Information Services, Inc. 444 Merchandise Mart Chicago, Illinois 60654-1005 (800) 621-8070	ADP Claims Solution Group, Inc. 4211 S.E. International Way, #A Milwaukie, Oregon 97222 (800) 959-6237
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(*Editor's Note:* For a final rulemaking affecting this notice, see 29 Pa.B. 5511 (October 23, 1999).)

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1811. Filed for public inspection October 22, 1999, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P.S. § 1171.8) in connection with the termination of the insured's residential or personal property policy. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Erie Insurance Group; file no. 99-181-04735; Aldo V. and Josephine A. Celotto; doc. no. P99-10-008; November 10, 1999, at 10 a.m.

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

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

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to partici-

pate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 99-1812. Filed for public inspection October 22, 1999, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Philadelphia County, Wine & Spirits Shoppe #5148, 6132 Lancaster Avenue, Philadelphia, PA 19151-3229.

Lease Expiration Date: May 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space in Philadelphia on Lancaster Avenue between City Avenue and 57th Street.

Proposals due: November 12, 1999 at 12 Noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 99-1813. Filed for public inspection October 22, 1999, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Acquire Water System Assets Without Hearing

A-212370F0056. Philadelphia Suburban Water Company. Application of Philadelphia Suburban Water Company for approval to acquire the water system assets of White Horse Village, Inc., located in the certificated territory of Philadelphia Suburban Water Company in Edgmont Township, Delaware County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before November 8, 1999, under 52 Pa. Code (relating to public utilities).

Applicant: Philadelphia Suburban Water Company

Through and By Counsel: Mark J. Kropilak, Vice President and General Counsel, Philadelphia Suburban Water

Company, 762 W. Lancaster Ave., Bryn Mawr, PA 19010-3489.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1814. Filed for public inspection October 22, 1999, 9:00 a.m.]

Electronic Transaction Auditing of Telephone Customer Proprietary Information; Doc. No. L-00970123

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

Public Meeting held
September 30, 1999

Order

By the Commission:

On July 17, 1997, the Commission proposed regulations to require the maintenance of electronic transaction auditing records with respect to data processing records and the maintenance of detailed records in any instance where customer information was disclosed to persons outside the telephone company, any government entity, or the telephone company security department. The Commission has received numerous comments from the public. We take notice that, while these comments have been under consideration, the Commission received no further reports of abuse of customer information subsequent to the original reports which were the initiating cause of this proceeding.

Additionally, while this matter has been pending, the Federal Communication Commission has proposed rules covering the same subject matter at *Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information*, CC Docket No. 96-115 (Orders Adopted May 16, 1996, February 19, 1998, May 21, 1998, September 23, 1998 and September 3, 1999). The FCC inquiry arose from a number of requests by local exchange carriers for clarification of their responsibilities to protect confidential customer proprietary network information (CPNI).

Section 702 of the Telecommunications Reform Act of 1996 adds a new section 222 to the Communications Act of 1934, as amended, 47 U.S.C. § 222, 110 Stat. 148. Section 222 enjoins a duty upon every telecommunications carrier to protect the confidentiality of proprietary information. We note that while Section 222 does not purport to preempt state authority to enforce laws, rules, or regulations with respect to customer privacy, the FCC's orders indicate that it may act in the future to preempt state regulations in the event that it perceives a conflict between its resolution of Section 222 CPNI issues and specific state regulations. Both the FCC's CPNI Order entered in 1998¹ and its Order on Reconsideration released September 3, 1999 declare that while no preemption is indicated at this time, Section 222 gives the FCC the power to preempt states with regard to local CPNI regulation "where such regulation would negate the [Federal Communication] Commission's exercise of its lawful

¹Implementation of the Telecommunications Act of 1996; *Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information*, etc., CC Docket Nos. 96-115 and 96-149, *Order and Further Notice of Proposed Rulemaking*, 13 FCC Rcd 8061 (1998)

authority because regulation of the interstate aspects of the matter cannot be severed from the intrastate aspects." It should be noted that the United States Court of Appeals for the Tenth District vacated these regulations in a three judge opinion issued August 18, 1999. *U.S. West v. F.C.C.*, 182 F.3d 1224; 1999 U.S. App. LEXIS 20785 (1999), a decision which we anticipate will be subject to additional appellate review by the courts of the United States.

It appears that the FCC has approached the same issues in a national context, and is working actively with all segments of the industry to implement customer protections similar to those proposed in our originally proposed rules.

Since the issuance of our original proposed rulemaking, there have been vast changes in technology and business organization that have changed the national telecommunications industry. Cellular, PCS, and switched packet systems, including the internet, carry an increasing share of voice communications. While the FCC, with authority based on the Federal Communications Act, may have jurisdiction to regulate all these modes of communication, we do not. We ought to and we do take heed of the changes wrought by technological progress and the FCC's ongoing rulemaking, along with the apparent lack of continuing local issues with regard to CPNI privacy. Prudence dictates that this proposed regulation be shelved pending resolution of CPNI issues at the federal level.

Should the FCC abandon its efforts to prescribe adequate safeguards for sensitive customer information, we may revisit this issue. However, it does not appear necessary at this time to promulgate these proposed rules and we will therefore direct that this proceeding be closed; *Therefore, It Is Ordered That:*

1. This proceeding shall be marked closed
2. This order shall be published in the *Pennsylvania Bulletin*.
3. A copy of this order shall be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, all telephone utilities and the Pennsylvania Telephone Association.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1815. Filed for public inspection October 22, 1999, 9:00 a.m.]

Reconciliation Filing Without Hearing

R. 00994875. PP&L, Inc. On October 1, 1999, PP&L, Inc., (PP&L) submitted its annual Intangible Transition Charge Reconciliation Filing to the Pennsylvania Public Utility Commission (PUC). The Customer Choice Act (act) and orders issued by the PUC to implement that act provide for annual reconciliation of PP&L's Intangible Transition Charges (ITCs). This reconciliation filing is subject to review and approval by the PUC. Any under-collection or over-collection of ITCs during calendar year 1999 will be reflected in the calendar year 2000 ITCs, which will become effective on January 1, 2000.

Copies of the Reconciliation Filing are available upon request from PP&L by writing to: PP&L, Inc., Office of

General Counsel, Two North Ninth Street, Allentown, PA 18101, or by calling 1-800-DIAL-PPL (1-800-342-5775).

This reconciliation filing may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on PP&L on or before November 12, 1999, under 52 Pa. Code (relating to public utilities).

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1816. Filed for public inspection October 22, 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 November 15, 1999, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for 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-00109668, F. 1, Am-D. Kirk Livery, Inc. (126 McClellan Drive, Pittsburgh, Allegheny County, PA 15236), a corporation of the Commonwealth of Pennsylvania— persons in limousine service, between points in the counties of Armstrong and Indiana, and from points in the said counties, to points in Pennsylvania, and return: *So as to permit* the transportation of persons in limousine service, between points in the counties of Washington, Westmoreland, Beaver, Cambria and Somerset, and from points in the said counties, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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

A-00116149, Folder 2. Joseph D'Ambra (2399 New Holland Pike, Lancaster, Lancaster County, PA 17601)— persons in paratransit service, between points in the county of Lancaster, and from points in said county, to points in Pennsylvania, and return.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Great Escape Vacations,
Ltd., t/a Great Escape Travel; Doc. No. A-00111467C99*

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

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

1. That Great Escape Vacations, Ltd., t/a Great Escape Travel, respondent, maintains a principal place of business at 11 Centennial Way, Scottdale, PA 15683.
2. That all times relevant to this Complaint, respondent held a brokerage license issued by this Commission at Application Docket No. A-00111467.
3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of a surety bond on file with this Commission.
4. That respondent has failed to maintain evidence of a surety bond, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.
5. That as a result of failure to maintain evidence of a surety bond on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's brokerage license.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the brokerage license held by Great Escape Vacations, Ltd., t/a Great Escape Travel at Docket No. A-00111467, for failure to maintain evidence of a surety bond on file with the Commission.

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

Verification

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

Date: _____
George T. Mahan

Notice to Plead

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

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

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph

A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

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

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1817. Filed for public inspection October 22, 1999, 9:00 a.m.]

Telecommunications

A-310871. Bell Atlantic-Pennsylvania, Inc. and AirTouch Paging. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and AirTouch Paging for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and AirTouch Paging by its counsel, filed on August 12, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and AirTouch Paging Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1818. Filed for public inspection October 22, 1999, 9:00 a.m.]

Telecommunications

A-310870. Bell Atlantic-Pennsylvania, Inc. and Metrocall, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Metrocall, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Metrocall, Inc. by its counsel, filed on August 12, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and Metrocall, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1819. Filed for public inspection October 22, 1999, 9:00 a.m.]

Telecommunications

A-310415F0003. Bell Atlantic-Pennsylvania, Inc. and UniDial Communications, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and UniDial Communications, Inc., for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and UniDial Communications, Inc., by its counsel, filed on August 12, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and UniDial Communications, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1820. Filed for public inspection October 22, 1999, 9:00 a.m.]

Telecommunications

A-310478F0002. GTE North Incorporated and Advanced Telephone Systems, Inc. d/b/a HTC Communications. Joint Application for approval of an Interconnection Agreement between GTE North Incorporated and Advanced Telephone Systems, Inc. d/b/a HTC Communications.

GTE North Incorporated and Advanced Telephone Systems, Inc. d/b/a HTC Communications, by its counsel, filed on October 5, 1999, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and Advanced Telephone Systems, Inc. d/b/a HTC Communications Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 99-1821. Filed for public inspection October 22, 1999, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, November 4, 1999, for Project #99-280-001, (Asphalt Materials). The bid documents can be obtained from the Director of Procurement, Philadelphia Regional Port Authority (PRPA), 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available Tuesday, October 26, 1999. PRPA is an equal opportunity employer. The contractor will be required to comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 99-1822. Filed for public inspection October 22, 1999, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

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

October 25, 1999	Wayne J. Hettinger (Continue Disability Retirement Benefits)	1:30 p.m.
October 26, 1999	Ralph M. Bailets (Multiple Service)	10 p.m.
November 29, 1999	Tamara D. Wilingham (Continue Disability Retirement Benefits)	1:30 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective

positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 99-1823. Filed for public inspection October 22, 1999, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Final Design of Section 54C of the Findlay Connector

Allegheny and Washington Counties, Pennsylvania

Reference No. E-010

The Turnpike Commission (Commission) will select an engineering firm to perform the final design of the Findlay Connector (PA 60 to US 22) of the Southern Beltway Transportation Project in Allegheny and Washington Counties. One consultant will be selected to develop complete plans, specifications and estimates for the section that includes the interchange with US 22 in Washington County and extends approximately 4.0 kilometers to north of the proposed Bald Knob Road interchange in Allegheny County. The Commission will provide complete Step 9 plans to the selected consultant. The estimated construction cost for this section is \$37 million.

The firm selected may be required to perform field surveying; geotechnical and mining investigations; Roadway Design; Structural Design including Type, Size and Location (TS&L) and final plans of structures; Utility Coordination; Drainage; Storm Water Management; Erosion and Sedimentation Control Plan; traffic analysis; defining environmental impacts; public involvement; and coordination with various Federal, State and local agencies and special interest groups.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

- a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.
- b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.
- c. The specific experience and number of individuals who constitute the firm.
- d. Location of consultant's office where the work will be performed.
- e. Workload of the prime consultant and subconsultants for all Department of Transportation and Turnpike Commission projects.
- f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their letter of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Department of Transportation at the time of the submission of the letter of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Office of Equal Opportunity Development, Pennsylvania Turnpike Commission at the above address, or by calling (717) 939-9551, Ext. 4241.

Direct inquiries to Mark F. Raup, at (717) 939-9551, Ext. 3632, or by e-mail at mraup@paturnpike.com.

Final Design of Section 54B of the Findlay Connector

Allegheny County, Pennsylvania

Reference No. E-011

The Turnpike Commission (Commission) will select an engineering firm to perform the final design of the Findlay Connector (PA 60 to US 22) of the Southern Beltway Transportation Project in Allegheny and Washington Counties. One consultant will be selected to develop complete plans, specifications and estimates for the section that extends approximately 3.0 kilometers from north of the proposed Bald Knob Road interchange to north of the proposed interchange with US 30 in Allegheny County. The Commission will provide complete Step 9 plans to the selected consultant. The estimated construction value for this section is \$27 million.

The firm selected may be required to perform field surveying; geotechnical and mining investigations; Roadway Design; Structural Design including Type, Size and Location (TS&L) and final plans of structures; Utility Coordination; Drainage; Storm Water Management; Erosion and Sedimentation Control Plan; traffic analysis; defining environmental impacts; public involvement; and coordination with various Federal, State and local agencies and special interest groups.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

- a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.
- b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.
- c. The specific experience and number of individuals who constitute the firm.
- d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Department of Transportation and Turnpike Commission projects.

f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their letter of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Department of Transportation at the time of the submission of the letter of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Office of Equal Opportunity Development, Turnpike Commission at the above address, or by calling (717) 939-9551, Ext. 4241.

Direct inquiries to Mark F. Raup, at (717) 939-9551, Ext. 3632, or by e-mail at mraup@paturndpike.com.

Final Design of Section 54A of the Findlay Connector

Allegheny County, Pennsylvania

Reference No. E-012

The Turnpike Commission (Commission) will select an engineering firm to perform the final design of the Findlay Connector (PA 60 to US 22) of the Southern Beltway Transportation Project in Allegheny and Washington Counties. One consultant will be selected to develop complete plans, specifications and estimates for the section in Allegheny County that extends approximately 2.0 kilometers from north of the interchange with US 30 to and including, the interchange with PA 60 at the Pittsburgh International Airport and all work along PA 60, approximately 5.5 kilometers. The Commission will provide complete Step 9 plans to the selected consultant. The estimated construction value of this section is \$56 million.

The firm selected may be required to perform field surveying; geotechnical and mining investigations; Roadway Design; Structural Design including Type, Size and Location (TS&L) and final plans of structures; Utility Coordination; Drainage; Storm Water Management; Erosion and Sedimentation Control Plan; traffic analysis; defining environmental impacts; public involvement; and coordination with various Federal, State and local agencies and special interest groups.

The following factors will be considered by the Commission during the evaluation of the firms submitting Letters of Interest for this project:

a. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project, and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Location of consultant's office where the work will be performed.

e. Workload of the prime consultant and subconsultants for all Department of Transportation and Turnpike Commission projects.

f. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the letter of interest.

The Commission is committed to the inclusion of disadvantaged, minority, and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their letter of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Department of Transportation at the time of the submission of the letter of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Office of Equal Opportunity Development, Turnpike Commission at the above address, or by calling (717) 939-9551, Ext. 4241.

Direct inquiries to Mark F. Raup, at (717) 939-9551, Ext. 3632, or by e-mail at mraup@paturndpike.com.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information. The Letters of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. If the firm has multiple offices, the location of the office performing the work must be identified.

2. Three page expression of interest in the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for this project and provide explanation that the firm has successfully completed similar type projects of the same magnitude.

3. An organization chart for the Project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultants listed in the letter of interest will require written approval from the Commission.

4. Tabulation of workload for the prime consultant and all subconsultants for all Department of Transportation and Turnpike Commission projects.

5. A copy of the Annual Qualification Package submitted to the Department of Transportation for the current year that is in the same District as this project or one that is best suited for this project. If a firm desires to submit a letter of interest for more than one of the projects listed above, only one copy of the Annual Qualification Package needs to be submitted.

The Annual Qualification Package should contain at a minimum, the following information for the prime con-

sultant and all subconsultants which should be attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.
- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.
- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in Pennsylvania.
- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate letters of interest from joint venture constituents. A firm will not be permitted to submit a letter of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Frank J. Kempf, P.E., Assistant Chief Engineer Development Projects/Programs, at the Turnpike Commission Administration Building located at 176 Kost Road, Carlisle, PA 17013-9779 (parcel delivery address) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letter of interest and required information must be received by 12 p.m. (noon), Friday, November 12, 1999. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable letters of interest received in response to this solicitation, one firm will be selected for each project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for the work and services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 99-1824. Filed for public inspection October 22, 1999, 9:00 a.m.]