

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Order of Quarantine; Plum Pox Virus

*Whereas*, the Plant Pest Act (3 P. S. §§ 258.1—258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests in this Commonwealth; and

*Whereas*, the powers granted the Department under the Plant Pest Act include (at 3 P. S. § 258.21) the power to establish quarantines to prevent the dissemination of plant pests within this Commonwealth; and

*Whereas*, Plum Pox Virus—a plant pest indigenous to Europe—is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable; and

*Whereas*, Plum Pox Virus has the potential to cause serious damage to the stone fruit production industry within this Commonwealth; and

*Whereas*, Plum Pox Virus is transmitted from infected trees by aphids and by budding or grafting, and can be spread into new areas by movement of infected nursery stock; and

*Whereas*, the movement of Plum Pox Virus-infected fruit trees poses a danger to stone fruit trees in noninfected areas; and

*Whereas*, there is no known control for Plum Pox Virus other than destruction of infected trees; and

*Whereas*, Plum Pox Virus has been detected on stone fruit trees located in Latimore and Huntington Townships, in Adams County; and

*Whereas*, by Order of October 21, 1999, the Department exercised its statutory authority and established a quarantine with respect to Latimore and Huntington Townships, in Adams County, prohibiting the movement of stone fruit trees and stone fruit budwood within the quarantined area, and prohibiting the movement of stone fruit trees and stone fruit budwood out of the quarantined area; and

*Whereas*, prior to the imposition of the referenced October 21, 1999 Quarantine Order, budwood originating from the current area of quarantine was used by two fruit tree nurseries—on a total of three separate nursery locations outside of that quarantine area—to propagate stone fruit nursery stock; and

*Whereas*, the movement of this budwood from commercial orchards where PPV has since been detected risks spreading PPV outside the area of the October 21, 1999 Quarantine Order; and

*Whereas*, the establishment of a quarantine with respect to the three separate fruit tree nursery locations will facilitate the containment and eradication of PPV in this Commonwealth, and will make the affected fruit tree nursery owners eligible for reimbursement of certain costs related to the destruction of nursery stock, herbicide applications, insect control measures and other PPV eradication activities under the Department's Commercial Orchard and Fruit Tree Nursery Indemnity Program;

*Now, therefore*, under authority of Section 21 of the Plant Pest Act (act of December 16, 1992, P. L. 1228, No. 162) (3 P. S. § 258.21), the Department hereby establishes a quarantine with respect to the following locations:

A. Two separate fruit tree nursery locations owned and/or operated by Adams County Nursery, Inc. (ACN, Inc.), P. O. Box 108, Nursery Road, Aspers, PA 17304, Nursery Certificate No. 044009, contact persons John Baugher or Phil Baugher:

1. Specific portions of the "Hinkle" Farm, in Tyrone Township, Adams County, which is located between the seed orchard on Upper Bermudian Road (Global Positioning Satellite coordinates 39°59'11" N, 77°10'41" W) and a scion block on Cranberry Road (GPS coordinates 39°58'35" N, 77°10'35" W). This includes at least 5 blocks of *Prunus* nursery stock (peach and nectarine) intended for sale in 2001 and containing trees propagated using budwood cut from the area that is subject to the referenced Quarantine Order of October 21, 1999 and, more particularly, from a commercial orchard where PPV has been detected.

2. Specific portions of the "Ripley" Farm, in Butler Township, Adams County, adjoining Orchard Lane (and formerly the "Slaybaugh" nursery area). This includes the following:

3 blocks of *Prunus* nursery stock (peach and nectarine) intended for sale in 2001 and containing trees propagated using budwood cut from the area that is subject to the referenced Quarantine Order of October 21, 1999 and, more particularly, from a commercial orchard where PPV has been detected.

Two large nursery sites (comprising three blocks) of *Prunus* nursery stock (peach and nectarine) intended for sale in 2000 and containing trees propagated using budwood cut from the area that is subject to the referenced Quarantine Order of October 21, 1999 and, more particularly, from a commercial orchard where PPV has been detected. The GPS coordinates of these 2 nursery sites are 39°57'39" N, 77°13'32" W and 39°57'40" N, 77°13'27" W.

Any other *Prunus* nursery stock (peach and nectarine) on that farm containing trees propagated using budwood cut from the area that is subject to the referenced Quarantine Order of October 21, 1999.

B. Specific portions of the Worley Nursery, owned and/or operated by Melvin Worley, 98 Braggstown Road, York Springs, PA 17372, Nursery Certificate No. 046265, described as follows:

A block of trees (comprising approximately 1 acre) located at the Chester A. Worley Farm in Washington Township, York County, at 841 Franklin Church Road, Dillsburg, PA 17019. The GPS coordinates of this block are 40°01'21" N, 77°02'04" W. The block contains *Prunus* nursery stock (peach and nectarine) that was grown in 1999, budded in September of 1999 and intended for sale in 2001. The block contains trees propagated using budwood cut from the area that is subject to the referenced Quarantine Order of October 21, 1999 and, more particularly, from a commercial orchard where PPV has been detected. The block includes 3 rows of trees with approximately 400 trees in each row.

This quarantine prohibits the movement of stone fruit trees and stone fruit budwood out of each quarantined area.

The Department will consult with the United States Department of Agriculture, European experts and scientific authorities with respect to the most efficacious measures by which to contain and eliminate this serious plant pest. The Department will issue further restrictions under authority of this Quarantine Order, as is required under the Plant Pest Act (3 P. S. § 258.21(a)). These restrictions may address aphid control, elimination or reduction of aphid habitat, destruction of Plum Pox Virus-infected stone fruit trees and budwood, destruction

of endangered or exposed stone fruit trees or budwood and any other measures necessary to the containment and elimination of the Plum Pox Virus in this Commonwealth.

This quarantine is effective as of March 3, 2000, and shall remain in effect until terminated by subsequent order.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 00-482. Filed for public inspection March 17, 2000, 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 March 7, 2000.

#### BANKING INSTITUTIONS

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-3-00	C & G Savings Bank, Altoona, and The Peoples Savings & Loan Association, Nanty Glo Surviving Institution— C & G Savings Bank, Altoona	Altoona	Filed

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-2-99	Elderton State Bank Elderton Armstrong County	Water Street and Route 85 Rural Valley Armstrong County	Opened
2-28-00	The Fidelity Deposit & Discount Bank Dunmore Lackawanna County	1500 Main Street Blakely Lackawanna County	Opened
3-3-00	The Legacy Bank of Harrisburg Harrisburg Dauphin County	Mobile Branch to be Operated Throughout the "Capitol Region"	Filed

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-22-00	Pittsburgh Home Savings Bank Pittsburgh Allegheny County	<i>To:</i> 4900 Liberty Ave. Pittsburgh Allegheny County  <i>From:</i> 4800 Liberty Ave. Pittsburgh Allegheny County	Effective

##### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-18-00	Pittsburgh Home Savings Bank Pittsburgh Allegheny County	274 N. Craig St. Pittsburgh Allegheny County	Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-1-00	First Columbia Bank & Trust Co. Bloomsburg Columbia County	Route 42 North Numidia Columbia County	Filed
3-2-00	First Commonwealth Bank Indiana Indiana County	Festival Foods 1275 York Road Gettysburg Adams County	Effective
3-3-00	The Drovers & Mechanics Bank York York County	Mt. Rose Avenue and Albemarle Street York York County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
3-6-00	HVHS Credit Union Sewickley Allegheny County	1000 Dutch Ridge Rd. Beaver Beaver County	Filed

DAVID E. ZUERN,  
*Secretary*

[Pa.B. Doc. No. 00-483. Filed for public inspection March 17, 2000, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Retention of an Engineering Firm or Firms

#### Project Reference No. FDC-500-792

The Department of Conservation and Natural Resources (Department) will retain an engineering firm or firms to perform periodic NBIS inspections on Department owned bridges throughout the Commonwealth. The contract or contracts will be for a 5-year period. Inspections will be assigned on an as-needed basis.

Letters of Interest for these projects will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, the individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under state law to engage in the practice of engineering.

Bridges of various structure type and material could be involved; that is, reinforced concrete, prestressed concrete, steel beam, steel truss, timber and others. Once signed contracts are in place, a detailed listing of the bridge categories will be distributed during the scope of work meeting.

Approximately 150 vehicle bridges, several railroad structures and numerous culverts will be required to be inspected.

Inspection types shall consist of the following:

- a. *Periodic (Routine) NBIS Inspection (24 month cycle)*

An NBIS Inspection has been previously completed within the last 2 years and that inspection report and/or documentation is available.

b. *Partial (Interim) Inspection (12 month cycle)*

An NBIS Inspection has been previously completed. The structure is included in the BMS and the previous inspection report is available. Perform an inspection that is usually limited to portions of the structure, which require increased frequency of inspections.

c. *Supplemental Inspection*

Perform work beyond the scope of periodic inspections, focusing on the entire structure or specific components as authorized by the Department. In-depth tasks may include the following: Non-Destructive Testing (except dye penetrant), Laboratory Analysis, Geotechnical sampling and testing, structure instrumentation and underwater inspection.

d. *Flood Inspection*

Perform work beyond the scope of periodic inspections assessing the entire structure, focusing on the substructure and its foundation or specific components as authorized by the Department. This could include an underwater inspection.

e. *Bridge Load Rating*

Perform a structural analysis and load rating of the structure to determine its ability to carry this Commonwealth's legal loads.

f. *High Hazard Inspection*

Perform NBIS inspection on bridges considered "high hazard." Consultant is responsible for supplying all equipment necessary for a "high hazard" inspection, that is, rigging, crane.

Inspection requirements shall consist of the following:

1. All bridges, except closed structures.

a. Conduct a complete field inspection utilizing Forms D-450.

b. Update/supplement the evaluation for posting needs for the structure's current condition. Determine if comparing new vs. existing section loss measurements warrants rerating. If structure is to be rerated, use the existing load rating analysis for updating the revised load-rating summary.

c. Update/amend the Inspection File providing new photographic documentation or sketches as needed.

d. Update and/or complete the required minimum BMS inventory and inspection items on the printout of the BMS records, utilizing Forms D-491.

e. Incorporate the results of previous or new load ratings into the report.

f. Prepare an Inspection Report to document all work and findings with repair costs.

2. Other types of inspection requirements may be discussed at the Scope of Work meeting.

Personnel assigned to the Inspection Project by consultant shall meet the requirements set forth in the National Bridge Inspection Standards for all work levels. Inspection personnel must hold a valid certification as "Bridge Safety Inspector" issued by PennDOT.

The services shall also include, but not be limited to: a preliminary meeting in the Bureau of Facility Design and Construction, 8th floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, for each project. Payment for services and expenses shall not exceed the contract amount. The inspection reports will be reviewed by the engineering staff of the Bureau of Facility Design and Construction, and when acceptable, approved by the same staff.

The number of Contracts shall be at the discretion of the Department and the dollar amount of each contract shall be approximately \$100,000 for the first year. The extent of the work for the subsequent 4 years of the contract will be dependent on the number of bridge assignments being completed by in-house personnel.

*Commitment to Enhance Socially/Economically Restricted Businesses (SERB)*

The Commonwealth of Pennsylvania strongly encourages the submission of proposals by Socially/Economically Restricted Business (SERB).

To achieve the objective of enhancing SERB participation, the Commonwealth has established SERB utilization as selection criteria in the evaluation process.

The Bureau of Contract Administration and Business Development (BCABD), Department of General Services, will evaluate the aforementioned criteria and will design a point value to be considered within the overall RFP total point tabulation.

Proposals submitted by individuals claiming SERB status or proposals submitted by individuals reflecting joint venture and subcontracting opportunities with SERBs must submit documentation verifying their claim.

SERBs are businesses whose economic growth and development has been restricted based on social and economic bias. These businesses are BCABD certified minority and women owned businesses and certain restricted businesses whose development has been impeded because their primary or headquarter facility is physically located in an area designated by the Commonwealth as

being an enterprise zone. Businesses will not be considered socially/economically restricted if one of the conditions listed below exists:

1. The business has gross revenues exceeding \$4,000,000 annually.

2. The concentration of an industry is such that more than 50% of the market is controlled by the same type of SERB [Minority Business Enterprise (MBE) Women Business Enterprise (WBE)] or businesses within designated enterprise zones.

Proposers not considered being socially/economically restricted businesses seeking to identify these businesses for joint venture and subcontracting opportunities are encouraged to contact the:

Department of General Services  
Bureau of Contract Administration &  
Business Development  
Room 502 North Office Building  
Harrisburg, PA 17125  
Phone: (717) 787-7380  
FAX: (717) 787-7052

*SERB Information*

SERBs are encouraged to participate as prime proposers. SERBs qualifying as an MBE/WBE must provide their BCABD certification number. SERBs qualifying as a result of being located in a designated enterprise zone must provide proof of this status. Proposers not considered being SERBs must describe, in narrative form, their company's approach to enhance SERB utilization on a professional level in the implementation of this proposal. The following options will be considered as part of the final criteria for selection:

Priority Rank 1. Proposals submitted by SERBs.

Priority Rank 2. Proposals submitted from a joint venture with a Commonwealth approved SERB as a joint venture partner.

Priority Rank 3. Proposals submitted with subcontracting commitments to SERBs.

Each proposal will be rated for its approach to enhancing the utilization of SERBs. The optional approach used will be evaluated with option number 1 receiving the greatest value and the succeeding options receiving a value in accordance with the above-listed priority ranking. The selected contractor's SERB Commitment amount will be included as a contractual obligation when a contract is entered into. One copy of the SERB information with the percent designated for SERB Commitment shall be submitted in a separate sealed envelope, clearly marked. The information will be evaluated by the Department of General Services.

*General Requirements and Information*

Firms interested in performing the required services are invited to submit Letters of Interest to Eugene J. Comoss, P.E., Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Contact James Eppley at (717) 783-3333 for general information concerning the inspections.

Each Letter of Interest must include the firm's Federal identification number and the project reference number. The Letter of Interest shall also include a description of the firm's most recently completed bridge inspection assignments. The description shall include the client, contact person and phone number, the estimated or actual cost of the periodic inspection report, or "bridge inspection

assignments," the project manager and the names of all personnel who made major contributions to the inspection. The Letter of Interest shall indicate the firm's capability of working on multiple inspections at the same time throughout the state and understanding of the Department's needs. A standard DGS Form 150-ASP must accompany the Letter of Interest and shall indicate the individual in charge. The Form 150-ASP is available by downloading from DGS Home Page on the Internet at <http://www.dgs.state.pa.us/cnprs.htm>. Form 150-ASP may also be obtained in hard copy or on disk (in Word '97 format only). Written request for hard copy or disk should be addressed to the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, PA 17125. In addition, the Form 150-ASP can be obtained by E-mail by addressing the request to: [pbianchi@exec.gsinc.state.pa.us](mailto:pbianchi@exec.gsinc.state.pa.us). Additional information pertinent to the firm's qualifications to do the work of this contract may be included. Direct costs other than payroll, such as travel and subsistence, shall be based on the current state rates. The Department shall reimburse miscellaneous expenses such as copies, prints, sepias, postage and film at cost upon approval.

The following factors will be considered during the evaluation of the firm's Letter of Interest:

Criteria evaluated by the Technical review will include:

Professional's understanding of the problem as demonstrated in Letter of Interest, and as stated in their own interpretation of the tasks to be performed.

Qualifications of firm.

Professional personnel in firm.

Soundness of approach as demonstrated in Letter of Interest, including the firm's description of prompt responsiveness to design questions, shop drawings, and construction questions.

Geographic proximity of the professional to the facility or study area.

Available manpower to perform the services required. All inspectors must hold valid "Bridge Safety Inspector" certification issued by PennDOT.

SERB participation. (Evaluated by DGS)

Equitable distribution of the contracts.

Each proposer shall relate their proposal to the above criteria.

Six copies of the Letter of Interest; six copies of the required forms and one copy of the SERB information in a separate sealed envelope clearly marked, must be received no later than 2 p.m. on April 18, 2000. The six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one or more of the firms responding to this notice. However, the Department reserves the right to reject all Letters of Interest submitted, cancel the solicitation requested under this notice, and/or re-advertise solicitation for this service.

The Department will not offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposal submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 00-484. Filed for public inspection March 17, 2000, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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#### 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 to 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.**

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

**PA 0031771.** Sewage, **Westtown Township**, 1081 Wilmington Pike, West Chester, PA 19382.

This application is for amendment of an NPDES permit to discharge treated sewage from a sewage treatment plant in Westtown Township, **Chester County**. This is an existing discharge to the East Branch of Chester Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.495 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	15	30
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	2.5	5.0
(11-1 to 4-30)	7.5	15.0
Total Residual Chlorine		
(0-2 years)	1.2	2.0
(3-5 years)	0.2	0.53
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Copper		
(0-3 years)	monitor/report	monitor/report
(4-5 years)	0.022	0.044
Dichlorobromomethane		
(0-3 years)	monitor/report	monitor/report
(4-5 years)	0.004	0.008

*Other Conditions.*

The EPA waiver is in effect.

**PA 0020460, Amendment No. 2,** Sewage, **Pennridge Wastewater Treatment Authority**, 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960.

This application is for amendment of an NPDES permit to discharge treated sewage from Pennridge Wastewater Treatment Plant in West Rockhill Township, **Bucks County**. This is an existing discharge to East Branch Perkiomen Creek.

The receiving stream is classified for the following uses: trout stocking fishery.

Based on the site-specific discharge mixing characteristics and stream chlorine demand the proposed effluent limits for total residual chlorine for a flow of 4 mgd at Outfall 001 are revised. Based on dissolved water effect ratio of 3.9 the monitoring requirement for copper is retained as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	monitor	monitor
(1st—3rd year)		
Total Residual Chlorine	0.5	1.6
(4th—5th year)		
Total Copper	monitor	monitor

The EPA waiver is not in effect.

**PA 0055239.** Sewage, **Ronald and Marie Floria**, 1492 Sugar Bottom Road, Furlong, PA 18925.

This application is for renewal of an NPDES permit to discharge treated sewage from Flora's single residential sewage treatment plant in Buckingham Township, **Bucks County**. This is an existing discharge to unnamed tributary to Neshaminy Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 500 gpd are as follows:

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

*Other Conditions:*

The EPA waiver is in effect.

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

**PA 0032557.** SIC: 4952, Sewage, **Board of Supervisors of the Township of Logan**, 800 39th Street, Altoona, PA 16602-1799.

This application is for issuance of an NPDES permit for an increased discharge of treated sewage to Little Juniata River, in Antis Township, **Blair County**.

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

The proposed interim effluent limits for Outfall 001 for a design flow of 0.60 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	15	XXX	XXX
Total Phosphorus	monitor	XXX	XXX
Total Nitrogen	monitor	XXX	XXX
Total Cadmium	monitor	XXX	XXX
Total Lead	monitor	XXX	XXX
Total Residual Chlorine	1.0	XXX	2.0
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	7,900/100 ml as a geometric average		

The proposed final effluent limits for Outfall 001 for a design flow of 0.70 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	10	XXX	20
(11-1 to 4-30)	21	XXX	42
Total Phosphorus	monitor	XXX	XXX
Total Nitrogen	monitor	XXX	XXX
Total Cadmium	monitor	XXX	XXX
Total Lead	monitor	XXX	XXX
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 7,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

**PA 0083453.** SIC: 5171, Industrial waste, **Montour Oil Service Company**, 112 Broad Street, Montoursville, PA 17754.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Spring Creek (by storm sewer), in Swatara Township, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Steelton Municipal Water Works 5 located in Steelton Borough, Dauphin County. The discharge is not expected to impact any potable water supply.

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

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

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

The EPA waiver is in effect.

**PA 0014656.** SIC: 3691, Industrial waste, **Exide Corporation**, P. O. Box 14205, Reading, PA 19612-4205.

This application is for renewal of an NPDES permit for an existing discharge of stormwater to Kaercher Creek, in Hamburg Borough, **Berks County**.

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

The proposed effluent limits for Outfall 001, 002 and 003 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease		monitor and report	
COD		monitor and report	
pH		monitor and report	
TSS		monitor and report	
Total Antimony		monitor and report	
Total Lead		monitor and report	
Total Copper		monitor and report	
Total Iron		monitor and report	
Total Zinc		monitor and report	
Total Arsenic		monitor and report	

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

The EPA waiver is in effect.

*Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3666.*

**PA 0043681.** Sewerage, SIC: 4952, **Valley Joint Sewer Authority**, One South River Street, Athens, PA 18810-1701.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to Susquehanna River in Athens Borough, **Bradford County**.

The receiving stream is classified for the following uses: warm water fishery and aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Municipal Authority located at Danville.



The proposed effluent limits for Outfall 001 based on a design flow of 2.25 mgd are:

Parameter	Average	Average	Instantaneous
	Monthly (mg/l)	Weekly (mg/l)	Maximum (mg/l)
CBOD <sub>5</sub>	25.0	40.0	50.0
TSS	30.0	45.0	60.0
Fecal Coliforms (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 at all times		

*Other Conditions:* Monitor UV Intensity

The EPA waiver is not in effect.

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

**PA 0218341.** Industrial waste, SIC: 8999, **BWX Technologies, Inc.**, R. D. 1, P. O. Box 355, Vandergrift, PA 15690.

This application is for issuance of an NPDES permit to discharge stormwater and groundwater from the B&W Parks facility in Parks Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Kiskiminetas River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply (PWS) is the Buffalo Township Municipal Authority, located at Freeport Borough, 19 miles below the discharge point.

*Outfalls 001—004:* existing discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids					monitor and report
Oil and Grease					monitor and report
Total Dissolved Solids					monitor and report
Trichloroethylene					monitor and report
PCBs					monitor and report
1,1,1 Trichloroethene					monitor and report
Cis 1,2 Dichloroethene					monitor and report
Trans 1,2 Dichloroethene					monitor and report
Dichloroethene					monitor and report

*Other Conditions:* Conditions pertaining to the Erosion and Sedimentation Control Plan and Best Management Practices.

The EPA waiver is in effect.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Bis (2, Ethylhexyl) Phthalate					monitor and report
Di-N-Octyl Phthalate					monitor and report
Acetone					monitor and report
Chloroform					monitor and report
1,1 Dichloroethene					monitor and report
Benzene					monitor and report
Toluene					monitor and report
Tetrachloroethene					monitor and report
pH	monitor and report				

**PA 0033871.** Sewage, **Frank T. Perano, GSP Management Company**, Box 278, King of Prussia, PA 19406.

This application is for renewal of an NPDES permit to discharge treated sewage from the Northview Estates Mobile Home Park STP in White Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an Unnamed Tributary of McKee Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ernest Borough Water System.

Outfall 001: existing discharge, design flow of .0575 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	4.0			8.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0095303.** Sewage, **Purchase Line School District**, 16559 Route 286 Highway E, P. O. Box 374, Commodore, PA 15729-0374.

This application is for renewal of an NPDES permit to discharge treated sewage from the Purchase Line School District Sewage Treatment Plant in Green Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of East Run, which are classified as a high quality-cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Armstrong Power Station at Allegheny River Mile 55.3.

Outfall 001: existing discharge, design flow of 0.022 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	20			40
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	2.9			5.8
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 7.0 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 0101923. Amendment No. 1.** Sewage, **Saegertown Area Sewer Authority**, P. O. Box 334, Park Avenue Ext., Saegertown, PA 16433.

This application is for an amendment of an NPDES Permit to discharge treated sewage to the French Creek in Saegertown Borough, **Crawford County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin General Authority on French Creek located at Franklin, approximately 31 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.49 mgd, are:

Parameter	Interim Limits		
	Average Monthly(mg/l)	Maximum Daily(mg/l)	Instantaneous Maximum(mg/l)
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60

<i>Parameter</i>	<i>Interim Limits</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly(mg/l)</i>	<i>Maximum Daily(mg/l)</i>	
Phosphorus (as P) (4-1 to 10-31)	2		4
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 84,500/100 ml as a geometric average	
Total Residual Chlorine	0.65		2.1
pH		6.0—9.0 at all times	

The proposed effluent limits for Outfall No. 001, based on a design flow of .788 mgd, are:

<i>Parameter</i>	<i>Final Limits</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly(mg/l)</i>	<i>Maximum Daily(mg/l)</i>	
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	15		30
Phosphorus (as P) (4-1 to 10-31)	2		4
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 100,000/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.2
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0103543.** Sewage. **Pennsylvania Historical and Museum Commission**, Pithole Museum, R. D. 1, Pleasantville, PA 16341.

This application is for renewal of an NPDES Permit, to discharge treated sewage to Pithole Creek in Cornplanter 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Emlenton Water Company on Allegheny River located at River Mile 90.0, approximately 53.0 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.00165 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX	
CBOD <sub>5</sub>	25	50
TSS	30	60
TRC	0.5	1.2
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 1,000,000/100 ml as a geometric average
pH		6.0—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 wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA Region III Regional Administrator has waived the right to review or object to these proposed permit actions under the waiver provisions 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, 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 Managers 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 Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0083160	Anchor Mobile Estates Peifer & Gross, Inc. P. O. Box 506 Elizabethtown, PA 17022	Adams County Butler Township	Willoughby Run	TRC
PA0081213	Clay Township 870 Durlach Road Stevens, PA 17578	Lancaster County Clay Township	Middle Creek	TRC

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

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

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

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

**WQM Permit No. 1500405.** Sewerage. **Uwchlan Township**, P. O. Box 255, Lionville, PA 19353-0255. Applicant is requesting approval for the construction and operation to expand the Eagleview Wastewater Treatment Plant located in Uwchlan Township, **Chester County**.

**WQM Permit No. 2300403.** Sewerage. **State Farm Mutual Automobile Insurance Company**, One State Farm Drive, Concordville, PA 19339. Application is requesting approval for the construction and operation to modify the STP to serve State Farm Insurance Company located in Concord Township, **Delaware County**.

**WQM Permit No. 4600409.** Sewerage. **Lower Moreland Township**, 640 Red Lion Road, Huntingdon Valley, PA 19006-6234. Applicant is requesting approval to modify the Chapel Hill Wastewater treatment plant to install a new ultraviolet (UV) disinfection system located in Lower Moreland Township, **Montgomery County**.

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

**A. 0100401.** Sewerage, submitted by **Berwick Township Supervisors**, 85 Municipal Road, Hanover, PA 17331, Berwick Township, **Adams County** to construct a wastewater treatment facility and a sewage collection system was received in the Southcentral Region on February 22, 2000.

**A. 0500403.** Sewerage, submitted by **Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522, Bedford Township, **Bedford County** to construct a new interceptor and inverted siphon stream crossing was received in the Southcentral Region on February 23, 2000.

**A. 3800402.** Sewerage, submitted by **Northern Lebanon County Authority**, P. O. Box 434, Jonestown, PA 17038 in Swatara Township, **Lebanon County** to construct the North Mill Street Pump Station to serve the Lighthouse Harbor Subdivision was received in the Southcentral Region on February 28, 2000.

**A. 3600401.** Sewerage, submitted by **Jim and Debra Halbleib**, 2512 River Road, Bainbridge, PA 17502 to Conoy Township, **Lancaster County** to construct a small flow sewage treatment system to serve their single family residence was received in the Southcentral Region on February 28, 2000.

**A. 6700402.** Sewerage, submitted by **Northeastern York County Sewer Authority**, P. O. Box 516 in Mt. Wolf, PA 17347 in East Manchester Township/Mt. Wolf Borough, **York County** to construct a replacement interceptor at Maple, Front and Chestnut Streets was received in the Southcentral Region on February 28, 2000.

**A. 3600402.** Sewerage, submitted by **Lancaster Area Sewer Authority**, 230 Centerville Road, Lancaster, PA 17603 in Lancaster Township, **Lancaster County** to construct the Honeysuckle Lane Pump Station and Force Main was received in the Southcentral Region on February 29, 2000.

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

**A. 0200403.** Sewerage, **USX Corporation**, USS Division, P. O. Box 878, MS 160, Dravosburg, PA 15034. Application for the installation and operation of a chlorine contact tank to serve the Irvin Plant STP located in West Mifflin Borough, **Allegheny County**.

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

**WQM Permit No. 200403.** Sewerage, **Carolyn L. Bosco**, 1148 East Scotland Avenue, North East, PA

44106-2843. This project is for the construction of a Single Residence Sewage Treatment Plant in North East Township, **Erie County**.

**INDIVIDUAL PERMITS  
(PAS)**

**NPDES Individual**

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day permit 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 the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

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

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

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

**NPDES Permit PAS10-G409.** Stormwater. **Applebrook Associates**, 200 Eagle Road, Wayne, PA 19087, has applied to discharge stormwater from a construction activity located in East Goshen Township, **Chester County**, to East Branch Ridley Creek (HQ).

**NPDES Permit PAS10-J047.** Stormwater. **MAR-J Builders, Inc.**, 114 Yearsley Mill Road, Media, PA 19063, has applied to discharge stormwater from a construction activity located in Middletown Township, **Delaware County**, to Unnamed Tributary to Ridley Creek (HQ).

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

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

**NPDES Permit PAS10S086.** Stormwater. **Kettle Ridge, Hannig Enterprises, Inc.**, 20 Plaza Court, Suite A, East Stroudsburg, PA 18301, has applied to discharge stormwater from a construction activity located in Hamilton Township, **Monroe County**, to a tributary to Kettle Creek, HQ-CWF.

*Northcentral Regional Office: Regional Water Management Program Manager, 208 W. 3rd St., Suite 101, Williamsport, PA 17701, (717) 327-3574.*

*Centre County Conservation District, 414 Holmes Ave., Suite 4, Bellefonte, PA 16823, (814) 355-6817.*

**NPDES Permit PAS10F08.** Stormwater. **Putnam L. McCord**, R. R. 1, Box 184, Philipsburg, PA 16866 has applied to discharge stormwater from a construction activity located in Rush Township, **Centre County** to Unt. Six Mile Run.

**NPDES Permit PAS10F08.** Stormwater. **Putnam L. McCord**, R. R. 1, Box 184, Philipsburg, PA 16866 has applied to discharge stormwater from a construction activity located in Rush Township, **Centre County** to Black Moshannon Creek.

**SAFE DRINKING WATER**

**Applications received 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., 6700501.** Public water supply. **Rutter's Dairy, Inc.**, Manchester Twp., York Co., *Responsible Official:* Todd Rutter, Vice-President, 2100 North George St., York, PA 17401. *Type of Facility:* Applicant seeks a Construction Permit for installation of bottling facilities. York Water Company finished water will be used as the source of supply. Facilities will granular activated carbon filtration, ozonation and dispensing equipment. *Consulting Engineer:* Patrick A. Kinsley, P.E., LSC Design, Inc., 1110 E. Princess St., York 17403. Application received February 7, 2000.

*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 **Hughesville Borough Water Company**, 147 South Fifth Street, Hughesville, PA 17737-0020, Wolf Township, **Lycoming County**. The application is for rehabilitation of well pumps for both of Hughesville's municipal wells to restore the original permitted capacities. The work includes removal and replacement of well pump and motor, and inspection and replacement of column piping as needed in both wells. A soft-start electrical panel and starter will be provided in Well 102 as part of the repairs.

**Application No. Minor Amendment.** The Department has received a permit application from **Borough of Troy**, 110 Elmira Street, Troy, PA 16947, **Bradford County** to replace the existing vertical turbine well pump with a submersible well pump.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 1

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

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Sections 302—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)(iii) 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, 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.*

**Charles and Jan Villare Residence**, Quakertown Borough, **Bucks County**. Matthew E. Grubb, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Morning Call* on January 27, 2000. A Final Report was simultaneously submitted.

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

**Dorothy Logan Residence**, Plains Township, **Luzerne County**. Brian Evans, Environmental Scientist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 has submitted a Notice of Intent to Remediate (on behalf of his client, Dorothy Logan, Mill Street, Plains, PA 18705) concerning the remediation of site soils suspected to be contaminated with no. 2 home heating oil compounds. The applicant proposes to remediate the site to meet the Statewide health standard.

### SOLID AND HAZARDOUS WASTE OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653.*

**A. 100963. Lycoming County Resource Management Services, Lycoming County Landfill**, P. O. Box 187, Montgomery, PA 17752. Application for renewal of permit for municipal waste landfill located in Brady Township, **Lycoming County**, deemed administratively complete in the Regional Office on March 1, 2000.

### AIR QUALITY

#### Notice of Plan Approval and Operating Permit Applications

##### Nonmajor Sources and Modifications

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

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

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department 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 the date of the hearing.

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

#### OPERATING PERMITS

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

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

**45-318-029: Tobyhanna Army Depot** (11 Hap Arnold Boulevard, Tobyhanna, PA 18466) for operation of a chemical metal finishing system in Coolbaugh Township, **Monroe County**.

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

**36-05001A: Armstrong World Industries, Inc.** (P. O. Box 169, Marietta, PA 17547) for a paperboard dryer controlled by two wet scrubber systems at the Ceiling Plant in East Donegal Township, **Lancaster County**.

**67-03055A: PP&L, Inc.** (Two North Ninth Street, Allentown, PA 18101) for the Unit 2 boiler at the Brunner Island Steam Electric Station in East Manchester Township, **York County**.

**67-05003A: Mastercraft Specialties, Inc.** (800 Maple Street, Red Lion, PA 17356) for a UV Coating Line at the furniture manufacturing facility in Red Lion Borough, **York County**.

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

**41-399-025: Plastic Development Co., Inc.** (P. O. Box 4007, Williamsport, PA 17701-0607) for operation of a fiberglass reinforced plastics manufacturing facility in Woodward Township, **Lycoming County**.

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

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities

subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

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

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any 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 thirty days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

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

**36-05015A: Dart Container** (60 East Main Street, Leola, PA 17540) for conversion of some of the facility's production over to a new blowing agent to develop production techniques and product formulation. This modification will effectively increase the facility's potential Volatile Organic Compound (VOC) emissions by approximately 39 tons per year. Conditions in the permit will limit the yearly extruder throughput to 3,070,200 pounds, with VOC emission limited to less than 40 tons per year based on a 12-month rolling total. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

##### Proposed Revisions to Title V/State Only Operating Permits to include conditions relating to NOx allowance requirements in 25 Pa. Code §§ 123.101–123.120.

The Department of Environmental Protection (Department) intends to issue new Operating Permits to include revised allocations under the provisions of 25 Pa. Code §§ 123.101–123.120 (relating to NOx allowance requirements). These regulations establish a NOx budget and a NOx allowance trading program for NOx affected sources for the purpose of achieving the health-based ozone ambient air quality standard. A NOx affected source is defined as a fossil fuel fired indirect heat exchange combustion unit with a maximum rated heat input capacity of 250 MMBtu/hour or more and all fossil fuel fired electric generating facilities rated at 15 megawatts or greater or any other source that voluntarily opts to become a NOx affected source.

The operating permits require the owner or operator of each NOx affected source to hold a quantity of NOx allowances meeting the requirements of 25 Pa. Code § 123.110(a) by December 31 of each calendar year. One

NOx Allowance is the limited authorization to emit 1 ton of NOx during the NOx Allowance Control Period, which begins May 1 of each year and ends September 30 of the same year. The NOx allowances held in the source's current year NOx Allowance Tracking System (NATS) account must be equal to or greater than the total NOx emitted from the source during the year's NOx allowance control period. The initial NOx allowance control period began on May 1, 1999.

The operating permits also include emission monitoring, reporting and recordkeeping requirements for each NOx affected source. NOx emissions from each NOx affected source shall be monitored in accordance with 25 Pa. Code § 123.108 and the procedures contained in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NOx Budget Program."

Persons wishing to file protests or comments on the proposed revised 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 permits. Comments or protests filed at the address listed 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 permits and other relevant information are available for review at the address given:

*Bureau of Air Quality: Division of Permits, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.*

**02-0055: Allegheny Energy** (800 Cabin Hill Drive, Greensburg, PA 15601) located in Springdale Township, **Allegheny County**.

NOx affected Source(s):

Unit 1	Point ID: 1	Allowance: 0
Unit 2	Point ID: 2	Allowance: 0

#### PLAN APPROVALS

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

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

**48-315-004: Northampton Pulp LLC** (6 Horwith Drive, Northampton, PA 18067) for installation of an air cleaning device for the pulping process in Northampton Borough, **Northampton County**.

**39-318-104: Acme Cryogenics, Inc.** (P. O. Box 445, Allentown, PA 18105) for construction of two paint spray booths at 1 West Allen Street in Allentown, **Lehigh County**.

**39-399-048: Acme Cryogenics, Inc.** (P. O. Box 445, Allentown, PA 18105) for construction of a steel shot blast booth at 1 West Allen Street in Allentown, **Lehigh County**.

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

**44-05001A: Standard Steel, Division of Freedom Forge Corp.** (500 North Walnut Street, Burnham, PA

17009) for construction of a Ladle Metallurgical Furnace, four 200HP boilers natural gas or No. 2 Oil fired and modification to No. 2 EAF at the Burnham facility in Burnham Borough, **Mifflin County**.

**67-05076: Fypon, Ltd.** (22 West Pennsylvania Avenue, Stewartstown, PA 17363) for construction of a molded millwork production line in North Codorus Township, **York County**.

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

**41-310-001G: Hanson Aggregates Pennsylvania, Inc.** (P. O. Box 231, Easton, PA 18044-0231) for installation of a replacement air cleaning device (a fabric collector) on various pieces of stone crushing, screening, conveying, etc. equipment at the Pine Creek Quarry in Limestone Township, **Lycoming County**.

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

**PA-03-026A: Eljer Plumbingware, Inc.** (1301 Eljer Way, Ford City, PA 16226) for reactivation of Ceramic Kiln No. 1 at Ford City Plant in Ford City Borough, **Armstrong County**.

**PA-04-681A: Joseph J. Brunner, Inc.** (211 Brunner Road, Zelienople, PA 16063) for operation of evaporator unit at Brunner Landfill in New Sewickley Township, **Beaver County**.

**PA-26-497A: Amerikohl Mining, Inc.** (P. O. Box 427, Acme, PA 16001) for operation of portable coal crusher at Prinkey II Surface Mine in Springfield Township, **Fayette County**.

**PA-56-025C: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) for operation of aggregate crushing plant in Jefferson Township, **Somerset County**.

**PA-63-904A: Twilight Industries** (212 State Street, Belle Vernon, PA 15012) for operation of coal staging/processing at Stiteler Mine in Somerset Township, **Somerset County**.

**PA-65-844B: Sterling Lebanon Packaging Corp.** (1000 Thomas Avenue, Jeannette, PA 15644) for operation of No. 104 and No. 105 sheetfed presses at Jeannette Plant in Jeannette, **Westmoreland County**.

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

**PA-16-002A: RFI Energy, Inc., Shannon Tipple** (State Route, Clarion, PA 16214) for post-construction of a coal crusher (120 tons/hour in Piney and Toby Townships, **Clarion County**. This construction is subject to Federal NSPS, 40 CFR Part 60, Subpart Y.

#### Public Hearing

**Watsonstown Brick Co.** (P. O. Box 68, Watsonstown, PA 17777) has submitted an application to the Department of Environmental Protection (Department) for approval to construct a brick making operation in Delaware Township, **Northumberland County**. The information provided by the applicant and the Department's own analysis indicates that this operation may potentially result in the emission of up to 94.9 tons per year (tpy) of sulfur oxides, 50.4 tpy of carbon monoxide, 29.6 tpy of particulate matter, 14.7 tpy of nitrogen oxides, 2.26 tpy of volatile organic compounds, 2.15 tpy of hydrogen fluoride and



0.77 tpy of hydrogen chloride. Hydrogen fluoride and hydrogen chloride have both been identified as hazardous air pollutants by the United States Environmental Protection Agency. A preliminary review of the information submitted by Watsontown Brick indicates that the proposed construction will meet all applicable air quality requirements. Based on this finding, the Department proposes to approve the application and issue a plan approval to construct the respective brick making operation which will be comprised of a 23 million Btu per hour natural gas-fired kiln, as well as numerous conveyors, crushers, screens and storage bins.

To ensure compliance with all applicable standards, the Department proposes to place the following requirements in the respective plan approval.

1. The brick making operation is to be constructed in accordance with the plans submitted with the application (as approved herein).

2. This plan approval is issued for the construction of a brick making operation consisting of a "mixing operation" comprised of a feed hopper, a 30" × 48' Artech belt conveyor, a 30" × 70' Artech belt conveyor and a 30" × 58' Artech belt conveyor.

The sources associated with the mixing operation and identified in Conditions (2a)—(2d) herein will operate in conjunction with a McLanahan roll crusher, the construction of which was approved by Plan Approval No. 49-309-008D. The "grinding operation" is comprised of a feed hopper; a Simplicity double deck scalper screen (Model No. 95110BX); a 200 ton per hour Stedman hammermill crusher (Model No. 4260); four 5' × 8' Deister single deck screens; two 100 ton shale storage silos; a 100 ton soda ash storage silo; a 30" × 50' Artech belt conveyor; a 30" × 47' Artech belt conveyor; a 30" × 67' Artech belt conveyor; a 30" × 41' Artech belt conveyor; a 30" × 62' Artech belt conveyor; a 30" × 51' Artech belt conveyor; a 30" × 36' Artech belt conveyor; a 30" × 125' Artech belt conveyor; a 30" × 18' Artech belt conveyor; a 30" × 20' Artech belt conveyor; a 30" × 92' Artech belt conveyor; and a 30" × 105' Artech belt conveyor.

The particulate matter emissions from the grinding operation, with the exception of the 30" × 105' Artech belt conveyor, shall be controlled by a Model No. 4RL64 American Air Filter cartridge collector. The "making operation" is comprised of a pug mill; an extruder; a Raymond Machine surface coater and four Artech belt conveyors.

The particulate matter emissions from the Raymond Machine surface coater, as well as those from the 30" × 105' Artech belt conveyor associated with the grinding operation, shall be controlled by a Model No. 3RL12 American Air Filter cartridge collector. The "firing operation" is comprised of a Hans Lingl GmbH dryer and a 23 million Btu per hour natural gas fired Hans Lingl GmbH kiln.

The air contaminant emissions from the kiln shall be controlled by a dry scrubber system comprised of a two-stage (lime and sodium bicarbonate) Ohlmann injection/reactor system and a Model 3630-14-40 Dustex fabric collector connected in series.

This plan approval is also issued for the construction of a feed hopper; a 30" × 145' Artech belt conveyor and a 30" × 92' Artech belt conveyor.

The sources identified in Conditions (2cc)—(2ee) herein will feed material from the aforementioned mixing operation to an existing brick making operation.

3. The total combined emission of sulfur oxides from all air contamination sources existing in the respective facility as of the date of issuance of this plan approval shall not equal or exceed 250 tons during any 12 consecutive month period. This does not include the emissions from any source the construction of which is authorized herein.

4. Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the particulate matter concentration contained in the exhausts of the two American Air Filter cartridge collectors and the Dustex fabric collector identified herein shall not exceed 0.01 grain per dry standard cubic foot.

5. Under the best available technology provisions of §§ 127.1 and 127.12, the emission of air contaminants from the kiln shall not exceed the following hourly and annual limits:

	<i>Hourly emissions (pounds per hour)</i>	<i>Annual emissions (tons during any 12 consecutive month period)</i>
Particulate matter	1.40	6.14
Volatile organic compounds	.023	1.00
Hydrogen fluoride	0.49	2.15
Hydrogen chloride	0.18	0.77
Hazardous air pollutants (total combined)	0.72	3.15
Sulfur oxides	21.7	94.9
Nitrogen oxides (expressed as NO <sub>2</sub> )	3.35	14.7
Carbon monoxide	11.5	50.4

6. Under the best available technology provisions of §§ 127.1 and 127.12, the emission of volatile organic compounds from the dryer shall not exceed 0.29 pounds per hour and 1.26 tons during any 12 consecutive month period.

7. Under the best available technology provisions of §§ 127.1 and 127.12, the dry scrubber system shall achieve a minimum removal efficiency of 95% for hydrogen fluoride, 95% for hydrogen chloride and 75% for sulfur oxides.

8. Under the best available technology provisions of §§ 127.1 and 127.12, the feed rate of lime and sodium bicarbonate when the dry scrubber system is operating shall not be less than 102 pounds per hour and 17 pounds per hour, respectively, unless the company can demonstrate, to the satisfaction of the Department, that the dry scrubber system can control the kiln's air contaminant emissions such that the emissions will not exceed the limitations specified in Condition 5 herein and that the dry scrubber system's removal efficiency of hydrogen fluoride, hydrogen chloride and sulfur oxides will be equal to or better than that specified in Condition 7 herein, while using lower feed rates.

9. Under the best available technology provisions of §§ 127.1 and 127.12, all conveyors identified in Condition 2 herein shall be completely covered, unless otherwise completely enclosed in a building.

10. Under the best available technology provisions of §§ 127.1 and 127.12, none of the particulate matter collected by the Dustex fabric collector identified herein shall be used as a raw material for the production of bricks.

11. Under the best available technology provisions of §§ 127.1 and 127.12, the fabric and cartridge collectors

identified herein shall all be equipped with instrumentation to continuously monitor the differential pressure across the collector.

12. Under the best available technology provisions of §§ 127.1 and 127.12, the air compressors associated with the fabric and cartridge collectors identified herein shall be equipped with an air dryer and an oil trap.

13. Under the best available technology provisions of §§ 127.1 and 127.12, the company shall keep on hand a sufficient quantity of spare bags and cartridges for the fabric and cartridge collectors associated with the aforementioned sources in order to be able to immediately replace any bags or cartridges requiring replacement due to deterioration resulting from routine operation of the sources and collectors.

14. Within 180 days of startup of the kiln, the company shall perform hydrogen fluoride, hydrogen chloride and sulfur oxides testing at the inlet of the dry scrubber system's injection/reactor system and the outlet of the dry scrubber system's fabric collector, to determine both the removal efficiencies and outlet mass emission rate (pounds per hour) of the respective air contaminants, as well as particulate matter and nitrogen oxides testing at the outlet of the dry scrubber system's fabric collector, to determine the mass emission rate (pounds per hour) of the respective air contaminants. This testing shall be performed while the kiln is operating at maximum production rate and while using raw materials that contain the highest concentrations of fluorine, chlorine and sulfur that will be used in the kiln. This testing shall be performed using test methods and procedures deemed acceptable by the Department.

15. At least 60 days prior to the performance of the testing required by Condition 14 herein, the company shall submit two copies of a pretest protocol to the Department for review. The protocol shall include dimensioned drawings showing the location of the proposed sample ports, descriptions of the test methods and procedures to be used in the performance of testing and a description of the process information to be recorded during the testing.

16. At least 10 days prior to the performance of the testing required by Condition 14 herein, the company shall notify the Department of actual dates and times that testing will occur so that Department personnel can arrange to be present during the testing. The Department is under no obligation to accept the results of the testing without having been given proper notification.

17. Within 60 days following the performance of the testing required by Condition 14 herein, two copies of a test report shall be submitted to the Department. This report shall contain the results of the testing, descriptions of the test methods and procedures actually used in the performance of testing, copies of all raw data and calculations, and copies of all process information recorded during the testing.

18. The company shall maintain accurate and comprehensive records of the following:

- Monthly amount of bricks (expressed in tons) produced by the kiln approved herein.
- Monthly amount of bricks (expressed in tons) produced by the facility's existing kiln.
- Monthly amount (expressed in tons) of clay and/or shale (from each separate source of clay and/or shale) processed through the kiln approved herein.

- Monthly amount (expressed in tons) of clay and/or shale (from each separate source of clay and/or shale) processed through the facility's existing kiln.

- Representative quarterly material composition analyses identifying the percentage (by weight) of fluorine, chlorine and sulfur contained in the clay and/or shale used by the brick making facility for each separate source of clay and/or shale.

- Monthly amount of No. 2 fuel oil consumed by the existing kiln.

- Monthly number of hours the existing emergency diesel generator and the diesel generator associated with the existing Eagle/Grizzly crushing and screening operation are operated.

These records shall be used to determine the monthly emission of hydrogen fluoride, hydrogen chloride and sulfur oxides from the new kiln, as well as the monthly emission of sulfur oxides from all other sources existing at this facility. These records shall be retained for at least 5 years and be made available to the Department upon request. Additionally, all monthly records generated for each calendar quarter shall be submitted to the Department by no later than the 30th day following the respective calendar quarter (reports due on January 30, April 30, July 30 and October 30).

19. Issuance of an operating permit for the aforementioned sources is contingent upon the sources being constructed, and the sources and associated air cleaning devices being maintained and operated, as described in the application and supplemental materials submitted for plan approval, as well as in accordance with all conditions contained herein, and upon satisfactory demonstration that any air contaminants emitted from the sources are in compliance with the requirements specified in all conditions contained herein and the applicable requirements specified in 25 Pa. Code §§ 123.1, 123.21, 123.31 and 123.41 as well as in compliance with the requirements specified in, or established under any other applicable rule or regulation contained in Article III.

20. The sources incorporated with the mixing and grinding operations and identified in Conditions (2a)—(2v), as well as the new sources associated with the existing brick making facility and identified in Conditions (2cc)—(2ee) are subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.670—60.676. The company shall comply with all applicable requirements of this Subpart as well as any other applicable Subpart of the Standards of Performance, including any recordkeeping and reporting requirements. Under 40 CFR 60.4 of the Standards of Performance, the Submission of all requests, reports, applications, submittals and other communications required by the Standards of Performance must be made to both the Department of Environmental Protection and the Environmental Protection Agency. The Environmental Protection Agency copies may be sent to Director, Air, Toxins and Radiation Division, United States EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

21. The company shall immediately notify the Department of any malfunction of the sources or associated air cleaning devices which results in, or may possibly be resulting in, the emission of air contaminants in excess of the limitations specified in, or established under, any applicable rule or regulation contained in Article III of the Rules and Regulations of the Department of Environmental Protection or in excess of the limitations specified in any condition contained herein or which otherwise

results in, or may possibly be resulting in, noncompliance with the requirements specified in any condition contained herein.

22. This plan approval authorizes temporary operation of the sources covered by this plan approval for a period of up to 180 days from the date upon which operation commences.

23. Any notification required as a result of any condition herein should be directed to Joseph J. Dwyer, Air Pollution Control Engineer, 208 West Third Street, Suite 101, Williamsport, PA 17701-6510, (570) 327-3642.

In accordance with 25 Pa. Code § 127.45, the conditions listed in this plan approval do one or more of the following: identify the sources and location; establish allowable emission rates; establish monitoring, record-keeping, testing and reporting requirements or ensure proper operation and adequate maintenance.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the address listed.

Persons wishing to protest the issuance of plan approval or provide the Department with additional information which he/she believes should be considered prior to the issuance of the plan approval may submit the protest or information to the Department at the address listed. A 30-day comment period, from the last date of publication, will exist for the submission of protests or comments. Each written protest or comment shall include the following: name, address and telephone number of the person submitting the comments; identification of the proposed Plan Approval No. 49-309-002A; and a concise statement regarding the relevancy of the information or any objections to issuance of the plan approval.

A public hearing may be held if the Department, in their discretion, decides that such a hearing is warranted based on the information received. All persons protesting the issuance of plan approval, submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a newspaper of general circulation in the county in which the source is to be located or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. All protests, comments and requests must be received by the Department no later than 30 days after final publication of this notice.

Written protests, comments or requests for a public hearing should be directed to David W. Aldenderfer, Regional Air Quality Program Manager, Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6510, (570) 327-3648.

For additional information regarding the Department's analysis of the application contact Joseph J. Dwyer, Air Pollution Control Engineer, Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6510, (570) 327-3642.

#### **REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)**

#### **Proposed Revision to the State Implementation Plan for Volatile Organic Compounds (VOC) Approval of a Reasonably Available Control Technology Plan and Operating Permit**

#### **York County**

The Department of Environmental Protection (Department) has made a preliminary determination to approve a

Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for the Spherical Roller Bearing Production Plant owned and operated by SKF USA, Inc. at 525 Fame Avenue, Penn Township, York County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in (RACT) Operating Permit No. 67-02010A for the existing facility to comply with current regulations. Upon final approval, the operating permit will include material substitution, recordkeeping and reporting requirements.

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

A public hearing will be held for the purpose of receiving comments on the proposed operating permit and SIP revisions. The hearing will be held on April 26, 2000, at the Department's York District Office, 150 Roosevelt Avenue, York, PA 17404 from 1 p.m. until all scheduled comments on the proposed action are received.

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

Persons with a disability who wish to attend the hearing scheduled for April 26, 2000, at the Department's York District Office and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly at (717) 705-4931 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## **MINING**

### **APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES**

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401

water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for such 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, 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 Chapter 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

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

#### *Coal Applications Received*

**54890105R2. Porter Associates, Inc.** (P. O. Box 478, Wilkes-Barre, PA 18703-0478), renewal of an existing anthracite surface mine operation in Porter Township, **Schuylkill County**, affecting 115.0 acres, receiving streams—Pine Creek and Rausch Creek. Application received February 22, 2000.

**54773214R3. B-D Mining Co.** (P. O. Box 423, Gilberton, PA 17934), renewal of an existing coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 50.0 acres, receiving stream—none. Application received February 23, 2000.

**54663010R3. Reading Anthracite Company** (200 Mahantongo Street, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Mahanoy Township, **Schuylkill County** affecting 173.0 acres, receiving stream—Mahanoy Creek. Application received February 29, 2000.

**54713002R3. Reading Anthracite Company** (200 Mahantongo Street, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in New Castle Township, **Schuylkill County** affecting 218.0 acres, receiving stream—Mill Creek. Application received February 29, 2000.

**54643034R3. Reading Anthracite Company** (200 Mahantongo Street, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Cass Township, **Schuylkill County** affecting 42.0 acres, receiving stream—none. Application received February 29, 2000.

**54783702R3. Reading Anthracite Company** (200 Mahantongo Street, Pottsville, PA 17901), renewal of an existing coal refuse reprocessing and disposal operation in New Castle Township, **Schuylkill County** affecting 512.0 acres, receiving stream—West Branch Schuylkill River. Application received February 29, 2000.

**49783007C8. Blaschak Coal Corp.** (P. O. Box 12, Mahanoy City, PA 17948), incidental boundary correction to an existing anthracite surface mine operation in Coal Township, **Northumberland County**, 323.0 acres to 337.39 acres, receiving stream—none. Application received February 29, 2000.

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

**11673041.** Permit Renewal for reclamation only, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for continued restoration of a bituminous surface mine in Summerhill Township, **Cambria County**, affecting 102.3 acres, receiving stream to South Fork Little Conemaugh River, application received February 24, 2000.

**11693042.** Permit Renewal for reclamation only, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for continued restoration of a bituminous surface mine in Summerhill and Portage Townships, **Cambria County**, affecting 289.7 acres, receiving stream unnamed tributaries to Laurel Run and to Beaverdam Reservoir/Beaverdam Run (previously unnamed tributary to Big Cedar Run), application received February 24, 2000.

**11743043.** Permit Renewal for reclamation only, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for continued restoration of a bituminous surface mine in Portage Township, **Cambria County**, affecting 50.4 acres, receiving stream unnamed tributary to Bens Creek and to Bens Creek, application received February 24, 2000.

**11773037.** Permit Renewal for reclamation only, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for continued restoration of a bituminous surface and auger mine in Conemaugh Township, **Cambria County** affecting 358.7 acres, receiving stream unnamed tributaries to the Little Conemaugh River and to the Little Conemaugh River, application received February 24, 2000.

**11813040.** Permit Renewal, **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), for continued operation of a bituminous surface and auger mine in Adams Township, **Cambria County**, affecting 750.0 acres, receiving stream unnamed tributaries to South Fork Little Conemaugh River; to South Fork Little Conemaugh River; to unnamed tributaries to Sulphur Creek; and to Sulphur Creek, application received February 24, 2000.

**07850103.** Permit Renewal, **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), for continued operation of a bituminous surface mine in Logan Township, **Blair County**, affecting 114.0 acres, receiving stream unnamed tributary to Kittanning Run and Kittanning Run, application received February 24, 2000.

**11803038.** Permit Renewal, **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), for continued operation of a bituminous surface and auger mine in Adams and Ogle Townships, **Cambria and Somerset Counties**, affecting 1,498.2 acres, receiving stream to Paint Creek; to unnamed tributary to Babcock Creek; and to Babcock Creek, application received February 24, 2000.

**56743138.** Permit Renewal, **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), for continued operation of a bituminous surface and auger mine in Ogle and Adams Townships, **Somerset and Cambria Counties**, affecting 739.51 acres, receiving stream unnamed tributary to Babcock Creek; to Babcock Creek; and to Paint Creek, application received February 24, 2000.

**11813039.** Permit Renewal, **Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), for continued operation of a bituminous surface and auger mine in Adams Township, **Cambria County**, affecting 1,353.0 acres, receiving stream unnamed tributary to Paint Creek; to Paint Creek; to unnamed tributary to Sulphur Creek; and to Sulphur Creek, application received February 24, 2000.

**56890115.** Permit Renewal, **PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), for continued operation of a bituminous surface, auger mining and limestone/sandstone removal mine in Brothersvalley Township, **Somerset County**, affecting 346.0 acres, receiving stream unnamed tributaries to and Blue Lick Creek, application received February 29, 2000.

**56823123.** Permit Renewal, **Croner, Inc.** (629 Main Street, Suite 1, Berlin, PA 15530), for continued operation of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 222.0 acres, receiving stream an unnamed tributary to Buffalo Creek; and an unnamed tributary to Swamp Creek, application received February 29, 2000.

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

**03000101.** **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Plumcreek Township, **Armstrong County** proposed to affect 233.0 acres. Receiving streams: unnamed tributaries to Cherry Run to Cherry Run to Crooked Creek to the Allegheny River. Application received February 24, 2000.

**30850104.** **Meadow Run Mining Co., Inc.** (P. O. Box 298, Point Marion, PA 15474). Renewal application received for continued reclamation of a bituminous surface auger mine located in Dunkard Township, **Green County**, affecting 39.4 acres. Receiving streams: unnamed tributary to Dunkard Creek. Renewal application received March 2, 2000.

**30950101.** **Taylorstown Mining, Inc.** (P. O. Box 298, Point Marion, PA 15474). Renewal application received for continued reclamation of a bituminous surface mine located in Greene Township, **Greene County**, affecting 53.5 acres. Receiving streams: unnamed tributaries to Whiteley Creek. Renewal application received March 2, 2000.

**26950103.** **Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface auger mine located in Redstone Township, **Fayette County**, affecting 5.6 acres. Receiving stream: Redstone Creek. Renewal application received March 3, 2000.

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

*Large Industrial Minerals Applications Received*

**14000301.** **Glenn O. Hawbaker, Inc.** (P. O. Box 135, 325 West Aaron Drive, State College, PA 16804), commencement, operation and restoration of a large industrial minerals (sandstone) permit located in Half Moon and Worth Townships, **Centre County** affecting 169.58 acres. Receiving streams: No discharge to Half Moon Creek watershed; discharge to Bald Eagle Creek watershed. Application received February 25, 2000.

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

*Noncoal Applications Received*

**5575SM1A3C3.** **State Aggregates, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034), renewal of NPDES Permit PA0119555 in Clifford Township, **Susquehanna County**, receiving stream—East Branch of Tunkhannock Creek. Application received February 28, 2000.

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

**04000301.** **Beaver Valley Slag, Inc.** (1150 Brodhead Road, Monaca, PA 15061). Application received for commencement, operation and reclamation of a large noncoal surface mine located in Center and Hopewell Townships, **Beaver County**, affecting 299.5 acres. Receiving streams: Blaks Run and Ohio River. Application received February 24, 2000.

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

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

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

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

Section 224 states that whenever any working place approaches within 200 feet of any workings of an adjacent mine, boreholes shall be drilled at least 20 feet in advance of the face of such working place and sufficiently close to each other to insure that the advancing face will not accidentally hole through into such workings. Boreholes shall also be drilled not more than 8 feet apart in the rib of such working place to a distance of at least

20 feet and at an angle of 45 degrees. Such rib holes shall be drilled in one or both ribs of such working place as may be necessary for adequate protection of persons working in such place.

*Summary of the request:* Maple Creek Mining, Inc. requests a variance to drill two test holes at least 50 feet from the rib of the entry to be mined closest to the abandoned Dunkirk Mine. The test holes will show that the entries of Dunkirk Mine are not within 50 feet of the planned entries of the Maple Creek Mine, New Eagle Section.

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

### ENCROACHMENTS

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), requires the state to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317 as well as relevant state requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

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

**E46-859.** Encroachment. **New Hanover Township**, 2943 North Charlotte Street, Gilbertsville, PA 19525. To construct and maintain a 0.825 mgd Wastewater Treatment Facility within the 100 year floodplain of Swamp Creek (TSF) and West Branch of Swamp Creek. This site is located approximately 1000 feet southeast from the intersection of Fagleysville Road and Evans Road, near the confluence of Swamp Creek and West Branch of Swamp Creek (Sassamansville, PA USGS Quadrangle N: 5.5 inches; W: 7.4 inches) in New Hanover Township, **Montgomery County**.

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

**E40-539.** Encroachment. **Eagle Rock Resort Company, Inc.**, 1031 Valley of Lake, Hazleton, PA 18201-9717. To authorize fill previously placed in 0.46 acre of

(PEM) wetlands and to place additional fill in 0.21 acre of (PEM) wetlands associated with the development of Eagle Rock Resort. The project is located at Eagle Rock Resort, north of S. R. 0924 and east of the Schuylkill/Luzerne County boundary line (Conyngham, PA Quadrangle N: 9.0 inches; W: 13.0 inches), Hazle Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**E13-123.** Encroachment. **James C. Mikovich**, 353 West Abbott Street, Lansford, PA 18232-1804. To construct and maintain a 553 square foot floating dock, 50 linear feet of retaining wall and to dredge a 3,840 square foot area to depths ranging from 2 feet to 12 feet within and along the shoreline of Lake Hauto (HQ-CWF). The project is for the construction of a private beach area and is located at Lot No. 8, Oakwood Court (Block No. 1-Oakwood Section) along the northern shoreline of Lake Hauto east of the Carbon/Schuylkill County boundary line (Tamaqua, PA Quadrangle N: 16.75 inches; W: 5.5 inches), Nesquehoning Borough, **Carbon County** (Philadelphia District, U. S. Army Corps of Engineers).

**E35-321.** Encroachment. **Scranton Craftsman Inc.**, 930 Dunmore Street, Throop, PA 18512. To place fill in multiple wetland acres totaling 0.97 acre to facilitate development of a residential and commercial complex known as school side estates. The project is located on the north western side of Underwood Road approximately 1.0 mile northeast of S. R. 2008 (Olyphant, PA Quadrangle N: 13.5 inches; W: 13.1 inches), Throop Borough, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

**E39-352.** Encroachment. **Lower Macungie Township**, 3400 Brookside Road, Macungie, PA 18062. To construct and maintain three stormwater outfall structures as follows: 66-inch diameter R.C.P. (HS); 36-inch diameter R.C.P. (A30); and a 21-inch diameter R.C.P. (C9) within the floodway of Little Lehigh Creek (HQ-CWF). The project is associated with the Rolling Meadows Estates Development and is located south of the intersection of S. R. 2012 (Lower Macungie Road) and S. R. 3001 (Spring Creek Road) (Allentown West, PA Quadrangle N: 7.7 inches; W: 9.5 inches), Lower Macungie Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

**E39-381.** Encroachment. **Jaindl Land Company**, 3150 Coffeetown Road, Orefield, PA 18069. To construct and maintain the following structures/activities in, along and across Swabia Creek (HQ-CWF) and tributaries thereto; 3 concrete box culverts, 1 stream enclosure, 15 utility line crossings, 6 stormwater outfall structures, fill in the floodway, fill in 0.29 acre of PEM SS wetlands and to relocate approximately 1,650 feet of stream channel. The project is associated with the hills at Lock Ridge, a residential subdivision, consisting of 700 homes. The project is located on a 272 acre tract of land on the south side of the Conrail Railroad adjacent to T-480, T-482, T-484 and Lock Ridge Park and Furnace Museum (Allentown West, PA Quadrangle N: 2.0 inches; W: 11.0 inches), Lower Macungie Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

**E13-119.** Encroachment. **Vacation Charters, LTD**, P. O. Box 592, One Lake Drive, Lake Harmony, PA 18624-0592. To authorize multiple activities associated with the development of the Split Rock Golf Community, as follows: to authorize previously placed fill in wetlands, and to construct and maintain five cart path crossings, one road crossing and a water irrigation line in wetlands and at various locations along Shingle Mill Run (HQ-

CWF) associated with the Split Rock phase; and, to place fill in wetlands, and to construct and maintain two road crossings and eight cart path crossings over and to excavate within the floodway of a tributary to Shingle Mill Run (HQ-CWF) associated with the Willowbrook phase. The project will have a total impact of 0.41 acre of (PFO) wetlands. The project is for a planned residential development and associated golf course community. The project is located adjacent to the existing Split Rock Country Club and immediately south of S. R. 0080 (Hickory Run, PA Quadrangle N: 14.5 inches; W: 0 inches) in Kidder Township, **Carbon County** (Philadelphia District, Army Corps of Engineers).

**E39-379.** Encroachment. **Lucent Technologies Inc.**, 1725 North Dauphin Street, Allentown, PA 18106. To construct and maintain a 140-foot long, 42-foot by 17.3-foot concrete arch stream enclosure; a bank of concrete encased, utilities consisting of telephone lines, electrical lines, a 12-inch diameter gas line and a 12-inch diameter DIP water line; and an 8-inch diameter, concrete encased sanitary sewer line across a tributary to the Lehigh River (CWF) and to construct and maintain a 42-inch diameter R.C.P. stormwater outfall structure to the Lehigh River (WWF). The project includes the installation of a temporary stream crossing, consisting of (4) 24-inch diameter C.M.P. culverts and clean rock fill for use during construction. The project is part of the Lucent Microelectronics Campus expansion and is located immediately southwest of the intersection of S. R. 0022 and North Irving Street (Catasauqua, PA Quadrangle N: 1.2 inches; W: 10.4), City of Allentown, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

**E40-541.** Encroachment. **Pennsylvania Department of Transportation, District 4-0**, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a 20-foot × 11.5-foot concrete box culvert, depressed 1.0 feet below streambed elevation; to construct and maintain a 24-inch and 36-inch diameter stormwater outfall structure; to regrade the channel of Laurel Run Creek (CWF) for a distance of 50 feet upstream and 75 feet downstream. The project is located at S. R. 0315, Section 370, Segment 0050, Offset 0000 and Laurel Run Creek (Pittston, PA Quadrangle N: 0.7 inch; W: 10.5 inches), Plains Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**E40-544.** Encroachment. **Pennsylvania Department of Transportation Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501. To construct and maintain a 20-foot long, 6-foot by 6-foot pre-cast concrete box extension on the upstream end of the existing 60-foot long, 6-foot by 6-foot concrete box culvert in a tributary to Warrior Creek (CWF). The project is associated with the S. R. 2008 (Middle Road) extension and is located approximately 0.5 mile northeast of the intersection of S. R. 0029 and S. R. 2008 (Wilkes-Barre West, PA Quadrangle N: 14.9 inches; W: 9.0 inches), Hanover Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**EA48-002NE.** Encroachment. **Wind Gap Borough**, 29 Mechanic Street, Wind Gap, PA 18091-1320. To remove the following water obstructions and encroachments from tributaries to Little Bushkill Creek (HQ-CWF) which are associated with the Wind Gap Borough Storm Drainage Improvement and Stream Restoration project: (1) the remains of a bridge and fill material that were once part of the extension of Second Street (Wind Gap, PA Quadrangle N: 16.6 inches; W: 6.8 inches); (2) a building, bridge and a 115 L. F. section of structurally unstable

4-foot × 8-foot concrete box culvert (Wind Gap, PA Quadrangle N: 17.1 inches; W: 6.0 inches); and (3) approximately 340 L. F. of 18-inch diameter C.I.P. (Wind Gap, PA Quadrangle N: 16.2 inches; W: 5.7 inches) in Wind Gap Borough, **Northampton County** (Philadelphia District, Army Corps of Engineers).

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

**E01-211.** Encroachment. **Russell Ryan**, 3901 Fairfield Road, Fairfield, PA 17320. To remove an existing structure and to construct and maintain a 16-foot single span wooden bridge having a width of 6 feet and an underclearance of 4-feet across Muddy Run (CWF) for the purpose of pedestrian and lawn mower access on private property located north of SR 0110 and east of Bullfrog Road (Fairfield, PA Quadrangle N: 9.0 inches; W: 14.2 inches) in Hamiltonban Township, **Adams County**.

**E06-535.** Encroachment. **Joseph Piccone, Inc.**, 501 Rt. 113, Chester Springs, PA 19452. To relocate the stream channel of a tributary to the East Branch Conestoga River (WWF) and to construct two crossings and impact 0.86 acre of a wetland that is a tributary to the East Branch Conestoga River (WWF) at a point upstream of the PA Turnpike for the purpose of constructing a shopping mall (Morgantown, PA Quadrangle N: 6.8 inches; W: 1.8 inches) in Caernorvon Township, **Berks County**. The permittee is required to provide a minimum of 0.91 acre of replacement wetlands.

**E67-683.** Encroachment. **York County Commissioners**, One W. Marketway, 4th Fl., York, PA 17401. To remove the existing structure and to construct and maintain County Bridge No. 64 having twin spans of 51 feet and 52.5 feet each with an average underclearance of 9 feet. The bridge will have reinforced concrete abutments, a 3 foot wide center pier and wingwalls with a prestressed concrete superstructure over Kreutz Creek (WWF) on Bair's Mill Road (T-773) (Columbia West, PA Quadrangle N: 2.5 inches; W: 6.75) in Hellam Township, **York County**.

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

**E14-372.** Encroachment. **Ray and Carol Fisher**, 160 East Fifth Avenue, Bellefonte, PA 16823-2651. To maintain a steel grate bridge across Wallace Run with a 47-foot clear span, a 5-foot underclearance and concrete abutments buried in the approach roads 3-feet back from the top of the stream bank located 0.5 mile west of Gum Stump (Bellefonte, PA Quadrangle N: 18.91 inches; W: 15.09 inches) in Union Township, **Centre County**. This project has indirectly impacted 10 linear feet of Wallace Run, which is classified as Exceptional Value—Wild Trout Fishery.

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

**E63-339-A1.** Encroachment. **David J. Wylie**, 228 King Richard Drive, McMurray, PA 15317-2535. To amend permit E63-339 which authorized the construction and maintenance of two bridges both having a span of 60 feet and underclearance of 8 feet across Little Chartiers Creek (HQ-WWF) to provide pedestrian and golf cart crossing to an existing golf course located 0.4 mile north of the intersection of Linden Road and Walker Road. The permit will be amended to include two new bridges both having a span of 60 feet and an underclearance of 8 feet across Little Chartiers Creek at two locations to provide pedes-



trian and golf cart crossings in the existing golf course and perform bank rehabilitation on both sides of the stream channel located between the two proposed bridges for a distance of 570 feet (Washington East Quadrangle N: 21.5 inches; W: 1.9 inches) in North Strabane Township, **Washington County**.

**E03-387.** Encroachment. **C. H. Snyder Company**, P. O. Box 1022, Kittanning, PA 16201. To construct and maintain an 80-foot long, 50-foot wide ford crossing Buffalo Creek (HQ-TSF) for the purpose of moving large earthmoving equipment. The project is located approximately 220 feet downstream of S. R. 3013 bridge (Worthington, PA Quadrangle N: 20.45 inches; W: 6.95 inches) in West Franklin Township, **Armstrong County**.

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

**E20-487.** Encroachment. **City of Titusville**, 107 North Franklin Street, Titusville, PA 16354. To install and maintain the following outfalls and utility crossings as part of the City of Titusville Phase 1 inflow and infiltration reductions project in the City of Titusville, **Crawford County**:

1. A 30-inch-diameter stormwater outfall and headwall structure (Outfall 007) to Oil Creek (CWF), (Titusville North, PA Quadrangle, Latitude 41° 37' 41"; Longitude 79° 41' 15').

2. A 48-inch-diameter stormwater outfall and headwall structure (Outfall 008) to Oil Creek, (Titusville South, PA Quadrangle, Latitude 41° 37' 22"; Longitude 79° 40' 39').

3. A 15-inch-diameter stormwater outfall and headwall structure (Outfall 009) to Church Run (CWF), (Titusville North, PA Quadrangle, Latitude 41° 38' 01"; Longitude 79° 40' 32').

4. A 15-inch-diameter stormwater outfall and headwall structure (Outfall 010) to Church Run, (Titusville North, PA Quadrangle, Latitude 41° 37' 47"; Longitude 79° 40' 19').

5. A 15-inch-diameter stormwater outfall and headwall structure (Outfall 011) to Oil Creek, (Titusville South, PA Quadrangle, Latitude 41° 37' 26"; Longitude 79° 40' 11').

6. A 36-inch-diameter stormwater outfall and headwall structure (Outfall 012) to Church Run, (Titusville North, PA Quadrangle, Latitude 41° 37' 45"; Longitude 79° 40' 11').

7. A 24-inch-diameter stormwater outfall and headwall structure (Outfall 013) to Church Run, (Titusville North, PA Quadrangle, Latitude 41° 37' 45"; Longitude 79° 40' 11').

8. A 15-inch diameter stormwater outfall and headwall structure (Outfall 014) to Oil Creek, (Titusville South, PA Quadrangle, Latitude 41° 37' 23"; Longitude 79° 39' 57').

9. A 18-inch-diameter stormwater outfall and headwall structure (Outfall 015) to Church Run, (Titusville North, PA Quadrangle, Latitude 41° 37' 35"; Longitude 79° 39' 56').

10. A 24-inch-diameter outfall and headwall structure (Outfall 016) to Oil Creek, (Titusville South, PA Quadrangle, Latitude 41° 37' 24"; Longitude 79° 39' 49').

11. A 24-inch-diameter stormwater outfall and headwall structure (Outfall 017) to a tributary to Oil Creek (CWF), (Titusville North, PA Quadrangle, Latitude 41° 37' 44"; Longitude 79° 39' 34').

12. A 18-inch-diameter stormwater outfall and headwall structure (Outfall 018) to a tributary to Oil Creek, (Titusville North, PA Quadrangle, Latitude 41° 37' 43"; Longitude 79° 39' 31').

13. A 15-inch-diameter stormwater outfall and headwall structure (Outfall 019) to a tributary to Oil Creek, (Titusville North, PA Quadrangle, Latitude 41° 37' 50"; Longitude 79° 39' 36').

14. A 36-inch-diameter PVC sanitary sewer utility crossing (Crossing No. 1) under Church Run, (Titusville North, PA Quadrangle, Latitude 41° 37' 31"; Longitude 79° 39' 52').

15. A 36-inch-ductile iron pipe sanitary sewer utility crossing (Crossing No. 2) under Church Run, (Titusville North, PA Quadrangle, Latitude 41° 37' 30"; Longitude 79° 39' 52').

**E20-488.** Encroachment. **Charles and Leah Lipchik Canadohta Lake Park**, 35765 Circuit Drive, Union City, PA 16438. To dredge the beach area of Canadohta Lake Park to a depth of 1 to 1.5 feet (removal of approximately 150 cubic yards of material) and to dredge two separate areas adjacent to the Canadohta Lake Park boat docks (removal of approximately 50 cubic yards of material). The project is located at Canadohta Lake Park on the east side of Canadohta Lake approximately 2,800 feet northwest of the intersection of S. R. 1024 and S. R. 1026 (Lake Canadohta, PA Quadrangle N: 11.0 inches; W: 12.1 inches) located in Bloomfield Township, **Crawford 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.*

**D38-001EA.** Environmental Assessment. **PA Game Commission**, (2001 Elmerton Ave., Harrisburg, PA 17110). To breach and remove the Rextmont Dam No. 1 across Hammer Creek (HQ-CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 3,500 feet southwest of the intersection of Schaeffer Road (S. R. 419) and Rextmont Road (Richmond, PA Quadrangle, N: 5.30 inches; W: 15.05 inches), in South Lebanon Township, **Lebanon County**.

**D59-013CO.** Environmental Assessment. **Ed Signor**, (Box 89, Arnot, PA 16911). To construct a non-jurisdictional dam across a tributary to Long Run (CWF) impacting a de minimis area of wetlands (PEM) equal to 0.02 acre. The proposed dam will be located approximately 2.6 miles east of the intersection of S. R. 15 and S. R. 2023 (Blossburg, PA Quadrangle, N: 0.75 inch; W: 9.15 inches), in Liberty Township, **Tioga County**.

**The following Environmental Assessment and request for Water Quality Certification are being processed under §§ 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.**

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



**EA33-005NW.** Environmental Assessment. **Hedin Environmental**, 195 Castle Shannon Blvd., Pittsburgh, PA 15228. To impact approximately 0.4 acre of wetlands and to place an earthen embankment within the floodway of Beaver Run (CWF) to construct a 0.81 acre passive treatment wetland and a 750 ton oxic line stone bed to treat three separate acid mine discharges to Beaver Run. This site is known as the Conifer East side and is located along the east side of Beaver Run approximately 1,200 feet southeast of the intersection of SR 3007 and Conifer Road in the village of Conifer (Summerville, PA Quadrangle N: 15.0 inches; W: 1.8 inches) located in Beaver Township, **Jefferson County**.

## ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

##### (Part I Permits)

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

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

#### 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. 1300401.** Lehigh Sewerage Authority, P. O. Box 29, Lehigh, PA 18235. Permit to install new sewer main along the east side of Lehigh Borough, **Carbon County**.

**Permit No. 4099405.** Mountaintop Area Joint Sewer Authority, 290 Morio Drive, Mountaintop, PA 18707. Permit for wastewater treatment plant expansion, located in Dorrance Township, **Luzerne County**.

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

**NPDES Permit No. PA0026131. Amendment No. 2.** Sewage, **Upper Merion Municipal Utility**, 175 West Valley Forge Road, Upper Merion Township, **Montgomery County**. The following notice reflects changes to the notice published in the December 21, 1996, *Pennsylvania Bulletin*:

1. Effluent limit for Ammonia has been revised to 1.26 mg/l from 20 mg/l and new limit of 4.4 mg/l for Ammonia (11-1 to 4-30) is included in this Amendment, for discharge into Trout Run.

2. Effluent limit for Total Residual Chlorine has been revised to 0.5 mg/l (from issuance to August 30, 2001) and 0.095 mg/l (from August 30, 2001 to permit expiration).

**NPDES Permit No. PA00133323. Amendment No. 3.** **IW, Boeing Helicopters**, P. O. Box 16858, Philadelphia, PA, Philadelphia Township, **Philadelphia County**. The following notice reflects changes to the notice published in the September 20, 1997, *Pennsylvania Bulletin*: Effluent limits for cadmium, chromium, copper, lead and zinc have been replaced with monitoring requirements.

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

**Permit No. PA0081931.** Sewerage. **Shawnee Valley Ambulance Service, Inc.**, 166 Valley Road, P. O. Box 8, Schellsburg, PA 15559, is authorized to discharge from a facility located in Napier Township, **Bedford County** to the receiving waters named Shawnee Branch.

**Permit No. PA0083585.** Sewerage. **Todd Township Supervisors**, (Knobsville Plant), HCR 75, McConnellsburg, PA 17233, is authorized to discharge from a facility located in Todd Township, **Fulton County** to the receiving waters named Licking Creek.

**Permit No. PA0029041.** Sewerage. **Penn West Conference of United Church of Christ** (Camp Living Waters), 320 South Maple Avenue, Greensburg, PA 15601, is authorized to discharge from a facility located in Napier Township, **Bedford County** to the receiving waters named Shawnee Branch.

**Permit No. PA0086266.** Sewerage. **Northern Lancaster County Authority**, (Kramer Mill Road), 983 Beam Road, Denver, PA 17517, is authorized to discharge from a facility located in Brecknock Township, **Lancaster County**, to the receiving waters named Little Muddy Creek.

**Permit No. PA0013129—Amendment 2.** Industrial Waste. **Carpenter Technology Corporation**, 101 West Bern Street, Reading, PA 19612, is authorized to discharge from a facility located in Reading City, **Berks County** to the receiving waters named Schuylkill River.

**Permit No. PA0044628.** Industrial Waste. **York Haven Power Company**, (York Haven Hydro Station), P. O. Box 67, York Haven, PA 17370, is authorized to discharge from a facility located in York Haven Borough, **York County** to the receiving waters named Susquehanna River.

**Permit No. 0195411-99-2.** Sewage. **Carroll Valley Borough**, 5685 Fairfield Road, Carroll Valley, PA 17320. This permit approves the construction of sewage treatment facilities and discharge to groundwater by French Drain in Carroll Valley Borough, **Adams County**.

**Permit No. 6799412.** Sewage. **Fairview Township Sewer Authority**, 599 Lewisberry Road, New Cumber-

land, PA 17070. This permit approves the construction of Sewers and Appurtenances and Pump Station in Fairview Township, **York County**.

**Permit No. 2199407.** Sewage. **Jack and Velman Callaghan**, 1002 Armstrong Road, Carlisle, PA 17013. This permit approves the construction of sewage treatment facility in North Newton Township, **Cumberland County**.

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

**NPDES Permit No. PA0003514.** Industrial Waste. **Bradford Electronics, Inc.**, 550 High Street, Bradford, PA 16701 is authorized to discharge from a facility located in Bradford, **McKean County** to East Branch Tunungwant Creek.

**NPDES Permit No. PA0029238.** Sewage. **Mohawk Area School District**, Mohawk School Road, Bessemer,

PA 16112 is authorized to discharge from a facility located in North Beaver Township, **Lawrence County** to an unnamed tributary to Hickory Run.

**NPDES Permit No. PA0038156.** Sewage. **Rimersburg Borough Municipal Authority**, 104 Acme Street, P. O. Box 413, Rimersburg, PA 16248 is authorized to discharge from a facility located in Madison Township, **Clarion County** to Wildcat Run.

**INDIVIDUAL PERMITS**

**(PAS)**

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

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

<i>NPDES Permit No.</i>	<i>Applicant's Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream or Body of Water</i>
PAS10-G385	CK III Property Development, Inc. and King Enterprises 960 Pottstown Pike Chester Springs, PA 19425	West Caln Township Chester County	Birch Run
PA10-G399	Smokehouse Farms, Inc. 119 John Robert Thomas Drive Exton, PA 19341	East Brandywine Township Chester County	Unnamed Tributary to East Branch Brandywine Creek

*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 or Body of Water</i>
PAS10Q187	Lower Macungie Twp. Community Center 3400 Brookside Rd. Macungie, PA 18062	Lehigh County Lower Macungie Twp.	Little Lehigh Creek
PAS10S079	Jeffery Dean Hahn R. R. 4, Box 4292 Stroudsburg, PA 18360-9056	Monroe County Hamilton Twp.	Cherry Creek
PAS142202	Packaging Corporation of America P. O. Box 58 Trexlerstown, PA 18087	Lehigh County Upper Macungie Twp.	Iron Run

**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
PAG-10	General Permit For Discharges Resulting From Hydrostatic Testing of Tanks and Pipelines

*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>
Worcester Township Montgomery County	PAR10-T613	J. Wilson Smith, Jr. c/o Vesterra Corporation	Tributary to Zacharias Creek	Department of Environmental Protection Suite 6010, Lee Park, 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Centre County Rush Township	PAR10F110	Brenda Gale No. Wetland Treatment System A1 Hamilton Contracting Co. RR 1, Box 87 Woodland, PA 16881	Mountain Branch	Centre County CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Centre County Walker Township	PAR10F109	Robinwood Subdivision Robert Kerstetter and Emma Lou Fetter 1536 Zion Rd. Bellefonte, PA 16823	UNT to Nittany Creek	Centre County CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Gulich Township	PAR101756	PA DEP Bureau of Abandoned Mine Reclamation P. O. Box 149 Ebensburg, PA 15931	UNT to Moshannon Creek	Dept. of Environmental Protection Water Management Soils and Waterways Section 208 W. 3rd St. Suite 101 Williamsport, PA 17701 (570) 327-3574
Caernarvon Township Berks County	PAR-10-C313	Tri-County Mall Joseph A. Piccone, Inc. 501 Rt. 113 Chester Springs, PA 19425	UNT E. Branch Conestoga River	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Lower Paxton Township Dauphin County	PAR-10-I213	PA Dept. of Transportation Dist. 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Paxton Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

## NOTICES

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<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>
Lower Swatara Township Middletown Borough	PAR-10-I223	Penn State University Capital Campus 77 W. Harrisburg Pike Middletown, PA 17057	Susquehanna River	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Halifax Township Dauphin County	PAR-10-I225	GSP Management Company 570 DeKalb Pike King of Prussia, PA 18406	Gurdy Run	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAR-10-I226	Harrisburg City School District 1201 N. Sixth Street Harrisburg, PA 17101	Susquehanna River	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAR-10-I227	PA Dept. of Transportation Dist. 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Paxton Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Guilford Township Franklin County	PAR-10-M195	Breckbill & Helman Const. Co. 1115 Sheller Avenue Chambersburg, PA 17201	East Branch Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Antrim Township Franklin County	PAR-10-M196	Matthew S. Hurley Legacy Center 7756 Anthony Highway Waynesboro, PA 17268	Marsh Run	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Montgomery Township Franklin County	PAR-10-M197	Snow Time, Inc. 13805 Blairs Valley Road Mercersburg, PA 17236	Licking Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Montgomery Township Franklin County	PAR-10-M198	Hummelstown General Authority 136 South Hanover Street P. O. Box 307 Hummelstown, PA 17036	Licking Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Penn Township Lancaster County	PAR-10-O-426	Doe Run Partners 1891 Santa Barbara Drive Ste. Lancaster, PA 17601	Chickies Creek	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAR-10-O-428	Neffsville Associates 1525 Oregon Pike, Ste. 1202 Lancaster, PA 17601	Landis Run	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Hempfield Township Lancaster County	PAR-10-O-429	Lowe's Companies, Inc. P. O. Box 1111 North Wilkesboro, NC 26656	Brubaker Run WWF	Lancaster County CD 1383 Arcadia Road, Rm. 6 Lancaster, PA 17601 (717) 299-5361

<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>
Shrewsbury Borough York County	PAR-10-Y451	Brookview Meadows Phase III Mt. Airy Rd. Limited Partnership 1922 Greenspring Drive Timonium, MD 21093	Deer Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
E. Prospect Borough Lower Windsor Township York County	PAR-10-Y455	Riverview Estates Garland Construction 336 West King Street Lancaster, PA 17603	Canadochly Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Newberry Township York County	PAR-10-Y453	Newberry Township Mun. Auth. Anne Baucum 1915 Old Trail Road Etters, PA 17319	Fishing Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
West Manchester Township York County	PAR-10-Y439	Little Creek Assoc. Ltd. Frederick & Martine Barton 150 Farm Lane Drive York, PA 17402	Little Conewago Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
West Manchester Township York County	PAR-10-Y428	PA Dept. of Transportation Michael Lapano 2140 Herr Street Harrisburg, PA 17103	Codorus Creek Little Conewago Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
East Manchester Township York County	PAR-10-Y447	John Rudy Park—1999 Development York County Park & Recreation 400 Mundis Race Road York, PA 17402	Codorus Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Carroll Township York County	PAR-10-Y391	Radford Court Harry Fox Jr. 15 Montego Court Dillsburg, PA 17019	UNT to Stony Run	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Clarion County Beaver Township	PAR101525	DEP— Bureau of Abandoned Mine Reclamation 1222 South Center Street Ebensburg, PA 15931	Boyd Run	DEP—Northwest Region Water Mgt. Program Manager 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Mercer County Borough of Greenville	PAR104346	Borough of Greenville 125 Main Street Greenville, PA 16125	Shenango River Tributary	Mercer Conservation District 747 Greenville Road Mercer, PA 16137 (724) 662-2242

*General Permit Type—PAG-3*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Luzerne County Dorrance Township	PAR322206	Edward Lukashewski R. R. 2, Box 177 Wapwallopen, PA 18660	Tributary to Wapwallopen Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
Northampton County Lehigh Township	PAR602228	M & R Motors 4516 W. Mountainview Dr. Walnutport, PA 18088	Unnamed feeder to Bertsch Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511

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<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>
Northampton County Northampton Borough	PAR602229	Todd Heller, Inc. P. O. Box 95 Northampton, PA 18067	Hokendauqua Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
Northampton County City of Bethlehem	PAR212222	Casco Enterprises P. O. Box 1036 Bethlehem, PA 18016-1036	Saucon Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
York County Springettsbury Township	PAR203547	Campbell/Cooper Tools 3990 East Market Street York, PA 17402-2769	Kreutz Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Shippensburg Borough	PAR113510	Ingersoll Rand Company 312 Ingersoll Drive Shippensburg, PA 17257-9215	Rowe Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Conewago Township	PAR233501	Miller Chemical & Fertilizer Corporation P. O. Box 333, 120 Radio Road Hanover, PA 17331-0333	UNT to South Branch Conewago Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Waynesboro Borough	PAR113513	Allegheny Technologies 1000 Six PPG Place Pittsburgh, PA 15222-5479	UNT to East Branch Antietam Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Saxton Borough	PAR133507	Seton Company Horton Drive Saxton, PA 16678	Raystown Branch of the Juniata River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Allegheny County Robinson Township	PAR216146	Universal Specialties, Inc. 500 Beaver Grade Road Coraopolis, PA 15108	Montour Run Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Somerset County Somerset Borough	PAR236155	Gilmour Manufacturing Co. P. O. Box 838 Somerset, PA 15501	UNT of E. Branch of Coxes Creek	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).**

*Southwest Regional Office: Regional Manager, Water Management, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Location: James R. Latshaw II Single Residence STP, East side of T-501, approximately 1800 ft E. of T-501 and SR 3015 intersection Black Township, Somerset County.* Approval of a revision to the Official Sewage Plan of Black Township, Somerset County. Project involves construction of a small flow sewage treatment facility to serve a proposed dwelling located off of T-501. Treated effluent is to be discharged to an unnamed tributary of Coxes Creek.

**SAFE DRINKING WATER**

**Actions taken 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.*

**Permit No. Minor Amendment.** The Department issued a construction permit to **Consumers Pennsylvania Water Company**, Roaring Creek Division, 204 East Sunbury Street, Shamokin, PA 17872, Coal Township, **Northumberland County**. This permit amendment authorizes replacement of the Ferndale finished water storage tank and structural modification of the Ferndale booster pump station.

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

**Permit No. 1100501.** Public water supply. **Jackson Township Water Authority**, 2949 William Penn Avenue, Johnstown, PA 15909. *Type of Facility:* 3.5 miles of water mains and appurtenances, two finished storage tanks, upgrading an existing package booster station and two pressure reduction stations. *Permit issued for Construction:* February 14, 2000.

**Permit No. 1187507-A1.** Public water supply. **Municipal Authority of the Borough of Portage**, 606 Cambria Street, Portage, PA 16602. *Type of Facility:* Benscreek-Cassandra Water System Improvements Phase I. *Permit issued for Construction:* February 28, 2000.

**Permit No. 0299509.** Public water supply. **Wilkinsburg-Penn Joint Water Authority**, 2200 Robinson Boulevard, Pittsburgh, PA 15221-1193. *Type of Facility:* Cleaning and painting the sludge system clear span aluminum dome interior. *Permit issued for Construction:* February 28, 2000.

**Permit No. 5697503-A1.** Public water supply. **Meyersdale Municipal Authority**, 226 Center Street, Meyersdale, PA 15552. *Type of Facility:* Meyersdale Municipal Authority's Well No. 96-1. *Permit issued for Operation:* February 23, 2000.

**Permit No. 3299501.** Public water supply. **Blairsville Municipal Authority**, 203 East Market Street, Blairsville, PA 15717. *Type of Facility:* Well No. 3. *Permit issued for Construction:* February 28, 2000.

**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 non-residential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report contact the Environmental Cleanup Program Manager in the Department—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.*

**Charles and Jan Villare Residence**, Quakertown Borough, **Bucks County**. Matthew E. Grubb, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**VICAM Corp.**, Upper Providence Township, **Montgomery County**. Grover H. Emrich, Emrich & Associates, 1488 Hancock Lane, Wayne, PA 19087, has submitted a Final Report concerning remediation of site soil contaminated with lead and groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

**Christopher Baxter Residence**, City of Philadelphia, **Philadelphia County**. Brian R. Evans, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a Final Report concerning remediation of site soil contaminated with polycyclic aromatic hydrocarbons. The report was submitted within 90 days of the contaminant release and is intended to document remediation of the site to meet the Statewide health standard.

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

**National Fuel Gas Distribution Corporation**, Wayne Street Facility, 225 Wayne Street, City of Erie, **Erie County**, has submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCBs, Heavy Metals, PAHs and Cyanide. The report is intended to document remediation of the site to meet the Site Specific 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 Remediations Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report, and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has acted upon the following plans and reports:

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

**F. P. Woll & Co.**, City of Philadelphia, **Philadelphia County**. Craig M. Hopkins, RT Environmental Services, Inc., Suite 306, Pureland Complex, 510 Heron Drive, P. O.

Box 521, Bridgeport, NJ 08014, has submitted an addendum to a previously submitted Final Report concerning remediation of site groundwater contaminated with solvents, BTEX and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on February 17, 2000.

**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 Environmental Report concerning remediation of site soil and groundwater contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report was approved by the Department on February 22, 2000.

**The Former Heintz Corp.**, Property, Parcel B, City of Philadelphia, **Philadelphia County**. Edwin Hicks, Roy F. Weston, Inc., 1515 Market St., Suite 151, Philadelphia, PA 19102-1956, has submitted a combined Remedial Investigation and Risk Assessment Report concerning remediation of site soil contaminated with lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with solvents and BTEX. The report was approved by the Department on February 22, 2000.

*Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.*

**PP&L Distribution Pole #24746N31294**. Milton Borough, **Northumberland County**. PP&L, Inc., Two North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soil contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on February 23, 2000.

**Northeast Fish Hatchery**, Porter Township, **Clinton County**. Jeffrey L. Case, P.E., on behalf of the United States Fish and Wildlife Service, P. O. Box 75, Tylersville Road, Lamar, PA 16848 has submitted a Final Report concerning the remediation of site soil contaminated with asbestos. The final report demonstrated attainment of the Background Standard and was approved by the Department on February 10, 2000.

## SOLID AND HAZARDOUS WASTE

### LICENSE TO TRANSPORT HAZARDOUS WASTE

**License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management: Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Action Resources, Inc.**, 355 Country Road, Hanceville, AL 35077; License No. **PA-AH 0650**; license issued February 29, 2000.

**JMT Environmental, Technologies, Inc.**, P. O. Box 22044, Lehigh Valley, PA 18002; License No. **PA-AH 0648**; license issued February 9, 2000.

**John Pfrommer, LLC**, P. O. Box 1290, Weedsport, NY 13166; License No. **PA-AH 0649**; license issued February 28, 2000.



**US Liquids of Pennsylvania, Inc., dba US Liquids**, 199 Clyde Street, Ellwood City, PA 16117; License No. **PA-AH 0651**; license issued March 2, 2000.

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Carlucci Construction Company, Inc.**, 401 Meadow Street, Cheswick, PA 15024; License No. **PA-AH 0297**; renewal license issued February 8, 2000.

**Detrex Corporation**, P. O. Box 5111, Southfield, MI 48086-5111; License No. **PA-AH 0417**; renewal license issued February 9, 2000.

**Elk Transportation, Inc.**, 225 Warren Street, Reading, PA 19061; License No. **PA-AH 0413**; renewal license issued February 29, 2000.

**Environmental Specialists, Inc.**, 243 Marshall Road, McDonald, OH 44437; License No. **PA-AH 0587**; renewal license issued March 2, 2000.

**G. Tresch Transportation, Inc.**, 630 South Evergreen Avenue, Woodbury, NJ 08097; License No. **PA-AH 0380**; renewal license issued March 2, 2000.

**Lewis Environmental, Inc.**, P. O. Box 639, Royersford, PA 19468; License No. **PA-AH 0591**; renewal license issued March 1, 2000.

**Salesco Systems USA Inc.,—AZ**, 5736 West Jefferson Street, Phoenix, AZ 85043; License No. **PA-AH 0508**; renewal license issued March 2, 2000.

**Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**A&A Environmental Services, Inc.**, 5200 Raynor Avenue, Linthicum Heights, MD 21090; License No. **PA-AH 0085**; license terminated February 11, 2000.

**Karlan Service, Inc.**, 187-201 East 7th Street, Paterson, NJ 07524; License No. **PA-AH 0519**; license terminated February 22, 2000.

**Snow Environmental Services, Inc.**, 227 Pennell Road, Aston, PA 19014; License No. **PA-AH 0192**; license terminated February 14, 2000.

**License expired under the Solid Waste Management Act (35 P. S. §§ 6018.1001—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Dahlen Transport, Inc**, 1680 Fourth Avenue, Newport, MN 55055; License No. **PA-AH 0511**; license expired on February 28, 2000.

**Salesco Systems USA, Inc.,—AZ**, 5736 West Jefferson Street, Phoenix, AZ 85043; License No. **PA-AH 0508**; license expired on February 28, 2000.

**RESIDUAL WASTE PROCESSING FACILITIES**

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulation to operate solid waste processing or disposal area or site.**

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

**Permit ID No. 300491, Homer City Station Ash Disposal Site, EME Homer City Generation, L. P.**, 18101 Von Karman Avenue, Suite 1700, Irvine, CA 92612-1046. Operation of a captive residual waste landfill in Center and Black Lick Townships, **Indiana County**. Major Permit Modification for disposal of flue gas desulfurization residues and related waste streams issued in the Regional Office on February 28, 2000.

**Registration under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and the residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

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

Registration reissuance under **General Permit No. WMGR011R001, Kellcorp, Inc.**, dba Environmental Compliance Services, 5 Little Boston Road, P. O. Box 5, Duncannon, PA 17020-0005. General Permit Number WMGR011 for the processing of spent ethylene glycol base antifreeze, generated in heating and cooling systems, in mobile processing units prior to beneficial use as reconditioned antifreeze. The name of the registrant changed from Kellcorp, Inc., dba Planet Earth Recycling to Kellcorp, Inc., dba Environmental Compliance Services. The Department reissued the registration on March 7, 2000.

**PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE**

**INFECTIOUS OR CHEMOTHERAPEUTIC WASTE**

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**ARL, Inc. d/b/a American Road Line**, 238 Moon Clinton Road, Coraopolis, PA 15108; License No. **PA-HC 0205**; renewal license issued February 14, 2000.

**Orchard Hill Memorial Park, Inc.**, 187 Route 94 South, Lafayette, NJ 07848; License No. **PA-HC 0163**; renewal license issued March 3, 2000.

## 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.**

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

**GP5-17-16: Somerset Oil and Gas Co., LLC** (2039 South Sixth Street, Indiana, PA 15701) on February 10, 2000, for construction and operation of a 415 horsepower natural gas-fired reciprocating internal combustion engine and associated air cleaning device (a catalytic converter) and construction and operation of a 500 horsepower natural gas-fired reciprocating internal combustion engine and associated air cleaning device (a catalytic converter) under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP5) at the Woytek Station in Bell Township, Clearfield 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.**

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

**10-00266: Resolite, A United Dominion Co.** (100 Perry Highway, Zelenople, PA 16063) in Jackson Township, **Butler County**. The Title V permit was administratively amended to correct a typographical error that was originally included in the RACT operating permit for the facility.

**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.*

**36-03096: Carvell & Rick, Inc.** (4437 Oregon Pike, Ephrata, PA 17522) on March 2, 2000, for operation of a paint shop controlled by polyester filter media in West Earl Township, **Lancaster County**.

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

**TV-56-00167: Firstmiss Steel Inc.** (P. O. Box 509, Hollsopple, PA 15935) for operation of steel manufacturing at Stony Creek Plant in Quemahoning Township, **Somerset County**.

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

**PA-10-028F: Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023) on November 30, 1999, for operation of cement kilns in West Winfield, **Butler County**.

**PA-10-028G: Armstrong Cement & Supply Co.** (100 Clearfield Road, Cabot, PA 16023) on January 31, 2000, for operation of a stone elevator in West Winfield, **Butler County**.

**PA-10-277A: Wiest Asphalt Products** (310 Mitchell Hill, Butler, PA 16001) on November 30, 1999, for operation of a batch asphalt plant in Summit Township, **Butler County**.

**25-315-006A: International Paper Co.** (1540 East Lake Road, Erie, PA 16533) on December 30, 1999, for operation of a bleach plant in Erie, **Erie County**.

*Philadelphia Department of Public Health: Air Management Services, 321 University Ave., Philadelphia, PA 19104, (215) 685-7584.*

**V95-078: Nabisco Biscuit Co.** (12000 East Roosevelt Blvd., Philadelphia, PA 19116) on March 3, 2000, for operation of two 38 MMBTU/hr boilers, six nonyeast baking ovens and two yeast baking ovens which are controlled by a catalytic oxidizer in the City of Philadelphia, **Philadelphia County**.

### PLAN APPROVALS

**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.*

**19-317-007E: Wise Foods, Inc.** (228 Raseley Street, Berwick, PA 18603) on February 15, 2000, to extend the deadline for the performance of stack testing on a potato chip fryer and associated air cleaning devices, two mist eliminators, until May 31, 2000, in Berwick Borough, **Columbia County**.

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

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

**13-313-026A: AMETEK/Westchester Plastics** (Box 9, Green Acres Industrial Park, Nesquehoning, PA 18240) on February 24, 2000, for modification of the ZSK-90 extrusion line in Nesquehoning Borough, **Carbon County**.

**40-317-022: Hershey Foods Corp** (Hazleton Plant, Humboldt Industrial Park, P. O. Box 340, Hazleton, PA 18201) on February 24, 2000, for construction of a panning operation in Hazle Township, **Luzerne County**.

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

**07-310-020F: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on March 2, 2000, for construction of the Roaring Spring Crushing Plant controlled by water sprays and three fabric filters located in Taylor Township, **Blair County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for New Stationary Sources for Nonmetallic Mineral Processing Plants.

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

**OP-47-0001C: PP&L, Inc.** (2 North Ninth Street, Allentown, PA 18101-1179) on February 2, 2000, for installation of an air cleaning device (a selective catalytic reduction system) on a bituminous coal fired electric utility boiler (Unit 2) and the modification of the respective boiler (emission of ammonia resulting from the operation of the selective catalytic reduction system) at the Montour SES in Derry Township, **Montour County**.

**08-399-047A: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848-0504) on February 29, 2000, for construction of two phosphor coaters to be controlled by an existing air cleaning device (a catalytic oxidizer) in North Towanda Township, **Bradford County**.

**59-304-008E: ACP Manufacturing Co., LLC** (P. O. Box 9, Blossburg, PA 16912-0068) on February 29, 2000, for construction of three downdraft casting grinding benches to be controlled by an existing air cleaning device (a fabric collector) in Lawrence Township, **Tioga County**.

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

**PA-43-280A: Chevron, Inc.** (7320 Market Street, Mercer, PA 16137) on March 7, 2000, for VOC emission increases from the surface coating operation in Lackawack Township, **Mercer County**.

**PA-43-317A: Lindy Paving Co.** (East Gilmore Road and Route 173, Mercer, PA 16137) on February 29, 2000, for construction of a drum mix asphalt plant at the Mercer Plant in Wolfcreek Township, **Mercer County**.

**PA-37-279A: Lindy Paving Co.** (Route 168, East Brook, PA 16137) on February 29, 2000, for construction of a drum mix asphalt plant at the East Brook Plant in Hickory Township, **Lawrence 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.**

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

**06-03102: City of Reading** (815 Washington Street, Reading, PA 19601) on March 1, 2000, for a wastewater treatment plant and installation of three packed bed scrubbers, covered under this Plan Approval until March 31, 2001, at the Reading Sewage Treatment Plant in Reading City, **Berks County**.

**22-310-005D: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) on February 29, 2000, for temporary operation of a stone crushing plant controlled by two fabric filters and a wet suppression system, covered under this Plan Approval until June 27, 2000, at the Hummels-town Quarry in South Hanover Township, **Dauphin County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**34-03001: Green Source Power, LLC** (327 Winding Way, King of Prussia, PA 19406) on March 1, 2000, for one wood fired turbine-generator, covered under this Plan Approval until February 28, 2001, on Routes T384 and LR34047 in Feranagh Township, **Juniata County**.

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

**PA-10-079A: BNZ Materials, Inc.** (191 Front Street, Zelienople, PA 16063) on March 31, 2000, for insulating fire brick process kiln in Zelienople, **Butler County**.

**PA-24-131B: SGL Carbon Corp.** (900 Theresia Street, Box 1030, St. Marys, PA 15857) on February 28, 2000, for graphite purification furnaces in St. Marys, **Elk County**.

**PA-33-160A: Reynoldsville Casket Co.** (5th Street Extension, P. O. Box 68, Reynoldsville, PA 15851) on January 31, 2000, for color and clearcoat paint booths in Reynoldsville, **Jefferson County**.

## MINING

### APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

**24673003. Tamburlin Brothers Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830). Renewal of an existing bituminous strip, auger and use of a co-product operation in Fox Township, **Elk County** affecting 56.2 acres. Receiving streams: Limestone Run. Application received: January 4, 2000. Permit Issued: February 28, 2000.

**37990103. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous strip operation in Washington Township, **Lawrence County** affecting 89.7 acres. Receiving streams: Potter Run. Application received: October 6, 1999. Permit Issued: February 28, 2000.

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

**56980106. Marquise Mining Corporation** (3889 Menoher Boulevard, Johnstown, PA 15905), commencement, operation and restoration of a bituminous surface mine in Quemahoning and Jenner Townships, **Somerset County**, affecting 139.0 acres, receiving stream unnamed tributaries to Twomile Run, unnamed tributaries to Higgins Run, application received August 25, 1998, permit issued February 22, 2000.

**11960101. Permit Revision, Cloe Mining Company, Inc.** (P. O. Box 1, Grampian, PA 16838), to add augering on the Upper and Middle Kittanning seams in Reade Township, **Cambria County**, affecting 107.9 acres, receiving stream unnamed tributaries to Muddy Run and Muddy Run, application received January 6, 2000, issued February 29, 2000.

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

**03980107. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Permit issued for commencement, operation, and reclamation of a bituminous surface/auger mine located in Washington Township, **Armstrong County**, affecting 341.5 acres. Receiving streams: unnamed tributary to Allegheny River to Allegheny River. Application received: September 1, 1999. Permit issued: February 28, 2000.

**65920106R. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Permit renewed for continued reclamation only of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 61.9 acres. Receiving streams: Stony Run and an unnamed tributary to Stony Run. Application received: November 10, 1999. Renewal issued: February 29, 2000.

**03940105R. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Permit renewed for continued reclamation only of a bituminous surface/auger mine located in Plumcreek Township, **Armstrong County**, affecting 94.5 acres. Receiving streams: Dutch Run, unnamed tributary to Plum Creek, and to Plum Creek. Application received: November 8, 1999. Renewal issued: February 29, 2000.

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

**17940101. E. P. Bender Coal Co., Inc.** (P. O. Box 564, Carrolltown, PA 15722), renewal of an existing bituminous surface mine permit in Beccaria Township, **Clearfield County** affecting 53 acres. Receiving streams: unnamed tributary to Muddy Run, Muddy Run, Clearfield Creek, West Branch, Susquehanna River. Application received August 2, 1999. Permit issued February 23, 2000.

**17960117. Thunder Coal Company** (P. O. Box 283, Grampian, PA 16838), revision to an existing bituminous surface mine permit for a change in permit acreage from 133.1 to 134.8 acres. The permit is located in Pike Township, **Clearfield County**. Receiving streams: Welch Run to West Branch of the Susquehanna River. Application received April 22, 1999. Permit issued February 23, 2000.

**17990112. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine permit located in Bigler Township, **Clearfield County** affecting 128 acres. Receiving streams: Banian Run to Clearfield Creek to the West Branch of the Susquehanna River. Application received May 26, 1999. Permit issued February 23, 2000.

**17930117. Al Hamilton Contracting Company** (R. R. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Goshen Township, **Clearfield County** affecting 327 acres. Receiving streams: unnamed tributary to Surveyor Run and Surveyor Run. Application received October 20, 1999. Permit issued March 1, 2000.

**17940115. Penn Grampian Coal Company** (P. O. Box 249, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Beccaria Township, **Clearfield County** affecting 164.4 acres. Receiving streams: unnamed tributaries to Muddy Run and Muddy Run. Application received October 28, 1999. Permit issued March 1, 2000.

**17860135. Strishock Coal Company** (220 Hillcrest Drive, DuBois, PA 15801), renewal of an existing bitumi-

nous surface mine permit in Union-Sandy-Brady Townships, **Clearfield County** affecting 361.4 acres. Receiving streams: Laborde Branch, Sugarcamp Run to Luthersburg Branch to Laborde Branch, tributaries to Stony Run and Stony Run to Laborde Branch to Sandy Lick Creek to Redbank Creek to the Allegheny River. Application received October 27, 1999. Permit issued March 1, 2000.

**17900108. Al Hamilton Contracting Company** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Penn and Brady Townships, **Clearfield County** affecting 798 acres. Receiving streams: Daily Run and unnamed tributaries of Daily Run to Daily Run; Daily Run to Curry Run, Curry Run to West Branch Susquehanna River. Application received November 15, 1999. Permit issued March 1, 2000.

**17880116. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Lawrence Township, **Clearfield County** affecting 64.4 acres. Receiving streams: unnamed stream to Hogback Run. Application received October 21, 1999. Permit issued March 1, 2000.

**17880126. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Lawrence Township, **Clearfield County** affecting 288.9 acres. Receiving streams: unnamed tributaries to the West Branch of the Susquehanna River. Application received October 6, 1999. Permit issued March 1, 2000.

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

*Small Industrial Minerals Applications Issued*

**11990801. Donald J. Brawley** (375 Stevens Road, Carrolltown, PA 15722), commencement, operation and restoration of a small industrial minerals mine in East Carroll Township, **Cambria County**, affecting 5.0 acres, receiving stream unnamed tributary to Laurel Lick Run, application received June 16, 1999, issued March 2, 2000.

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

*Noncoal Permits Issued*

**5074SM3A2C3. Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201), renewal of NPDES Permit PA0121126 in Greene Township, **Franklin County**, receiving stream—Conochocheague Creek. Renewal issued February 28, 2000.

**7973SM5C3. Eureka Stone Company** (Pickerton and Lower State Roads, Chalfont, PA 18914), renewal of NPDES Permit PA0223352 in Wrightstown Township, **Bucks County**, receiving stream—Neshaminy Creek. Renewal issued February 28, 2000.

**4880501C2. Sreebs Slate & Stone Company, Inc.** (6596 Sullivan Trail, Wind Gap, PA 18091), renewal of NPDES Permit PA0121681 in Plainsfield Township, **Northampton County**, receiving stream—Little Bushkill Creek. Renewal issued March 2, 2000.

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

*Coal Applications Returned*

**56920111.** Permit Revision, **Senate Coal Mines, Inc.** (One Energy Place, Suite 1500, Latrobe, PA 15650), for an amendment to include coal ash for land reclamation in Jenner Township, **Somerset County**, affecting 80.0

acres, receiving stream unnamed tributary to Quemahoning Creek, application received February 11, 2000, application returned February 25, 2000.

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

**102880-10980109-E-1. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Application for a stream encroachment to construct and maintain a haul road crossing over Unnamed tributary B to Bear Run in Muddy Creek Township, **Butler County**. Receiving streams: Unnamed tributary to Bear Run. Application received: November 4, 1999. Application Returned: March 2, 2000.

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

#### *Permits Issued and Actions on 401 Certifications:*

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

**E23-391.** Encroachment Permit. **Atlantic Pipeline Corporation**, Fort Mifflin Marine Terminal, Hog Island Road, Philadelphia, PA 19153. To construct and maintain two new Mooring Dolphins 1A and 15A at the existing Berth "A" and Berth "B" facilities connected to the existing dolphins by a catwalk supported by ten 12-inch diameter concrete filled pipe pilings. The Mooring Dolphins will consist of 23-feet by 17-feet reinforced concrete platforms each supported by approximately sixteen, 14-

inch diameter concrete filled pipe pilings. These activities are located at the Fort Mifflin Terminal located on Hog Island Road along the right bank of the Delaware River (Woodbury, NJ-PA Quadrangle N: 21.5 inches; W: 13.3 inches) in Tinticon Township, Delaware County and the City of Philadelphia, **Philadelphia County**. This permit also authorizes the maintenance of all previous mooring and docking facilities authorized under Permit E2378713T-1.

This permit was issued under Section 105.13(e) "Small Projects."

This permit also includes 401 Water Quality Certification.

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

**E39-368.** Encroachment. **Pennsylvania Power and Light Company**, Two North Ninth Street, Allentown, PA 18101-1179. To excavate, place and maintain fill within the floodplain of Iron Run and to construct and maintain an aerial line crossing, approximately 25 feet above and across Iron Run. The project is associated with the construction of a stone pad ranging 1 to 2 feet high, having an area equal to 120-feet × 160-feet along the right (southern) bank of Iron Run, for a 138-12kV electric substation consisting of transformers, fencing and a parking area. The project is located approximately 500 feet north of the intersection of S. R. 3012 (Schantz Road) and T-523 (Fogel Road) (Topton, PA Quadrangle N: 12.7 inches; W: 0.5 inch) in Upper Macungie Township, **Lehigh County**.

**E64-198.** Encroachment. **W. J. Reining & Sons, Inc.**, P. O. Box 277, Beach Lake, PA 18405. To construct and maintain a private road crossing of Wangum Creek, consisting of an aluminum open-bottom arch culvert with aluminum headwalls, having a span of 19.0 feet and underclearance of 9.3 feet. The purpose of the crossing is to provide access for timber harvesting. The project is located approximately 0.6 mile west of the Lake Township/Paupack Township boundary (Lakeville, PA Quadrangle N: 18.4 inches; W: 8.4 inches) in Lake Township, **Wayne County**.

**E40-535.** Encroachment. **Plymouth Township**, 925 West Main Street, Plymouth, PA 18651. To place and maintain fill, including a retaining wall having a maximum height of approximately 9.5 feet, in the 100-year floodplain of the Susquehanna River and to construct and maintain approximately 25 L. F. of R-7 riprap bank protection along the eastern streambank of Harveys Creek for the purpose of upgrading and flood-proofing the existing Harveys Creek wastewater pumping station. The project is located on the south side of S. R. 0011, east of Harveys Creek (Nanticoke, PA Quadrangle N: 17.3 inches; W: 2.1 inches) in Plymouth Township, **Luzerne County**.

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

**E05-279.** Encroachment. **Janet Fetter**, 217 Watson Road, Manns Choice, PA 15550. To fill in 0.044 acre of wetland (after-the-fact) to expand the width of the property located about 2,000 feet north of Manns Choice Borough (Bedford, PA Quadrangle N: 2.83 inches; W: 12.55 inches) in Harrison Township, **Bedford County**. The amount of wetland impact is considered de

minimis and wetland mitigation is not required. This permit also includes 401 Water Quality Certification.

**E07-274.** Encroachment. **Richard Fownes**, R. D. 3, Box 435K, Hollidaysburg, PA 16648. To maintain a single span bridge, constructed under DEP Permit GP-08-07-96-103 for the purpose of replacing an access bridge to private property that was destroyed during the January 1, 1996 flood event, having a single normal clear span of 45 feet and an average underclearance of 7.4 feet across Blair Gap Run (TSF) located on the south side of SR 3012 about 500 feet east of its intersection with Township Road T-384 (Hollidaysburg, PA Quadrangle N: 8.2 inches; W: 9.4 inches) in Allegheny Township, **Blair County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E21-296.** Encroachment. **Susquehanna River Basin Commission**, 1721 North Front Street, Harrisburg, PA 17102. To relocate and maintain 830 lineal feet of stream channel using applied fluvial geomorphology techniques. The work activities include the placement of structures in the new stream channel that consist of rock vanes, offset cross rock vanes, cross rock vanes and "J" hook vanes. The design of the new channel is intended to restore the appropriate pattern, profile and dimension in this reach of Mount Rock Spring Creek (WWF). The site is located approximately 5,500 lineal feet downstream of Mount Rock where the stream originates at Mount Rock Spring (Plainfield, PA Quadrangle N: 12.0 inches; W: 8.6 inches) in West Pennsboro Township, **Cumberland County**. This permit also includes 401 Water Quality Certification.

**E21-300.** Encroachment. **Monroe Township Municipal Authority**, 1220 Boiling Springs Road, Mechanicsburg, PA 17055. To construct and maintain the following: (1) a 12-inch diameter sanitary sewer pipe with 24-inch diameter steel crossing under the streambed of Yellow Breeches Creek; and (2) a 12-inch diameter and an 8-inch diameter sanitary sewer pipe under the streambed of an unnamed tributary to Yellow Breeches. The sewer pipes are located just upstream of the sewage treatment plant, upstream of T-531 and upstream of T-551 respectively (Mechanicsburg, PA Quadrangle N: 4.3 inches; W: 14.0 inches; N: 4.69 inches; W: 14.0 inches; N: 5.1 inches; W: 14.2 inches respectively) in Monroe Township, **Cumberland County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E21-302.** Encroachment. **UGI Utilities, Inc.**, 1500 Paxton Street, P. O. Box 3565, Harrisburg, PA 17015. To construct and maintain a 4-inch diameter gas line to be fastened at the downstream side of the Bridge Road bridge across the Conodoguinet Creek to supply gas to customers (Harrisburg West, PA Quadrangle N: 4.9 inches; W: 10.4 inches) in East Pennsboro Township, **Cumberland County**. This permit was issued under section 105.13(e) "Small Projects."

**E22-410.** Encroachment. **Hershey Trust Co.**, P. O. Box 830, Founders Hall, Hershey, PA 17033. To remove an existing bridge and to construct and maintain a pedestrian bridge having a span of 40 feet and an underclearance of 6 feet across the channel of a tributary to Spring Creek (WWF) at a point immediately upstream of Meadow Lane (Hershey, PA Quadrangle N: 6.0 inches; W: 1.5 inches) in Derry Township, **Dauphin County**. This permit was issued under section 105.13(e) "Small Projects."

**E34-094.** Encroachment. **Robert and Kathryn Ewing Trust**, 113 E. Roland Rd., Parkside, PA 19015. To con-

struct and maintain a bridge having a span of 22 feet and an underclearance of 2.7 feet across the channel of Doyle Run (CWF) at a point approximately 2.2 miles upstream of its mouth (McCoysville, PA Quadrangle N: 21.6 inches; W: 3.4 inches) for the purpose of providing access to farm fields in Beale Township, **Juniata County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-675.** Encroachment. **Northeastern York County Sewer Authority**, P. O. Box 516, Mount Wolf, PA 17347. To place fill in 0.3 acre of wetlands for the purpose of constructing an access road associated with a 6,200 linear foot sewer replacement along Hartman Run (WWF) beginning at the intersection of Maple Street and Plane Tree Avenue in Manchester Borough and running south (York Haven, PA Quadrangle N: 10.0 inches; W: 12.65 inches) in East Manchester Township, Manchester Borough and Mount Wolf Borough, **York County**. The permittee is required to provide a minimum of 0.3 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

**E67-680.** Encroachment. **85 Associates**, 1885 Whiteford Rd., York, PA 17402. To construct and maintain 490 linear feet of a 3-foot high earthen berm within the southern side of the 100-year floodway of an unnamed tributary to Mill Creek (WWF) for the purpose of constructing the Diehl Motor Company Service Center located northwest of Pleasant Valley and Whiteford Roads (York, PA Quadrangle N: 20.1 inches; W: 8.5 inches) in Springettsbury Township, **York County**.

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

**E18-283.** Encroachment. **James Eppley, Chief, Bureau of Facility Design**, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove pre-existing culverts and construct and maintain a total of 46 plastic 18-inch and 24-inch 30-foot long culvert pipes with their associated outfalls that comprise the stream crossing and drainage pipes for Abes Road and Hyner Run Road that are in or outfall to the main branches and the tributaries of Abes Run and Left Branch Hyner Run, respectfully. There are 27 pipes on Hyner Run and 19 pipes on Abes Run. The encroachments are located upstream of the confluence of the left and right branch of Hyner Run on the above mentioned roads (Slate Run, PA Quadrangle N: 1.0 inch; W: 15.0 inches) in Chapman Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-455.** Encroachment. **Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. To remove the existing structure and to construct and maintain a concrete box culvert with a span of 12 feet and an underclearance of 10 feet in an unnamed tributary to West Branch Susquehanna River located on SR 2012, Section 003 approximately 1.5 miles east of the boundary of South Williamsport Borough (Montoursville South, PA Quadrangle N: 20.3 inches; W: 10.8 inches) in Armstrong Township, **Lycoming County**. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E49-233.** Encroachment. **Michael and Sue Oliveri**, P. O. Box 268, Elysburg, PA 17824. To modify and maintain an existing private footbridge with a span of 23'6" and 3' in width, across unnamed tributary to Shamokin

Creek (Pocahontus Creek) located behind the second house east of Hickory Street along West Center Street (Shamokin, PA Quadrangle N: 21.1 inches; W: 6.9 inches) in the village of Elysburg in Ralpho Township, **Northumberland County**. The existing bridge will be raised above the 100-year flood elevation. The existing northern abutment will be modified while the existing southern abutment will be replaced. The bridge will contain a new steel channel reinforcing beam on each side and miscellaneous structural steel. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-395.** Encroachment. **Raymond Kaminski**, 242 South Williamson Road, Blossburg, PA 16912. To place fill into a 0.04 acre palustrine emergent wetland for the purpose of constructing a building and parking lot. The amount of wetland impact is considered de minimis and wetland replacement is not required. The project site is located along SR 2017 approximately 0.1 mile northwest of the Blossburg Borough—Hamilton Township boundary (Blossburg, PA Quadrangle N: 6.8 inches; W: 7.7 inches) in the Borough of Blossburg, **Tioga County**.

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

**E02-235.** Encroachment. **Robert E. Dalzell**, 14 River Road, Pittsburgh, PA 15238. To amend Permit No. E02-235 which authorized maintenance dredging, to embed a barge in the riverbank and to modify and maintain the existing docking facilities along the right bank of the Allegheny River (WWF) near Mile Point 11.1 (New Kensington West, PA Quadrangle N: 0.7 inch; W: 14.0 inches) in O'Hara Township, **Allegheny County**. The amendment will be for the operation and maintenance of a gazebo in the floodway of the Allegheny River within the existing facility.

**E02-1205.** Encroachment. **American Bridge Company**, Suite 1100, Three Gateway Center, Pittsburgh, PA 15222-1004. To amend Permit No. E02-1205 to construct and maintain a sheet pile wall approximately 293.0 feet in length along the left bank of the Ohio River located approximately 1,050 feet northwest from the intersection of Watt Street and First Avenue, at the existing mooring area (Ambridge, PA Quadrangle N: 4.5 inches; W: 6.3 inches) in Coraopolis Borough, **Allegheny County**.

**E02-1285.** Encroachment. **Waterfront Partners, LLC**, 150 E. Brand Street, Columbus, OH 43215. To construct and maintain the Waterfront Marina consisting of floating boat docks approximately 1,362.5 feet in length and 130.0 feet wide (as measured from the normal pool elevation) in the channel of and along the left bank of the Monongahela River (WWF) and to perform maintenance dredging in the channel of and along the left bank of said stream located just downstream from the Homestead Hi-Level Bridge (Pittsburgh East, PA Quadrangle N: 7.0 inches; W: 4.0 inches) in Homestead, West Homestead and Munhall Boroughs, **Allegheny County**.

**E04-268.** Encroachment. **Bennett P. Crisi**, 4016-B Route 151, Aliquippa, PA 15001. To construct and maintain a 6.0-foot diameter culvert (1.0 foot depressed), a 4.0-foot diameter culvert and a 3.5-foot diameter culvert in the channel of Longs Run (an unnamed tributary to Raccoon Creek) (WWF) to provide access to applicant's property located on the south side of Long Run Road (T-531), approximately 1600 feet east from the intersection of Long Run Road (T-531) and T-494 (Aliquippa, PA

Quadrangle N: 10.1 inches; W: 14.5 inches) in Independence Township, **Beaver County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E02-1293.** Encroachment. **Dr. Ronald A. DiCarlo**, 1408 East Carson Street, Pittsburgh, PA 15203. To place and maintain fill in a de minimis area of wetlands (PEM/PSS) adjacent to an unnamed tributary to Little Pine Creek (TSF) for the purpose of stabilizing existing ground on Lot 318 at Hartwood Acres located just east from the intersection of Westchester Drive and Waterford Drive (Glenshaw, PA Quadrangle N: 11.1 inches; W: 4.0 inches) in Indiana Township, **Allegheny County**.

**E02-1295.** Encroachment. **Pittsburgh Water and Sewer Authority**, 441 Smithfield Street, Pittsburgh, PA 15222. To construct and maintain a 42-inch submerged stormwater outfall on the right bank of the Allegheny River (WWF) near River Mile 0.5 (Pittsburgh West, PA Quadrangle N: 13.0 inches; W: 0.5 inch) in the City of Pittsburgh, **Allegheny County**.

**E02-1296.** Encroachment. **Urban Redevelopment Authority of Pittsburgh**, 200 Ross Street, Pittsburgh, PA 15219. To reline the existing 96-inch diameter outfall structure with a 48-inch diameter pipe, and to operate and maintain said outfall structure along the left bank of the Monongahela River (WWF) as part of a street reconstruction project located approximately 2,300 feet upstream from the 10th Street Bridge (Pittsburgh East, PA Quadrangle N: 10.4 inches; W: 14.8 inches) in the City of Pittsburgh, **Allegheny County**.

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

**E32-412.** Encroachment. **Conemaugh Valley Conservancy**, P. O. Box 907, Johnstown, PA 15907-0907. To construct and maintain a trail having a width of 10.0 to 12.0 feet and a depth of 4 inches with safety wire fencing on four existing former railroad bridges across Conemaugh River (WWF) as part of the Conemaugh Dam Trail Project. The project is located off of Westinghouse Road (T-966) (Blairsville, PA Quadrangle N: 14.7 inches; W: 10.1 inches) in Derry Township, **Westmoreland County** and Conemaugh and Blacklick Townships, **Indiana County**.

**E65-743.** Encroachment. **R.A.M. Terminals, Inc.**, One Fifth Street, New Kensington, PA 15068. To construct and maintain a barge docking facility having a length of 700.0 feet and a width of 50.0 feet in and along the Allegheny River (WWF) and to dredge and maintain approximately 1.7 acre of the Allegheny River (WWF) for the purpose of providing efficient facilities of mooring barges and handling cargo. This permit also authorizes the placement



and maintenance of rock rip rap at the upstream and downstream faces of the dock along the left bank of the Allegheny River (WWF). The project is located at approximately Mile Point 18.7 (New Kensington West, PA Quadrangle N: 10.8 inches; W: 2.55 inches) in the City of New Kensington, **Westmoreland County**.

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

**E10-309. Encroachment. Saxonburg District Sportsman's Association**, 322 Bear Creek Road, Sarver, PA 16055. To remove the existing structure and to construct and maintain a steel I-beam bridge having a clear span of 21.5 feet and an underclearance of 4.5 feet across a tributary to Little Buffalo Creek on the Saxonburg Sportsman's Association driveway approximately 1,000 feet west of Bear Creek Road 0.75 mile north of S. R. 2018 (Curtisville, PA Quadrangle N: 21.1 inches; W: 0.2 inch) located in Buffalo Township, **Butler County**.

#### ENVIRONMENTAL ASSESSMENT

*Environmental Assessment Approval and Actions on 401 Certification*

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

**EA28-001CO. Environmental Assessment. J. Gary Rice** (45 Jumper Road, Shippensburg, PA 17257). To construct 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**.

**EA39-008CO. Environmental Assessment. Frank Rauscher** (7985 Saw Mill Road, New Tripoli, PA 18066-4630). To construct a nonjurisdictional dam adjacent to a tributary to Ontelaunee Creek (CWF) impacting approximately 0.2 acre of wetland (PEM) for a farm pond. The site is located approximately 900 feet west of the intersection of T719 and T847 (New Tripoli, PA Quadrangle, N: 10.9 inches; W: 10.2 inches), in Lynn Township, **Lehigh County**.

**D65-081EA. Environmental Assessment. Girl Scout Council of Westmoreland, Inc.** (545 South Main Street, Greensburg, PA 15601). To breach and remove the Lake Janet Ruth Dam across Loyalhanna Creek (HQ-CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 4,000 feet southwest of the intersection of S. R. 381 and Weaver Mill Rector Road (Stahlstown, PA Quadrangle N: 11.00 inches; W: 0.15 inch), in Cook Township, **Westmoreland County**.

**EA59-011CO. Environmental Assessment. Pennsylvania Department of Transportation, District 3-0** (715 Jordan Avenue, P. O. Box 218, Montoursville, PA 17754). To construct 13 nonjurisdictional dams and 1 jurisdictional dam adjacent to and across a tributary to Crooked Creek (WWF) for the proposed Department of Transportation, Engineering District 3-0, advanced wetland compensation site. Construction activities at the site will directly and indirectly impact 3.25 acres of wetland (PEM, PSS) resulting in the creation of approximately 25.35 acres of wetland. The site is located immediately north of the intersection of Ferris Cor Road (T456) and Bate Hill Road (T611) (Knoxville, PA Quadrangle N: 1.8 inches; W: 2.9 inches), in Chatham Township, **Tioga County**.

## SPECIAL NOTICES

### Public Hearing Notice

#### NPDES Sewage Application

The Department of Environmental Protection's (Department) Water Management Program will be holding a fact finding hearing on the Joy for Joint Venture NPDES sewage application No. PA0057924.

The hearing is scheduled for May 3, 2000 at 7 p.m., at 209 Bishop Hollow Road, Newtown, PA 19073 in Newtown Township, **Delaware County**. The hearing is being held to solicit pertinent comments on this application. The application is for the discharge of 50,000 gpd of sewage to an unnamed tributary to Crum Creek. A copy of the application is available for review in the Southeast Regional Office's Records Management Section. Telephone number is (610) 832-6268. Those interested in reviewing the application should call to schedule a date to review the file. The project sponsor is: **Joy for Joint Venture**, 1604 Walnut Street, Philadelphia, PA 19103

Comments received will be considered by the Department in completing its review and prior to taking final action concerning the application. The hearing will not be a question and answer session.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program. The notice should include name, address and phone number, whether opposed or in favor of the projects and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to the Department may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact Sharon Moore at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

In the month of February 2000 the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.



<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Don Bronson	24545 State Street Meadville, PA 16335	Testing
Diane DeBellis Insp. Mgmt. Relocation Services, Corp.	834 West Chester Pike West Chester, PA 19382	Testing
Alexander Efremenko Radon Tech, Inc.	3402 Route 8 Allison Park, PA 15101	Mitigation
Gregory Hancock	193 Park Avenue Woolrich, PA 17779	Testing
Scott Jacobs	618 North Maple Avenue Ridgway, PA 15853	Mitigation
Donald John	P. O. Box 211 Worthington, PA 16262	Testing
Leonard Kelsey	800 Sunset Lane Stroudsburg, PA 18360	Testing
Raymond King	1812 Willow Street Pike Lancaster, PA 17602	Testing
Jeffrey Krupa	419 East Erie Avenue Saint Mary's, PA 15857	Testing
John Marryott	P. O. Box 145 Washington Crossing, PA 18977	Mitigation
Thomas O'Connor	8620 Rochester Road Pittsburgh, PA 15237	Testing
Jeffrey Schlaline Absolute Radon Mitigation, LLC	800 Locust Grove Road York, PA 17402	Mitigation
Donald Smith Air Quality Control, Inc.	241 King Manor Drive King of Prussia, PA 19406	Mitigation
David Steinman	1899 Lititz Pike Lancaster, PA 17607	Testing
Roy Stirling National Property Insp., Inc.	6 Whispering Pines Lane Birdsboro, PA 19508	Testing
Wayne Thomas Environ. Abatement Assoc., Inc.	143 West Main Street Plymouth, PA 18651	Testing
James Tillery	2843 North Front Street Harrisburg, PA 17110	Testing
Margaret Varani 20/20 Inspections, Inc.	3086 Germantown Pike Norristown, PA 19403	Testing

[Pa.B. Doc. No. 00-485. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center. The "2000 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 2000.

#### *Downloading/Ordering Paper Copies of DEP Technical Guidance*

Persons can download all guidance documents from our website at [www.dep.state.pa.us](http://www.dep.state.pa.us). We strongly encourage using Internet access if possible. If you do not have access

to the Internet, copies of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory can be ordered 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 are listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

#### *Draft Guidance*

DEP ID: 258-2182-773 Title: Draft Safe Fill Policy, "Policy And Procedure Establishing Criteria For Use Of Uncontaminated Soil, Rock, Stone, Concrete, Gravel,

Dredged Material That Has Been Sampled And Analyzed In Accordance With Department Approved Tests And Waste From Land Clearing, Grubbing And Excavation As Fill" Description: This policy establishes criteria for uncontaminated soil and dredge material that may be moved and used on land, without restriction or permit, as fill. In part, the policy uses the statewide health standards (SHS) adopted under the Land Recycling Program (Act 2) to develop fill standards for soil, dredge material and other materials. This document also describes the procedures to be used in determining if soil and other materials may be used as fill. The Department has designated that a 60-day comment period will be in effect to receive comments regarding this draft policy. Comment Period Ends: May 10, 2000; Anticipated Effective Date: June 17, 2000; Contact: William Pounds at (717) 783-2388; or E-mail at Pounds.William@dep.state.pa.us.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-486. Filed for public inspection March 17, 2000, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established by Section 8 of the Act of December 1, 1994 (P. L. 655, No. 102) (20 P. S. § 8622), will hold a public meeting on March 29, 2000 from 10 a.m. to 2 p.m. The meeting will be held in Room 812 of the Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA. This meeting is rescheduled from the original date of March 15, 2000.

For additional information contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention or Angela H. Anderson, Clerk Typist II, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention, 1000 Health and Welfare Building, Harrisburg, PA, (717) 787-5900.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William J. Neil or Angela H. Anderson at (717) 787-5900. V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN,  
*Secretary*

[Pa.B. Doc. No. 00-487. Filed for public inspection March 17, 2000, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

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

The Department of Transportation, under the authority contained in Section 2002(c) of The Administrative Code

of 1929 (71 P. S. § 512(c)) and in 67 Pa. Code, Section 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by the Erie-Western Pennsylvania Port Authority, Raymond Schreckengost, Executive Director, 17 West Dobbins Landing, Erie PA 16507-1424, to lease highway right-of-way located at SR 4034 and LR 1003, West 11th Street and Lincoln Avenue, in the City of Erie, Erie County, consisting of Two tracts, approximate sizes, Parcel "A" 36,901 SF/.847 AC and Parcel "B" 29,209 SF/.671 AC, for the purpose of constructing a park and ride parking lot.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to John L. Baker, P.E., District Engineer, Engineering District 1-0, 255 Elm St., Oil City, PA 16301.

Questions regarding this application or the proposed use may be directed to William R. Pixley, Right-of-Way Administrator, 255 Elm St., Oil City, PA 16301 (814) 678-7071.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-488. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Contemplated Sale of Improved Land No Longer Needed for Transportation Purposes

Notice is hereby given, that the Department of Transportation pursuant to 71 P. S. Subsection 513(e)(7) intends to sell certain improved land owned by it.

The property is located in the Borough of Archbald, Lackawanna County, Commonwealth of Pennsylvania along SR 6006, Section 293 (Robert P. Casey Highway). The parcel contains 19.88 acres of vacant land and is between station numbers 425+20 to 467+00. Estimated fair market value is \$30,000.00.

Interested public entities are invited to express their interest in purchasing the site within thirty (30) calendar days from the date of publication of this notice to: Pennsylvania Department of Transportation, Charles M. Mattei, P.E., District Engineer, Engineering District 4-0, Dunmore, P. O. Box 111, Scranton, PA 18501.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-489. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Retention of Engineering Firms

#### Bedford, Blair, Cambria, Fulton, Huntingdon and Somerset Counties

#### Project Reference No. 08430AG2518

The Department will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 9-0, that is Bedford, Blair, Cambria, Fulton, Huntingdon, and Somerset Counties. The Contract will include roadway

and bridge construction projects, permit projects, and material plant inspection. The Contract will be for a period of sixty (60) months, with a maximum cost of one million dollars (\$1,000,000).

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 and asphalt paving, drainage, wetlands, CPM schedule monitoring, and plant inspection.
- b. Understanding of Department's requirements, policies, and specifications.
- c. Past performance.
- d. Number of NICET and NECEPT 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)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	8 (5)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	3 (2)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	13 (8)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	5 (3)

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 High-

way 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.

NECEPT certification, although not required, will be considered under (d) above as an important factor in the selection process for each classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 2000:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$47.65
(TCIS)	\$41.75
(TCI-Materials)	\$37.65
(TCI)	\$36.53
(TA)	\$25.12

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

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

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

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

- 2 Nuclear Densometer Gauges/License at point of need, when needed
- 2 Paint Test Kits
- 10 Pagers
- 5 Cellular Phones (for Engineer's employees only)
- 5 Cameras (digital)

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 and TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	10
TCI-M	4
TCI	16
TA	0

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) 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. Earl L. Neiderhiser, P.E., District Engineer  
 PA Department of Transportation  
 Engineering District 9-0  
 1620 North Juniata Street  
 Hollidaysburg, PA 16648

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. Vincent L. Dodson, P.E., District 9-0, at 814-696-7137 (fax number 814-696-7146).

**Philadelphia County**

**Project Reference No. 08430AG2519**

The Department will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 6-0, that is Philadelphia County. The Contract will include roadway and bridge construction projects, and material plant inspection. The Contract will be for a period of sixty (60) months, with a maximum cost of \$2 Million dollars.

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 inspector's resumes with emphasis on construction inspection capabilities, Department and District experience, and supervisory experience.
- b. Any specialized experience in asphalt paving, structures, concrete, drainage, painting inspection, Maintenance and Protection of Traffic, traffic signal installation, and intelligent transportation systems construction.
- c. Understanding of the Department's requirements, policies, and specifications.
- d. Number of NICET and NECEPT certified inspectors in each payroll classification.
- e. Ability to provide CPM Scheduling (TCM-1 Classification).

f. Ability to provide "CDS" operator or someone capable of inputting data into a personal computer (TCIS and TCI Classifications)

g. Past performance.

A minimum of four (4) individuals as part of your inspection staff must have NECEPT Bituminous Field Technician Certification.

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)	1 (1)
(NICET Highway Construction Level 4 or equivalent)	
Transportation Construction Ins. Super. (TCIS)	3 (2)
(NICET Highway Construction Level 3 or equivalent)	
Transportation Construction Inspector (TCI)	6 (4)
(NICET Highway Construction Level 2 or equivalent)	
Technical Assistant (TA)	3 (1)
(NICET Highway Construction Level 1 or equivalent)	
NACE Intermediate Coating Inspector	1 (0)**
NACE Basic Coating Inspector	1 (0)**

\*\*These two specialized classifications will be used for bridge painting inspection. Under these classifications, the selected firm must provide lead abatement training for these employees prior to any job assignment. In addition, the firm must establish, implement, and maintain an effective employee medical surveillance in accordance with 29 CFR 1926 throughout the duration of this inspection.

These two (2) specialized classifications will have the following requirements:

1. NACE Intermediate Coating Inspector Training/or equivalent.

The inspector for the above NACE Intermediate Coating Inspector Training category will have completed at least 80% of the required credits for this NACE category or equivalent training; also, will have a minimum of five (5) years coating inspection experience on heavy industrial or highway projects; also, will have a minimum of one (1) year experience of coatings inspection on a lead removal project where air monitoring, blood monitoring, containment and disposal of lead debris were performed; also, will be knowledgeable in OSHA 1926.62 (lead) regulations, applicable OSHA regulations governing proper respirator usage (29 CFR 1910.134) and lead exposure (29 CFR 1910.1025) and will also be capable of "climbing" on high bridge members to perform coatings inspection; will be capable of supervising/training lower level coatings inspectors (both consultant and state) if necessary. Will also complete EPA accredited training for lead removal (Title X, Sections 402 and 404).

2. NACE Basic Coating Inspector Training/or equivalent.

The inspector for the NACE Basic Coating Inspector will have completed at least 80% of the required credits for this category or equivalent training also, will have a minimum of three (3) years coating inspection experience on heavy industrial or highway project; also, will have minimum of six (6) months experience on lead removal project; also, will be knowledgeable in OSHA 1926.62 (lead regulations) applicable OSHA regulations governing proper respirator usage (29 CFR 1910.134) and lead exposure (29 CFR 1910.1025), and will be capable of "climbing" on high bridge members to perform coatings inspection; will also be capable of working with state inspectors; will also complete EPA accredited training for lead removal (Title X, Sections 402 and 404).

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 2000:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$47.65
(TCIS)	\$41.75
(TCI)	\$36.53
(TA)	\$25.12
NACE Intermediate Coating Inspector	\$61.70
NACE Basic Coating Inspector	\$53.64

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

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

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

as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

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

- One Paint Test Kit per project as may be required.
- Nine cellular phones (for Engineer's employees only)
- One digital camera per project
- Safety Vests—high visibility for the inspectors

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	4
TCI	7
TA	0
NACE Intermediate	2
NACE Basic	2

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCM-1 and TCIS positions, giving their approval to use their name in your letter for this specific project.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) 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. Andrew L. Warren, District Administrator  
Engineering District 6-0  
7000 Geerdes Blvd.  
King of Prussia, A 19406-1525

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 George Dunheimer, District 6-0, at 610-205-6695, fax number 610-205-6672.

**Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties**

**Project Reference No. 08430AG2520**

The Department will retain an engineering firm for an Open-End Contract to provide supplementary construction inspection staff under the Department's Inspector(s)-in-Charge to perform construction inspection services on various projects in Engineering District 5-0, that is Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties. The Contract will include roadway and bridge construction projects, and material plant inspection. The Contract will be for a period of sixty (60) months, with a maximum cost of \$2 million dollars.

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, certifications and specialized experience in the Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, drainage, traffic signals, pavement markings, guide rail, signing, erosion and sedimentation control, NICET certifications, NECEPT certification, PennDOT CDS certification, and nuclear gauge certification.

b. Understanding of Department's requirements, policies, and specifications (Pub. 408, R.C.'s, B.C.'s, D.M.'s, Pub. 203, P. O.M.).

c. Past Performances.

d. Number of NICET certified inspectors in each payroll classification.

e. Understanding the specifics of this particular construction inspection agreement.

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)	5 (4)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	15 (10)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (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 2000:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour Of Inspection</i>
(TCM-1)	\$47.65
(TCIS)	\$41.75
(TCI-Materials)	\$37.65
(TCI)	\$36.53
(TA)	\$25.12

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

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

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

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

- 1 Nuclear Densometer Gauge/License at point of need when needed
- 20 Two-Way Radios
- 2 Cameras—35mm

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	6
TCI-M	2
TCI	18
TA	0

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) 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. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
2460 Parkwood Drive  
Allentown, PA 18103  
Attention: Mr. Brian H. Graver

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 tenth day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. Brian H. Graver, at (610) 791-6022, fax number (610) 791-6032.

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

**Project Reference No. 08430AG2521**

The Department will retain an engineering firm for an Open-End Contract for various engineering and/or environmental services on various bridge projects located in Engineering District 10-0, that is Armstrong, Butler, Clarion, Indiana and Jefferson Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$2.0 million.

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

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

- a. Specialized experience and technical competence of the firm.
- b. Previous experience and record of performance on Open-End Contracts with respect to cost control, work quality and ability to meet schedules. The specific experience of the individuals who constitute the firms shall be considered.
- c. Demonstrated ability to perform services and studies listed in this advertisement.
- d. Available staffing for this assignment, including projected workload for the firms.
- e. Location of the firm in respect to the District.

The work and services required under this Contract may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements, bridge rehabilitations and/or bridge preservations with minor approach work, environmental studies and minor capital improvement projects (bridges).

The engineering work and services which may be required under this Contract include, but are not limited to, attend field views and prepare minutes; prepare submissions for field views and safety review meetings; perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare and disseminate right of entry letters; prepare right of way plans; complete structure designs and plans including type, size and location reports, core boring layouts; procure core borings; foundation designs and reports; prepare foundation submissions for approval; prepare hydraulic and hydrologic reports for waterway approval; perform structural analysis on various types of structures; develop traffic control plans with narratives; perform traffic counts and speed delay studies; prepare plans for signal design and implementation of signal interconnections; conduct soils investigations and prepare soils reports;

investigate utility involvement on projects; provide material for and participate in value engineering reviews; make necessary investigations and adjustments to the design as a result of the value engineering review comments; conduct a value engineering review; evaluate alternatives using benefit/cost analysis; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water hydrology; stream enhancements/relocations; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and scoping correspondence; meeting minutes; public meeting and hearing presentations; material and equipment necessary to collect, analyze and organize data; agency & public involvement coordination; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; assess impacts; prepare reports & design mitigation plans; and preliminary engineering plans, and remote sensing/mapping innovations.

The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

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

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) 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: James R. Andrews, P.E., Civil Engineer  
Manager

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 (20) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to James R. Andrews, P.E., Engineering District 10-0, phone number (724) 357-2080.

**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 request 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. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

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 presump-

tive 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. 00-490. Filed for public inspection March 17, 2000, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (IRRC) may issue comments within 10 days of the close of the committee comment period. IRRC's comments are based upon the criteria contained in section 5a(h) and (i) of the act (75 P. S. § 745.5a(h) and (i)).

IRRC 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>
57-211	Pennsylvania Public Utility Commission Procedures to Ensure Customer Consent to a Change of Natural Gas Suppliers	3/3/00	1/31/02



**Pennsylvania Public Utility Commission Regulation  
No. 57-211  
Procedures to Ensure Customer Consent to a  
Change of Natural Gas Suppliers  
March 3, 2000**

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which has not been met. The Pennsylvania Public Utility Commission (Commission) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by January 31, 2002, the regulation will be deemed withdrawn.

**1. Section 59.91. Definitions.—Need; Clarity.**

*Customer*

The phrase “a service account exists with either a [Natural Gas Distribution Company] NGDC or a [Natural Gas Supplier] NGS” in the definition of “customer” is unclear. We recognize that some business customers deal almost exclusively with the NGS. However, a typical residential customer could be listed with both the NGDC and the NGS. In this instance which service account would be controlling for other provisions proposed in this regulation, such as Section 59.95?

Also, it does not appear the reference to Sections 59.92 to 59.99 is needed. Section 59.95 is the only section that addresses persons authorized to act on behalf of a customer. Wouldn't a reference to Section 59.95 be sufficient?

**2. Section 59.93. Customer contacts with the NGS.—Clarity.**

*Paragraph (1) Data elements*

Paragraph (1) requires the NGDC to match two “data elements” to verify the accuracy of information provided by the NGS. What are examples of the data elements required to verify a switch? For example, if a third party is designated to act on behalf of a customer under Section 59.95, would that information have to be one of the data elements to verify the authorization is valid? The Commission should define the term “data elements” and list examples in this paragraph.

*Paragraph (2) Notification*

Paragraph (2) requires the NGDC to send a confirmation letter to the customer. Since the definition of “customer” includes other persons who can act on behalf of the customer, the Commission should clarify in the regulation whether or not notice to all persons who have authority to initiate a change of the customer's NGS is required.

**3. Section 59.94. Time frame requirement.—Clarity.**

Section 59.94 requires an authorization for a change of NGS to be “consistent with the Commission's data transfer and exchange standards.” The regulation is unclear what standards are required. The Commission should either add a reference to the required standards, or delete this phrase.

**4. Section 59.95. Persons authorized to act on behalf of the customer.—Clarity.**

The regulation does not address the process of adding or deleting persons authorized to act on behalf of the customer. It could become confusing if the NGDC received an original document authorizing Person A to act on the customer's behalf and 6 months later received a second document authorizing Person B to act on the customer's behalf. In this instance, who would be authorized? The Commission should address this situation.

**5. Section 59.97. Customer Dispute Procedures.—Consistency with Statute; Economic Impact; Reasonableness; Clarity.**

*Subsection (a)(1) Disputes*

We have two concerns regarding Subsection (a)(1). First, why is the NGDC required to consider the matter a “dispute?” The classification as a dispute requires a utility to follow procedures outlined under Chapter 56 of the Commission's regulations (52 Pa. Code §§ 56.151—56.152). Sections 56.151 and 56.152 include requirements to investigate the matter, make a diligent attempt to negotiate a reasonable payment agreement and issue a written report.

The Regulatory Analysis Form states the Commission believes the costs to the regulated community will not be significant. However, one commentator believes these costs are unfair and disproportionate. The Commission should provide a specific estimate of the costs imposed by this provision and an explanation of why these costs are justified. The Commission should also consider whether a different classification, other than “disputes,” would accomplish the same objectives for the Commission without imposing costs on the NGDC.

*Subsection (d) Bureau of Consumer Services*

Subsection (d) requires the Bureau of Consumer Services to issue an informal decision when a customer files an informal complaint alleging that their NGS was changed without consent. Under 52 Pa. Code § 56.163, the Commission is required to issue a decision on an informal complaint within a “reasonable period of time.” Is the customer responsible for charges during the Commission's review? The Commission should explain the time frame for the BCS' decision, and what the customer's billing status is during this period.

*Subsection (e) Written Authorization*

This subsection allows the Commission to order an NGS to “obtain written authorization from every new customer as a condition of providing service in this Commonwealth.” Section 2206(b) of the act allows an NGDC to change a NGS with “direct oral confirmation from the customer of record or written evidence of the customer's consent. . . .” Since both written and oral authorization are permitted in the act, the Commission should explain its authority to limit consent to written authorization.

**6. Section 59.98. Provider of last resort.—Clarity.**

This section begins with the phrase, “Sections 59.91—59.97, this section and § 59.99 do not apply . . . .” For clarity, the Commission should consider replacing that phrase with “Sections 59.91 to 59.99 do not apply . . . .”

**7. Section 59.99. Record maintenance.—Reasonableness.**

Section 59.99 requires each NGDC and NGS to “preserve all records that relate to unauthorized change of NGS disputes for three years from the date the customer filed the dispute.” These records must be “made available” to the Commission upon request. It is unclear what the phrase “made available” means. Must the records be sent to the Commission, or will the Commission travel to a site to review these records? The Commission should explain what would happen if either an NGDC or NGS does not have a location or a facility in the Commonwealth.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-491. Filed for public inspection March 17, 2000, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission (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-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-527	State Board of Optometry Application Fees	3/8/00

*Final-Omit*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-465	Department of Public Welfare Office of Medical Assistance Programs Elimination of Physician Attestation Requirement	3/6/00

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-492. Filed for public inspection March 17, 2000, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Aetna US HealthCare of Central and Northeastern Pennsylvania; Rate Filing**

On February 15, 2000 Aetna US HealthCare of Central and Northeastern Pennsylvania submitted a rate filing requesting an increase of 38.5% for medical and 49.7% for pharmacy, relative to the last approved base rates of July 1, 1996. The requested increase represents an average annual increase of 9.1% on medical and 11.4% on pharmacy. The proposal will effect about 46,000 medical members and 41,000 pharmacy members. The increase will result in an additional annual premium income of approximately \$18 million (\$14.5 million on medical and \$3.5 million on pharmacy). An effective date of April 1, 2000, is requested.

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

Interested Parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-493. Filed for public inspection March 17, 2000, 9:00 a.m.]

**Appeal of Philip J. Tomko; Doc. No. AG00-03-00**

A prehearing telephone conference initiated by the Administrative Hearings Office shall occur on March 30, 2000 at 10:30 a.m. The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508, 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A date for a hearing shall be determined, if necessary, at the prehearing telephone conference. During the prehearing conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and documents anticipated for use at the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter.

On or before March 23, 2000, each party shall file with the Administrative Hearings Office by facsimile to (717) 787-8781 and serve upon the other party by facsimile an entry of appearance designating the lead attorney or representative to receive service or orders, filings and communications in this matter, together with that person's address, telephone number and facsimile number. Each party shall similarly designate the lead attorney or representative who will attend the prehearing conference, if different than the person designated for service.

No prehearing memoranda or other written submissions are required for the prehearing telephone conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference.

Except as established at the prehearing telephone conference, both parties shall appear at the scheduled hearing, if necessary, prepared to offer all relevant testimony or other evidence. Each party must bring documents, photographs, drawings, claims, files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed on or before March 23, 2000 with the Acting Docket Clerk, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-494. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Application for Increase in Underwriting Authority of American General Life Insurance Company of Pennsylvania

American General Life Insurance Company of Pennsylvania (applicant), a Pennsylvania domiciled stock life insurance company, has filed an application to increase its underwriting authorities. The class of authority that the applicant is applying to add is variable annuity, as defined by 31 Pa. Code, Chapter 85. The filing was made under the requirements set forth in 31 Pa. Code § 85.14. Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include 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 E. Bybee, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; Fax (717) 787-8557; or by E-mail to cbybee@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-495. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Application for Increase in Underwriting Authority of Mount Vernon Fire Insurance Company

Mount Vernon Fire Insurance Company (Mount Vernon), a Pennsylvania domiciled stock property insurance company, has filed an application to increase its underwriting authorities. The class of authorities that Mount Vernon is applying to add are Glass, Boiler and Machinery, Burglary and Theft, Credit, Water Damage, Elevator, and Personal Property Floater, as defined by Section 202, subdivision (c), paragraphs (3), (5), (6), (7), (8), (9) and (13). The filing was made under the requirements set forth under Section 322 of The Insurance Company Law (40 P. S. § 445). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include 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 Department of the exact basis of the statement. Written state-

ments should be directed to Steven L. Yerger, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; Fax (717) 787-8557; or by E-mail to syerger@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-496. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Application for Increase in Underwriting Authority of Philadelphia Insurance Company

Philadelphia Insurance Company (PIC), a Pennsylvania domiciled stock property insurance company, has filed an application to increase its underwriting authorities. The class of authority that PIC is applying to add is Workers' Compensation, as defined by Section 202, subdivision (c), paragraph (14). The filing was made under the requirements set forth under Section 322 of The Insurance Company Law (40 P. S. § 445). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include 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 Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; Fax (717) 787-8557; or by E-mail to syerger@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-497. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Application for Increase in Underwriting Authority of United States Liability Insurance Company

United States Liability Insurance Company (US Liability), a Pennsylvania domiciled stock casualty insurance company, has filed an application to increase its underwriting authorities. The class of authority that US Liability is applying to add is credit, as defined by Section 202, subdivision (c), paragraph (7). The filing was made under the requirements set forth under Section 322 of The Insurance Company Law (40 P. S. § 445). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include 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 Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Company Licensing Specialist, Insurance Department,

1345 Strawberry Square, Harrisburg, PA 17120; Fax (717) 787-8557; or by E-mail to syerger@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-498. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Horizon Healthcare of Pennsylvania, Inc.; Rate Filing

On March 1st, 2000, Horizon Healthcare of Pennsylvania, Inc., submitted a filing, requesting a base rate increase of 31.2%. This filing will affect approximately 1,550 policyholders. The proposed increase will generate an additional annual premium income of \$1.5 million. An effective date of July 1, 2000, is requested.

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

All interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-499. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

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

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

Appeal of Joanne Burney; file no. 00-280-00263; Hartford Insurance Group; doc. no. PH00-03-004; April 11, 2000, at 1 p.m.

Appeal of Eugene Yoder; file no. 00-188-00558; Nationwide Insurance Company; doc. no. P00-03-006; April 13, 2000, at 1 p.m.

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

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

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-500. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

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

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

Appeal of Capitol Insurance Company; file no. 00181-00861; Rajaddin Aziz; doc. no. P00-03-003; April 5, 2000, at 10 a.m.

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

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be

ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

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

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-501. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. This administrative hearing will be held in the Insurance Department's Regional Office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of George and Nancy Ballard; file no. 00-280-00444; Nationwide Mutual Insurance Company; doc. no. PH00-03-002; April 5, 2000, at 1 p.m.

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

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

Persons with a disability who wish to attend the above-referenced administrative hearing and require an

auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-502. Filed for public inspection March 17, 2000, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinions

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (43 P. S. § 957(o)) (act) hereby announces the publication of the Findings of Fact, Conclusions of Law, Opinion and Final Order made after a public hearing under section 9(e)—(g) of the act (43 P. S. § 959(e)—(g)), in the following cases:

*Helen M. Whitest v. Children's Hospital of Philadelphia*; Doc. No. E80048D; (Pennsylvania Human Relations Commission, February 29, 2000); Race-based refusal to promote; Ruling for Respondent, 8-0 decision; 23 pages

*Daniel B. Shutts v. Four Season Apartments, Mrs. Pollock, Manager*; Doc. No. H6579; (Pennsylvania Human Relations Commission, February 29, 2000); Gender-based refusal to rent; Ruling for Complainant, 6-2 decision; 23 pages

The final orders in the listed cases are subject to appeal to Commonwealth Court, and if appealed, are subject to being affirmed, reversed or modified, in whole or part.

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

HOMER C. FLOYD,  
*Executive Director*

[Pa.B. Doc. No. 00-503. Filed for public inspection March 17, 2000, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed but Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received.

For questions concerning or copies of documents filed but not published call (717) 783-1530.

#### *Executive Board*

Resolution #CB-00-014, Dated February 4, 2000. Authorizes the side letter between the Commonwealth of Pennsylvania and the Pennsylvania Nurses Association regarding the \$155/biweekly payment for Registered Nurse Supervisors who work for the Forensic Treatment Center at Waymart State Correctional Institution.

Resolution #CB-00-019, Dated February 4, 2000. Authorizes the side letter between the Commonwealth of Pennsylvania and District 1199P, Service Employees International Union, AFL-CIO, to amend Article 41, Section 2 (to delete time and half payments for PRN Nurses working on two full consecutive shifts) of the P4 Labor Agreement and to provide eligibility for PRN Nurses to receive the service increment. The side letter shall be effective July 1, 1999.

Resolution #CB-00-020, Dated, February 4, 2000. Authorizes the agreement between the Commonwealth of Pennsylvania and PSTA (L1). The approximate cost of the salaries and wages provisions for 4,067 employees (figures include cost of salary sensitive benefits) for Fiscal Years 2000, 2001, 2002 and 2003 are:

July 1, 2000: 3.5% GPI.....	\$8,600,000
July 1, 2001: 3.5% GPI.....	\$9,100,000
July 1, 2002: 3.5% GPI.....	\$9,500,000
July 1, 2003: 3.5% GPI.....	\$9,800,000

Resolution #CB-00-021, Dated February 4, 2000. Authorizes the Memorandum of Understanding between the Commonwealth and PLCB Enforcement Officers III bargaining unit (K5). The approximate cost of the salaries and wages provisions for 22 employees for Fiscal Years 1999, 2000, 2001 and 2002 are as follows (figures include cost of salary sensitive benefits):

July 1, 1999: 3% GPI .....	\$38,400
July 1, 2000: 3% GPI .....	\$39,600
July 1, 2001: 3.5% GPI.....	\$47,500
July 1, 2002: 3.5% GPI.....	\$49,200

Resolution #CB-00-046, Dated February 28, 2000. Authorizes the Memorandum of Understanding with the United Plant Guard Workers of America covering the R2 Security first-level supervisory bargaining unit for the period September 1, 1999, through June 30, 2003.

Resolution #CB-00-047, Dated February 28, 2000. Authorizes the Collective Bargaining Agreement with the United Plant Guard Workers of America covering the R1 Security bargaining unit for the period September 1, 1999 through June 30, 2003.

#### *Governor's Office*

Manual M210.3 Index of Issuances—Directives Management System, Revision No. 1, Dated February 1, 2000.

Management Directive No. 315.20—Taxability of the Use of State-Provided Vehicles, Revision No. 4, Dated January 27, 2000.

Management Directive No. 515.16—Appointment to Senior Level Positions, Amended February 1, 2000.

Management Directive No. 535.1—Employee Training and Development, Amended February 9, 2000.

Management Directive No. 535.6—Commonwealth Management Development Program, Amended February 9, 2000.

Administrative Circular No. 00-4—Calendar Bases, Calendar Refills, Diaries, and Date Books for 2001, Dated February 2, 2000.

Administrative Circular No. 00-5—Distribution of the 2000 Governor's Annual Work Force Report, Dated February 14, 2000.

Administrative Circular No. 00-6—Closing Instruction No. 1, Fiscal Year 1999-2000 Submission of Purchasing Documents, Dated February 16, 2000.

GARY R. HOFFMAN,

*Director*

*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 00-504. Filed for public inspection March 17, 2000, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Bucks County, Wine & Spirits Shoppe #0908, 315 West Lincoln Highway, Penndel, PA 19047-5138.

*Lease Expiration Date:* August 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space within a 1 mile radius of the intersection of Durham Road and Lincoln Highway, Penndel.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9670

Philadelphia County, Wine & Spirits Shoppe #5108, 3415 Germantown Avenue, Philadelphia, PA 19140-5311.

*Lease Expiration Date:* May 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of the intersection of Germantown Avenue and Ontario Street, Philadelphia.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9670

Philadelphia County, Wine & Spirits Shoppe #9103, 1518 North Broad Street, Philadelphia, PA 19121-4311.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of the intersection of Broad Street and Jefferson Street, Philadelphia.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9670

Philadelphia County, Wine & Spirits Shoppe #9108, 8200 East Roosevelt Boulevard, Philadelphia, PA 19152-2519.

*Lease Expiration Date:* September 30, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of the intersection of Solly Avenue and Roosevelt Boulevard (PennyPack Circle), Philadelphia.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9670

Delaware County, Wine & Spirits Shoppe #2302, 7042 Terminal Square, Upper Darby, PA 19082-2310.

*Lease Expiration Date:* July 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of Market and 69th Streets, Upper Darby.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9670

Delaware County, Wine & Spirits Shoppe #2320, 1345 West Chester Pike, Havertown, PA 19083-2925.

*Lease Expiration Date:* July 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of Route 3 and Eagle Road, Havertown.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9670

Philadelphia County, Wine & Spirits Shoppe #5106, 3528 "I" Street, Philadelphia, PA 19134-1418.

*Lease Expiration Date:* September 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of "I" Street and Glenwood Avenue, Philadelphia.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9670

Philadelphia County, Wine & Spirits Shoppe #5141, 4924 Baltimore Avenue, Philadelphia, PA 19143-3301.

*Lease Expiration Date:* January 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space within a 1/4 mile radius of Baltimore Avenue and 49th Street, Philadelphia.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9670

Philadelphia County, Wine & Spirits Shoppe #5152, 3772 "L" Street, Philadelphia, PA 19124-5530.

*Lease Expiration Date:* January 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space within a 1/4 mile radius of Erie Avenue and "L" Street, Philadelphia.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9670

Philadelphia County, Wine & Spirits Shoppe #5181, 819 East Chestnut Street, Philadelphia, PA 19107-4415.

*Lease Expiration Date:* September 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within a 1/4 mile radius of 8th Street and Chestnut Street, Philadelphia.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9670

Somerset County, Wine & Spirits Shoppe #5602, 1534 North Center Avenue, Somerset, PA 15501-7041.

*Lease Expiration Date:* October 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment serving the Somerset area and located on Route 601 between the PA Turnpike and Wal-Mart Plaza, Somerset.

*Proposals due:* April 7, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Thomas Deal, (412) 565-5130

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 00-505. Filed for public inspection March 17, 2000, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Certificate of Public Convenience Without Hearing

**A-111250 F0089. West Penn Power Company.** Application of West Penn Power Company for issuance of a certificate of public convenience to transfer and assign property used and useful in the public service to Monongahela Power Company and The Potomac Edison Company.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before April 3, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* West Penn Power Company.

*Through and By Counsel:* David L. Williams, Esquire, 800 Cabin Hill Drive, Greensburg, PA 15601-1689.

JAMES J. MCNUITY,  
*Secretary*

[Pa.B. Doc. No. 00-506. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Petition of New Albany Borough for a Declaratory Order That its Provision of Water Service to an Isolated Group of Customers does not Constitute the Provision of Public Utility Service under 66 Pa.C.S. § 102; Doc. No. P-00991775

*Commissioners Present:* John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Public Meeting held  
 March 2, 2000

#### Tentative Order

*By the Commission:*

On November 24, 1999, New Albany Borough (Borough), filed the noted petition for declaratory order. In accordance with 52 Pa. Code § 5.42, the Borough served a copy of its petition on the Office of Consumer Advocate (OCA), the Office of Trial Staff (OTS), the Office of Small Business Advocate (OSBA), and on each of the six customers affected located outside of the Borough's corpo-

rate boundaries. None of the mentioned parties filed answers to the Borough's petition.

Section 331(f) of the Public Utility Code (code), provides that the Pennsylvania Public Utility Commission (Commission) "may issue a declaratory order to terminate a controversy or remove uncertainty." By its petition, the Borough seeks a determination that its provision of water service to the six customers that are physically proximate to the Borough, but not within the corporate boundaries of the Borough, is not subject to Commission jurisdiction. The Borough asserts that the service it provides to these six customers is not service "to or for the public" within the meaning of section 102 of the code.

In its petition, the Borough notes that water mains run to a seventh property, but water service to that property was shut off several years ago because the resident there is using a private well. Single-family residences are situated on five of the properties and one is occupied by the New Albany Elementary School. The Borough states that the six customers outside of the Borough's corporate limits take service at the same rates and terms of service as customers that reside inside Borough boundaries.

Furthermore, the Borough notes that it has been serving the six customers for a number of years; the elementary school has been a customer since its construction in 1963, two of the other customers have been served since 1948, and three since 1944. We agree that under these circumstances, it is appropriate to issue a Declaratory Order in response to the subject petition.

In support of its petition, the Borough states that it is currently subject to the Commission's jurisdiction and complies with the Commission's reporting and tariff requirements. The Borough states that these requirements are unreasonably burdensome given that the Borough only serves six extraterritorial customers. The Borough seeks to avoid these requirements, but at the same time retain service to the existing extraterritorial customers.

In its petition, the Borough alleges that all of the customers in question are located in Albany Township. The nearest water purveyor to the six customers, other than the Borough, is the Towanda Municipal Authority, which is located approximately 12 miles north of the Borough. Towanda has a water source located approximately 3 miles south of the Borough. Although there is a main that runs from that water source through the Borough north to Towanda, it is a low-pressure main and customers served between the Borough and Towanda must use booster pumps. Moreover, to the best of the Borough's knowledge, Towanda is not interested in connecting the Albany Township residents to its system.

In further support of its petition, the Borough states that it has not solicited any potential customers outside of its municipal limits within the last 10 years and does not intend to solicit any in the future. In addition, the Borough has passed a resolution that provides that the Borough will apply the same rules, regulations and rates to the customers outside as those within Borough limits. Attached to the petition is an affidavit of the President of Borough Council which states that the Borough will not repeal or sunset the aforementioned resolution without advising the Commission regarding same. These commitments were made to ensure that the six extraterritorial customers will not be subject to potential discrimination without the opportunity for Commission oversight.

The Borough submits that its circumstances are similar to those presented to the Commission in the matter of



*Lehigh Valley Cooperative Farmers v. City of Allentown*, 54 Pa. P.U.C. 495 (1980), wherein the Commission concluded that service to a number of isolated individuals outside of the municipal boundaries under special circumstances did not constitute public utility service subject to the Commission's jurisdiction. We agree.

In *Lehigh Valley*, the Commission reiterated that the test to determine whether a party is rendering service to the public is set forth in *Borough of Ambridge v. Pa. Public Service Commission*, 165 A.47 (Pa. Super. 1933). In *Ambridge*, the Commission noted,

We find the distinction between public and private rendition of such service put definitely on the readiness to serve all members of the public to the extent of capacity: The test is, therefore whether or not such person holds himself out, expressly or impliedly, as engaged in the business of supplying his product or service to the public, as a class, or to any limited portion of it, as contradistinguished from holding himself out as serving or ready to serve only particular individuals. The public or private character of the enterprise does not depend, however, upon the number of persons by whom it is used, but upon whether or not it is open to the use and service of all members of the public who may require it, to the extent of its capacity; and the fact that only a limited number of persons may have occasion to use it does not make it a private undertaking if the public generally has a right to such use.

See also, *Petition of Chicora Borough*, P-00981355 (May 22, 1998).

More recently, the Commission applied the same rationale in *Joint Application of Seven Fields Development Corporation*, A-220007 and A-210062F2000 (October 1, 1999). In that case, the Commission granted an application filed by a jurisdictional utility seeking to transfer its assets used in the operation of its water system to the Borough of Seven Fields. The Commission noted that the borough would be providing water service to three customers that were located outside of the Borough's limits. Moreover, the Commission took note of the fact that the borough committed to continue providing water service solely to these three customers at the same terms of service as are or will be offered to customers within the boundaries of the borough. Also, as in the instant case, the Borough of Seven Fields presented an affidavit to the effect that it did not intend to offer service to the general public outside of its boundaries in the future. In the *Seven Fields* case, the Commission concluded that the limited nature of water service to such a defined group of customers should not realistically be subject to its jurisdiction. (Order at p.4).

In applying the standards enunciated in *Ambridge*, *Lehigh Valley*, and *Seven Fields* to the facts of the present case, we find that the limited extraterritorial service provided by the Borough is not subject to Commission jurisdiction. The extraterritorial service being provided by the Borough is provided to a limited number of customers and is not available to the general public. Moreover, the Borough clearly states that it will continue to provide service solely to the six customers that it is presently serving outside of its boundaries and that it is not soliciting additional customers. Such service does not constitute the provision of water service to or for the public. Finally, we note our expectation that an express condition of this exemption is that the Borough continue to apply the same rates outside as well as within Borough limits.

Under these circumstances, no certificate of public convenience is needed by the Borough and, absent any contrary responses from concerned parties, this Commission will cancel the operating authority issued to the Borough;

Therefore,

*It Is Ordered That:*

1. The Petition for Declaratory Order filed by the Borough on November 24, 1999, at P-00991775 is hereby granted.

2. The provision of water service by the Borough to the six customers located outside of the Borough's boundaries is deemed to be nonjurisdictional because it is not service "to or for the public" within the intendment of section 102 of the code.

3. A copy of this Order shall be served upon the Borough and upon each of the six customers listed in the Borough's certificate of service.

4. The Secretary shall certify this Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

5. The Borough is directed to cause to be published in a newspaper of general circulation in the Borough area, notice of this Tentative Order and of the Commission's intent to cancel the Borough certificate of public convenience absent adverse public comment within the 20-day time constraint established in the *Pennsylvania Bulletin*.

6. If no objection to this Order is filed with the Commission within 20 days of the publication date in the *Pennsylvania Bulletin*, this Order shall become final, and the Commission's Secretary's Bureau shall cancel the operating authority of the Borough and mark this file as closed. The Secretary's Bureau shall also then cause the Borough to be deleted from the active lists of the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 00-507. Filed for public inspection March 17, 2000, 9:00 a.m.]

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### Railroad With Hearing

**A-00115203. Southeastern Pennsylvania Transportation Authority (SEPTA).** For an exemption from the provisions of Subchapter C of the 52 Pa. Code § 33.122(b) and (c) and to exercise the rights contained in § 33.122(f) to permit the construction of two partial high level platforms associated with the renovated and reactivated Baldwin Railroad Station, located in Eddystone Borough, County of Delaware, PA.

**A-00116166. Southeastern Pennsylvania Transportation Authority (SEPTA).** For an exemption from the provisions of Subchapter C of the 52 Pa. Code § 33.122(b) and (c) and to exercise the rights contained in § 33.122(f) to permit the construction of two partial high level platforms associated with the renovated Overbrook Railroad Station, located in Philadelphia, County of Philadelphia, PA.

**A-00116169. Southeastern Pennsylvania Transportation Authority (SEPTA).** For an exemption from the

provisions of Subchapter C of the 52 Pa. Code § 33.122(b) and (c) and to exercise the rights contained in § 33.122(f) to permit the construction of two partial high level platforms associated with the renovated Stafford Railroad Station, located in Tredyffrin Township, County of Chester, PA.

**A-00116170. Southeastern Pennsylvania Transportation Authority (SEPTA).** For an exemption from the provisions of Subchapter C of the 52 Pa. Code § 33.122(b) and (c) and to exercise the rights contained in § 33.122(f) to permit the construction of two partial high level platforms associated with the renovated Chester Railroad Station, located in the City of Chester, County of Delaware, PA.

**A-00116171. Southeastern Pennsylvania Transportation Authority (SEPTA).** For an exemption from the provisions of Subchapter (C) of the 52 Pa. Code § 33.122(b) and (c) and to exercise the rights contained in § 33.122(f) to permit the construction of two partial high level platforms associated with the renovated Radnor Railroad Station, located in Radnor Township, County of Delaware, PA.

An Initial Hearing on this matter will be held on Thursday, April 13, 2000, at 10 a.m. at 1302 Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-508. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before April 10, 2000, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00116645. Emmanuel Nkwenti.** (1236 Towncrest Road, Williamsport, Lycoming County, PA 17701)—persons in paratransit service, between points in the counties of Lycoming, Clinton, Union, Centre, Tioga and Snyder, and from points in said counties, to points in Pennsylvania, and vice versa.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor of operating motor vehicles as**

**common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-00109349, Folder 2. Otto N. Shiberl, Jr., t/d/b/a B & B Limousine Rental** (R. D. 2, Route 208, Emlenton, Venango County, PA 16373)—persons in limousine service, between points in the counties of Venango, Clarion and Armstrong, and from points in said counties, to points in Pennsylvania, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00113947 to Tracy W. Harmon, t/d/b/a Tr's Limo Service, subject to the same limitations and conditions. *Attorney:* Kent S. Pope, 10 Grant Street, Suite A, Clarion, PA 16214.

**Application of the following for the approval of the transfer of stock as described under each application.**

**A-00111944, Folder 5000. Grace Cab Co., Inc.** (P. O. Box 5221, Philadelphia, Philadelphia County, PA 19115), a corporation of the Commonwealth of Pennsylvania—for approval of the transfer of 100 shares of the issued and outstanding stock from Vladimir Efimov to Lana S. Sterin involving three Philadelphia Medallions at A-00111944, F. 1, for P-1478; F. 2, P-286 and F. 3, P-976.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-509. Filed for public inspection March 17, 2000, 9:00 a.m.]

### Telecommunications

**A-310684F0002. United Telephone Company of Pennsylvania d/b/a Sprint and United States Telecommunications, Inc.** Joint Application of the United Telephone Company of Pennsylvania d/b/a Sprint and United States Telecommunications, Inc. for approval of a master resale agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and United States Telecommunications, Inc. by its counsel, filed on March 6, 2000, 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 United Telephone Company of Pennsylvania d/b/a Sprint and United States Telecommunications, 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. 00-510. Filed for public inspection March 17, 2000, 9:00 a.m.]

**Transfer by Sale  
Without Hearing**

**A-212285F0071 (water); A-230073F0002 (sewer). Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company (PAWC), for approval of 1) the transfer by sale of substantially all of the City of Coatesville Authority's assets, properties and rights related to its wastewater system to PAWC; 2) the rights of PAWC to begin to offer or furnish wastewater service to the public in all of the City of Coatesville and Parkesburg Borough, Chester County, PA, and portions of Caln Township, East Fallowfield Township, Valley Township, Sadsbury Township and West Sadsbury Township, Chester County, PA and application of PAWC for approval of 1) the transfer by sale, of substantially all the water works property and rights of the City of Coatesville Authority water system to PAWC; and 2) the rights of PAWC to begin to offer or furnish water service to the public in the City of Coatesville, Parkesburg Borough, South Coatesville Borough, Sadsbury Township and West Caln Township, Chester County, PA, and portions of Caln Township, East Fallowfield Township, Valley Township, Atglen Borough, West Sadsbury Township, Chester County, PA, and Quarryville Borough, Bart Township, Colerain Township, Eden Township and Sadsbury Township, Lancaster County, PA.

These applications may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before April 3, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-511. Filed for public inspection March 17, 2000, 9:00 a.m.]

**Transfer of Ownership  
Without Hearing**

**A-110003F0002; A-110850F5000. Baltimore Gas and Electric Company.** Application of Baltimore Gas and Electric Company (BG&E) for approval of: 1) the transfer of its ownership interests in the Keystone and Conemaugh Generating Stations; 2) the transfer of its stock ownership of Safe Harbor Water Power Corporation, and 3) Affiliated Interest Contracts between BG&E and Constellation Generation, Inc.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before April 3, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Baltimore Gas and Electric Company.

*Through and By Counsel:* Robert C. Gerlach, Esquire, Ballard, Spahr, Andrews and Ingersoll, LLP, 1735 Market Street, 51st Floor, Philadelphia, PA 19103.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-512. Filed for public inspection March 17, 2000, 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, March 30, 2000 for Project # 00-062-001 (Purchase of Computer Wiring). The bid documents can be obtained from the Director of Procurement, 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available March 21, 2000. The PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 00-513. Filed for public inspection March 17, 2000, 9:00 a.m.]

## SECURITIES COMMISSION

**Individuals Registered or Applying for Registration  
as an Agent or Investment Adviser Representative  
under the Pennsylvania Securities Act of  
1972**

### Order of Confidentiality

*Whereas*, Individuals registered or applying for registration as an agent or investment adviser representative under the Pennsylvania Securities Act of 1972 (1972 Act) are required to file The Uniform Application for Industry Registration or Transfer (Form U-4) with the Securities Commission (Commission) under to 64 Pa. Code §§ 303.013 and 303.014; and

*Whereas*, Form U-4 requires applicants and registrants to include their date of birth and social security number;

*Whereas*, Section 603(c) of the 1972 Act provides that information in Form U-4 shall be made available to the public, provided that the Commission may treat certain filings as confidential; and

*Whereas*, The Commission has determined that public disclosure under the 1972 Act of the information concerning the social security number and date of birth of individuals who are registered or applying for registration as agents or investment adviser representatives would be injurious to their personal economic security; and

*Whereas*, After due deliberation, the Commission finds it necessary or appropriate in the public interest and for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of the 1972 Act to issue the following Order:

*Now Therefore*, this 24th day of February 2000, the Commission, under the grant of authority under Sections 609(a) and 603(c) of the 1972 Act hereby orders that the social security number and date of birth of individuals who are registered or applying for registration as agents or investment adviser representatives as filed on Form U-4 shall be deemed confidential and the effective date of this Order shall be February 24, 2000.

M. JOANNA CUMMINGS,  
*Secretary*

[Pa.B. Doc. No. 00-514. Filed for public inspection March 17, 2000, 9:00 a.m.]

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## TREASURY DEPARTMENT

### Request for Proposals

The Treasury Department of the Commonwealth of Pennsylvania will be accepting proposals to provide financial advisory services related to the Commonwealth's long-term investment portfolio. Interested parties may receive a copy of the request for proposals by contacting the Treasury Department at (717) 787-9737. Proposals in response to this request will be accepted no later than noon on Monday, April 17, 2000. Late proposals will not be considered.

BARBARA HAFER,  
*State Treasurer*

[Pa.B. Doc. No. 00-515. Filed for public inspection March 17, 2000, 9:00 a.m.]

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