

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Notice of Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Tuesday, May 2, 2000. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission offices at 25 State Police Drive, West Trenton, NJ.

The conference among the commissioners and staff will begin at 9:30 a.m. and will include status reports on the comprehensive plan and the Christina Basin TMDL; reports on the March 31 drought management meeting and the April 17 Water Management Advisory Committee meeting; an update on the DRBC Corps of Engineers proposal for joint projects and progress toward an agreement for storage at F.E. Walter Reservoir; and discussions about activities of the Northeast-Midwest Institute, a meeting scheduled for May 19, 2000 regarding restoration of the DRBC's Federal funding, the planned DRBC 40th anniversary commemorative calendar, and upcoming Commission business meeting dates and locations.

In addition to the dockets listed, which are scheduled for public hearing, the Commission will address the following at its 1 p.m. business meeting: minutes of the March 7, 2000 business meeting; announcements; report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; and public dialogue. The Commission also will consider resolutions to: extend its contract with the Northeast-Midwest Institute; authorize production of a 40th anniversary calendar; and amend the Administrative Manual: By-Laws, Management and Personnel regarding approved holidays.

The dockets scheduled for public hearing are as follows:

1. *Elizabethtown Water Company D-81-17 CP RE-NEWAL* 2. An application for the renewal of a ground water withdrawal project to supply up to 51.84 million gallons (mg)/30 days of water to the applicant's public water supply system from Wells Nos. 1 and 2 in the Raritan aquifer. Commission approval on September 17, 1986 was limited to 12 years. The applicant requests that the total withdrawal from all wells remain limited to 51.84 mg/30 days. The project is located in West Windsor Township, Mercer County, NJ.

2. *J. Carlton Wells & Sons, Inc. D-99-34*. A ground water withdrawal project to supply a maximum of 179 mg/30 days of water from six wells in the Columbia aquifer, for irrigation of the applicant's farms, located near the Town of Milton, Sussex County, DE.

3. *East Whiteland Township and The Cutler Group D-99-59 CP*. A project to construct a 0.105 million gallons per day (mgd) lagoon wastewater treatment system to serve the proposed 279-unit Malvern Hunt development and other portions of East Whiteland Township, Chester County, PA. The proposed sewage treatment plant (STP) will provide secondary treatment, and treated effluent will be discharged to a lagoon for application to spray fields located off Swedesford Road across from the STP.

4. *Hatfield Quality Meats D-99-72*. A ground water withdrawal project to supply up to 12.6 mg/30 days of

water to the applicant's meat processing plant from new Well No. H-12, in the Brunswick aquifer, and to increase the withdrawal limit from all wells to 19.9 mg/30 days. The project is located in Hatfield Township, Montgomery County in the Southeastern Pennsylvania Ground Water Protected Area.

5. *Delaware Park Racetrack & Slots D-2000-2*. A surface water withdrawal project to supply up to 8.9 mg/30 days of water for seasonal irrigation of the applicant's racetrack grounds located near Stanton in New Castle County, DE. The water will irrigate approximately 26 acres of the applicant's track, walks and turf. Surface water will be withdrawn from two intakes situated just above an existing low dam on White Clay Creek, a tributary of the Christina River.

6. *Perdue Farms, Inc. D-2000-3*. A ground water withdrawal project to supply up to 60.48 mg/30 days of water to the applicant's existing poultry processing facility from new Well No. 5, and to retain the existing withdrawal limit from all wells at 66 mg/30 days. The project withdrawal is from the Columbia aquifer and is located in the Town of Georgetown, Sussex County, DE.

7. *United States Air Force—Dover Air Force Base D-2000-5 CP*. A project to replace withdrawal from existing Wells A and C in the applicant's water supply system that have become unreliable sources of supply, with new Wells A-2 and C-2. The applicant requests that the total withdrawal from all other existing wells, in combination with the new wells, be decreased from 65 mg/30 days to 56 mg/30 days. The project wells are located in the Cheswold and Piney Point Aquifers in Dover, Kent County, DE.

8. *Stony Creek Anglers, Inc. D-2000-7*. A ground water withdrawal project to supply up to 5.2 mg/30 days of water to the applicant's proposed trout nursery from new Well No. 6 in the Stockton Formation, and to limit the withdrawal from all wells to 5.2 mg/30 days. The project is located in West Norriton Township, Montgomery County, in the Southeastern Pennsylvania Ground Water Protected Area.

9. *Mantua Creek Generating Company, L.P. D-2000-13*. A project to construct a nominal 800 megawatt natural gas-fired, combined cycle electric generating station on a 303-acre tract immediately east of Paulsboro in West Deptford Township, Gloucester County, NJ. The applicant proposes to distribute the electric power via local PSE&G and Conectiv Energy lines to the Pennsylvania-Jersey-Maryland power grid. The applicant will utilize a maximum of 8.8 mgd of treated effluent from the Gloucester County Utilities Authority (GCUA) sewage treatment plant for cooling tower makeup and steam, with approximately 2.8 mgd to be returned to GCUA as wastewater.

10. *H. Stanford Roberts Nursery D-2000-15*. An application to supply up to 4.2 mg/30 days of water to the applicant's nursery irrigation system from existing Wells Nos. 1-3 and new Well No. 4, and to limit the combined withdrawal from all wells to 4.2 mg/30 days. The project wells are located in the Stockton Formation in Newtown Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500 ext. 221 concerning docket-

related questions. Persons wishing to testify at this hearing are requested to register with the Secretary at (609) 883-9500 ext. 203 prior to the hearing.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the hearing should contact the Secretary, Pamela M. Bush, directly at (609) 883-9500 ext. 203 or through the New Jersey Relay Service at (800) 852-7899 (TTY) to

discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,  
*Secretary*

[Pa.B. Doc. No. 00-699. Filed for public inspection April 28, 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 April 18, 2000.

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-13-00	Harleysville National Corporation, Harleysville, to acquire 100% of the voting shares of Citizens Bank and Trust Company, Palmerton	Harleysville	Approved

#### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-00	Earthstar Bank Upper Southampton Twp. Bucks County	111 Second St. Pike Upper Southampton Township Bucks County	Approved Effective 4-17-00

#### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
4-12-00	Tioga-Franklin Savings Association Philadelphia Philadelphia County  <i>To:</i> Tioga-Franklin Savings Bank Philadelphia Philadelphia County	Philadelphia	Filed

Application represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-7-00	Harris Savings Bank Harrisburg Dauphin County	Golden Mile Marketplace Route 40 & McCain Dr. Frederick Frederick County Maryland	Opened
4-10-00	Mercer County State Bank Sandy Lake Mercer County	Meadville Mall 16881 Conneaut Lake Rd. Meadville Crawford County	Opened
4-17-00	Mifflin County Savings Bank Lewistown Mifflin County	101 East Market St. Lewistown Mifflin County	Approved
4-17-00	Hollidaysburg Trust Company Hollidaysburg Blair County	1402 Logan Avenue Tyrone Blair County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-00	Fulton Bank Lancaster Lancaster County	1603 Manheim Pike Lancaster Lancaster County	Approved

**SAVINGS INSTITUTIONS****Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
3-31-00	East Stroudsburg Savings Association Stroudsburg Monroe County  Purchase of assets/assumption of liabilities of one branch office of Pioneer American Bank, N.A., Carbondale, located at:  Mr. Z's Supermarket Route 611 Stroudsburg Monroe County	East Stroudsburg	Effective

**CREDIT UNIONS****New Charter Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
4-17-00	The Greater Harrisburg Community Credit Union Harrisburg Dauphin County	Harrisburg	Approved

DAVID E. ZUERN,  
*Secretary*

[Pa.B. Doc. No. 00-700. Filed for public inspection April 28, 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.

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

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

**PA 0055212.** Sewage, **Concord Township Sewer Authority**, P. O. Box 171, Concordville, PA 19331.

This application is for renewal of a NPDES permit to discharge treated sewage from a wastewater treatment plant in Concord Township, **Delaware County**. This is an existing discharge to the West Branch of Chester Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1.2 mgd are as follows:

<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
Ammonia as N			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	6.0		12.0
Phosphorus as P	2.0		4.0
Fecal Coliform	200/100 ml		
Dissolved Oxygen	monitor/report		5.0 inst. minimum
Total Residual Chlorine	0.07		0.23
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is not in effect.

**PA 0025976. Amendment No. 2,** Sewage, **Upper Moreland-Hatboro Joint Sewer Authority**, P. O. Box 535, Willow Grove, PA 19090-0535.

This application is for an amendment of an NPDES permit to discharge treated sewage from a sewage treatment plant located in Upper Moreland Township, **Montgomery County**. This is an existing discharge to Pennypack Creek. The amendment reflects a revised effluent limit for total copper based on site-specific water effect ratio.

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

The proposed effluent limits for copper, total at Outfall 001, based on an average flow of 7.173 and a site specific water effect ratio are as follows:

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

The EPA waiver is not in effect.

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

**PA 0036790.** SIC: 6515, Sewage, **Paradise Mobile Home Park**, 315 High Street, Duncannon, PA 17020.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary to Dark Run, in Wheatfield Township, **York 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 United Water Company located in Susquehanna Township, 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 .053 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	20	40
(11-1 to 4-30)	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N (5-1 to 10-31)	2	4
(11-1 to 4-30)	6	12
Total Phosphorus	2	4
Total Residual Chlorine	0.12	0.29
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)	3,000/100 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 0088421.** Sewage, **Carolyn Schofield**, Six Park Drive, La Vale, MD 21502.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary of Towns Creek, in Southampton Township, **Cumberland County**.

The receiving stream is classified for high quality cold water fishery, recreation, water supply and aquatic life. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	20	40
Total Residual Chlorine	—	—
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)	200/100 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.

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

**PA 0095729.** Sewage, **Eastern Orthodox Foundation**, P. O. Box 432, Indiana, PA 15701-0432.

This application is for renewal of an NPDES permit to discharge treated sewage from the Eastern Orthodox Foundation Sewage Treatment Plant in Cherryhill Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary at Lake Margus and Yellow Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Central Indiana County Water Authority on Yellow Creek.

*Outfall 001:* existing discharge, design flow of 0.018 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen	1.5			3.0
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			

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine	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 0218359.** Sewage, **Green Township Municipal Authority**, Box 129, Commodore, PA 15729.

This application is for issuance of an NPDES permit to discharge treated sewage from the Green Township Municipal Authority Sewage Treatment Plant in Green Township, **Indiana County**.

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

*Outfall 001:* new discharge, design flow of 0.12 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5	7.5		10
(11-1 to 4-30)	15	22.5		30
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-31 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine	0.2			0.7
Dissolved Oxygen	not less than 4 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0223042.** Sewage. **Farmington Township**, P. O. Box 148, Leeper, PA 16233.

This application is for a new NPDES Permit to discharge treated sewage to Licking Creek in Farmington Township, **Clarion County**. This is a new discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Parker City Water Supply on the Allegheny River located at river mile 83.9 and is located 44.8 miles below discharge.

The proposed effluent limits for Outfall No. 001 based on a design flow of 0.100 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
	CBOD <sub>5</sub>	25	40
TSS	30	45	60
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	3,000/100 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 0091316.** Sewage. **Buttercup Woodlands Campground**, 854 Evans City Road, Renfrew, PA 15053.

This application is for renewal of an NPDES Permit to discharge treated sewage to Unnamed Tributary to Little Connoquenessing in Connoquenessing Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed

downstream potable water supply considered during the evaluation is Harmony Borough Water Authority on Little Conoquenessing Creek located at river mile 1.1 and is located 10.6 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.04 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	2.5	5
(11-1 to 4-30)	7.5	15
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3 mg/l at all times	
Total Residual Chlorine	1.4	3.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0103675.** Sewage. **Miracle Mountain Ranch Missions, Inc.**, R. D. 1 Box 95, Spring Creek, PA 16436.

This application is for renewal of an NPDES Permit to discharge treated sewage to an unnamed tributary to Brokenstraw Creek in Spring Creek Township, **Warren 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 Municipal Water Company on the Allegheny River located at Emlenton, approximately 105 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.0183 mgd, are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report		
CBOD <sub>5</sub>	25		50
TSS	30		60
Ammonia Nitrogen (5-1 to 10-31)	8		16
(11-1 to 4-30)	24		48
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.2
Dissolved Oxygen	minimum of 3 mg/l at all times		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0103608.** Sewage. **Country Acres Mobile Home Park**, 25622 Country Acres Trailer Park, Guys Mills, PA 16327.

This application is for a renewal of an NPDES Permit, to discharge treated sewage to Unnamed Tributary to Little Sugar Creek in East Mead Township, **Crawford 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 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 Franklin City General Authority on French Creek located at River Mile 2.2 and is located approximately 30.0 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.009 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	20	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	3	6
(11-1 to 4-30)	9.0	18

<i>Parameter</i>	<i>Average Monthly (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 4,900/100 ml as a geometric average	
Total Residual Chlorine	0.7	1.6
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

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

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0056383	Todd Rabenold 1241 Roundhouse Road Quakertown, PA 18951	Bucks County Haycock Township	UNT to Dimple Creek	

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0070157	Tulpehocken Area School District 428 New Schaefferstown Road Bernville, PA 19506-8939	Berks County Bethel Township	UNT to Little Swatara Creek	TRC
PA0033065	Palm City Park Paul W. Martin 2379 Brandt Rd. Annville, PA 17003	Lebanon County Annville Township	Killinger Creek	TRC
PA0080683	Millers Skyview MHP Edward H. Miller 200 Ridge Rd. Etters, PA 17319-9110	York County Newberry Township	Trib. to Bennetts Run	TRC
PA0081221	Campbell Mobile Homes Inc. Bailey Run MHP Route 34 South Newport, PA 17074	Perry County Miller Township	Bailey Run	TRC



<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0030473	West Shore School District Fairview Elem. P. O. Box 803 New Cumberland, PA 17070-0803	York County Fairview Township	UNT to Yellow Breeches	TRC
PA0087017	Locust Lane Limited Partnership Springford Village P. O. Box 1176 Bala Cynwyd, PA 19004	Dauphin County Lower Paxton Township	UNT to Nyes Run	TRC

### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

#### Applications under the Pennsylvania Clean Streams Law

##### (Part II Permits)

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

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

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

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

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

**WQM Permit No. 2394406.** Sewerage. **Springton Pointe LP**, 3103 Philmont Avenue, Huntingdon Valley, PA 19006. Applicant is requesting approval for the renewal of a large volume onlot disposal systems (LVOLDS) permit to serve Springton Pointe Estates located in Newtown Township, **Delaware 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. 0600401.** Sewerage. Submitted by **New Morgan Borough**, Building D, Grace Boulevard, New Morgan Industrial Park, Morgantown, PA 19543 in New Morgan Borough, **Berks County** to construct the New Morgan Academy Pump Station was received in the Southcentral Region on April 7, 2000.

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

**A. 0400405.** Sewerage. **Russell Wade Smith**, 101 Spruce Hill Lane, Fombell, PA 16123. Application for the construction and operation of a sewage treatment plant to serve the Smith Residence located in Marion Township, **Beaver County**.

**A. 0488402-A2.** **Marion Township**, 485 Hartzell School Road, Fombell, PA 16123. Application for the modification and operation of a sewage treatment plant expansion to serve the Veka STP located in Marion Township, **Beaver County**.

**A. 5672411-A1.** Sewerage. **John Bishop**, 212 Hickory Hollow Road, Somerset, PA 15501. Application for the modification and operation of a sewage treatment plant, pump station and sewers and appurtenances to serve the Bishop's Mobile Home Court No. 2 located in Somerset Township, **Somerset County**.

#### INDIVIDUAL PERMITS

##### (PAS)

#### NPDES Individual

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. 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-G416.** Stormwater. **Coventry Ridge**, 1890 Rose Cottage Lane, Malvern, PA 19355, has applied to discharge stormwater from a construction activity located in East Coventry, **Chester County**, to Pigeon Creek (HQ).

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

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

**NPDES Permit PAS10Q087-R.** Stormwater. **Spring Wood Hills At Trexler Park, L. P., Donald Frederick**, 1611 Pond Road, Suite 201, Allentown, PA 18104, has applied to discharge stormwater from a construction activity located in the City of Allentown, **Lehigh County**, to Little Lehigh Creek, HQ-CWF.

**NPDES Permit PAS10Q197.** Stormwater. **Caracor L.L.C., Del Markward**, 1628 North 18th Street, Allentown, PA 18104-9524, has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek, HQ-CWF.

**NPDES Permit PAS10Q198.** Stormwater. **Transport International Pool, Lisa Christmas**, 426 W. Lancaster Ave., Devon, PA 19333, has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek, HQ-CWF.

**NPDES Permit PAS10Q199.** Stormwater. **Cressman Transportation, Inc., Kimberly Cressman**, 4815 A Crackersport Rd., Allentown, PA 18104, has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek, HQ-CWF.

*Northampton County Conservation District, District Manager, Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.*

**NPDES Permit PAS10U131.** Stormwater. **Charles Chrin**, 400 S. Greenwood Ave., Easton, PA 18042, has applied to discharge stormwater from a construction

activity located in Palmer Township, **Northumberland County**, to Bushkill 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.*

**NPDES Permit PAS10F090.** Stormwater. **DEP, BAMR**, P. O. Box 8476, Harrisburg, PA 17105-8476 has applied to discharge stormwater from a construction activity located in Burnside Township, **Centre County**, to Unt. to N. Fork Beech Creek and Seven Mile Run, Mile Run to Sterling Run.

## SAFE DRINKING WATER

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

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

**A. 4600504.** Public water supply. **North Penn Water Authority**, P. O. Box 1659, Lansdale, PA 19446. This proposal involves the construction of a booster pumping station in Hatfield Township, **Montgomery County**.

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

**Permit No. 0100501.** Public water supply. **Mason Dixon Country Club, Inc.**, Freedom Township, **Adams County**. *Responsible Official:* Mason Dixon Country Club, Inc., 2501 South Front St., Philadelphia, PA 19148. *Type of Facility:* A proposed community water system serving a complex of family residences, commercial facilities and recreation areas. The proposed water system will consist of three wells, water softening, disinfection, finished water pumps, storage and distribution. Average projected demand is 0.5111 million gallons per day. *Consulting Engineer:* Richard M. Bodner, P.E., Martin and Martin, Inc., 37 S. Main St., Chambersburg, PA 17201. *Application Received:* March 28, 2000.

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

**A. 47-1006A.** Water allocation. The Department received an application from **Mahoning Township Authority**, 1101 Bloom Road, Danville, PA 17821, Mahoning Township, **Montour County**. This is a subsidiary water allocation application for the allocation of water to be supplied by the Danville Municipal Authority to the Mahoning Township.

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

**2600501. Pennsylvania American Water Company**, P. O. Box 1290, McMurray, PA 15317. Construction of a 2.3 million gallon per day packaged water booster pumping station within the Brownsville-Menallen distribution system serving Redstone Township, **Fayette County**.

**2600503. NWL Company**, 1001 Lafayette Avenue, Farmington, PA 15437. Construction of Well No. 5 and the rerating of Mulligan's Well for connection to the Nemaocolin Woodlands Resort System.

## 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)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department 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.*

**Howard Merkel Residence**, Doylestown Township, **Bucks County**. Eric B. Rosina, Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and petroleum 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 Record-Intelligencer* on March 24, 2000.

**Braxton's Animal Works**, Tredyffrin Township, **Chester County**. Eric S. Poulson, Poulson & Associates, 5 Camby Chase, Media, PA 19063, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and petroleum 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 *Main Line Times* on March 9, 2000.

**Kathleen Adamczyk Residence**, Borough of Morrisville, **Bucks County**. Brian R. Evans, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a Notice of Intent to Remediate site soil and groundwater 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 Bucks County Courier* on November 16, 1999.

## 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 or close solid waste processing or disposal area or site.

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

**A. 101544. Greater Lebanon Refuse Authority**, 1610 Russell Road, Lebanon, PA 17046. Application for permit renewal for a site in North Lebanon and North Annville Townships, **Lebanon County**. Application determined to be administratively complete in the Regional Office April 3, 2000.

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

**A. 100419. CBF Inc.**, R. D. 1, Route 21, P. O. Box 266, McClellandtown, PA 15458. J&J Landfill, R. D. 1, Route 21, P. O. Box 266, McClellandtown, PA 15458. An application for a leachate evaporation system and enclosed ground flare at a municipal waste landfill in German Township, **Fayette County**, was received in the Regional Office on April 14, 2000.

**A. 100594. Chambers Development Co., Inc.**, 600 Thomas Street Ext., Monroeville, PA 15146. Monroeville Landfill, 600 Thomas Street Ext., Monroeville, PA 15146. An application for a permit renewal of a municipal waste landfill in the Municipality of Monroeville, **Allegheny County** was received in the Regional Office on April 6, 2000.

## AIR QUALITY

### Plan Approval and Operating Permit Applications Nonmajor Sources and Modifications

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

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

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

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

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

### OPERATING PERMITS

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

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

**06-03011: Joseph D. Giles Funeral Home, Inc.** (21 Chestnut Street, Mohnton, PA 19540) for a Natural Minor Operating Permit for two crematory units in the Borough of Mohnton, **Berks County**.

**36-03031A: Paradise Custom Kitchens, Inc.** (3333 Lincoln Highway East, Paradise, PA 17562) for operation of a third spray booth in Paradise Township, **Lancaster County**.

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

**PA-10-047D: Mine Safety Appliances Co.** (1420 Mars Evans City Road, Evans City, PA 16033) for operation of an amines boranes plant in Forward Township, **Butler County**.

**37-309-046: Essroc Cement Corp.** (2nd Street, Bessemer, PA 16112) for operation of tire-derived fuel system in Bessemer Borough, **Lawrence County**.

**PA-37-185A: Universal Refractories, Inc.** (915 Clyde Street, Wampum, PA 16157) for operation of mgo processing equipment in Wampum Borough, **Lawrence County**.

**PA-62-017D: United Refining Co.** (Bradley and Dobson Streets, Warren, PA 16365) for operation of a tank in Warren, **Warren County**.

**PA-62-158A: Lane Construction Corp.** (Jakes Rocks Road, Warren, PA 16365) for operation of a drum mix asphalt plant in Mead Township, **Warren County**.

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

Under 25 Pa. Code § 127.521, 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; 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 persons 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 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

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

**43-00170: Werner Co.** (93 Werner Road, Greenville, PA 16125-9499) in Sugar Grove Township, **Mercer County**. Werner Co.'s air emission sources include extrusion lines, aging ovens, melting furnaces and cutting operations. The facility is a major stationary source as defined in Title 1, Part D of the Clean Air Act Amendments.

**43-00310: Duferco Farrell Corp.** (15 Roemer Blvd., Farrell, PA 16121) in City of Farrell, **Mercer County**. Duferco Farrell Corp.'s air emission sources include two natural gas fired boilers, two cold rolling lines and a hot rolling line. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amend-

ments due to the facility's potential to emit Carbon Monoxide, Nitrogen Oxides and Sulfur Oxides.

### PLAN APPROVALS

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

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

**36-05002A: Armstrong World Industries, Inc.** (P. O. Box 3001, Lancaster, PA 17604) for installation of a replacement cyclone/fabric filter unit at the flooring plant in Lancaster City, **Lancaster County**.

**36-05067F: C&D Technologies, Inc.** (82 East Main Street, Leola, PA 17540) for modification of the existing lead-acid storage battery manufacturing facility in Upper Leacock Township, **Lancaster County**. Several sources within the facility are subject to 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

**67-05001A: J. E. Baker Company** (P. O. Box 1189, York, PA 17405) for replacement of two screens and installation of a mixer and container filling station for refractory material controlled by existing fabric filters in West Manchester Township, **York County**.

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

**61-308-001A: Vertical Seal Co.** (R. D. 1, Box 147, Pleasantville, PA 16341) for replacement of the dust collector on the previously permitted operation (61-308-001) in Oilcreek Township, **Venango County**.

**PA-24-092A: Motion Control Industries, Inc.** (P. O. Box P, Gillis Avenue, Ridgeway, PA 15853) for post construction of various brake manufacturing processes and baghouse installations in Ridgeway, **Elk County**.

**PA-25-035A: Molded Fiber Glass/Union City** (55 Fourth Avenue, P. O. Box 112, Union City, PA 16438) for construction of a paint booth and drying oven for coating composite parts (144 parts per day), and incorporation of a VOC Plantwide Applicability Limit (PAL) (164.15 tons/year) in Union City, **Erie County**. Molded Fiber Glass/Union City is a Title V facility.

**PA-25-069D: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) for installation of a cartridge collector to control fugitive dust from Building 400 in the City of Erie, **Erie County**.

**PA-10-330A: Butler Veterinary Associates, Inc.** (1761 North Main Street Extension, Butler, PA 16001) for construction of an animal crematory in Center Township, **Butler County**.

**37-399-009A: Hickman Manufacturing, Inc.** (R. D. 2, Rt. 18 Industrial Park Boulevard, Wampum, PA 16157) for construction of an additional bulk storage tank in Wampum, **Lawrence County**.

**PA-43-321A: Northeast Industrial Manufacturing, Inc.** (640 Keystone Road, Greenville, PA 16125) for construction of two paint booths for coating roll-off containers (1500 units/year) in Greenville, **Mercer County**.

**PA-10-0326B: Oesterings Sandblasting & Painting** (686 Glennwood Way, Butler, PA 16001) for construction of a spray booth in Center Township, **Butler County**

**62-329-0004A: National Fuel Gas Supply Corp., Roystone Compressor Station**, (Star Route, Sheffield, PA 16347) for minor modification of the existing permit to reflect the uprate horsepower on Unit Nos. 1 through 8 in Sheffield Township, **Warren County**. The Station is a Title V facility.

### MINING

#### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

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

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. These 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 Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts

upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

*Coal Applications Received*

**32890109.** Permit Renewal for reclamation only, **Kent Coal Mining Company** (P. O. Box 219, Shelocta, PA 15774), for continued restoration of a bituminous surface and auger mine in Blacklick Township, **Indiana County**, affecting 18.4 acres, receiving stream Aultmans Run, application received April 10, 2000.

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

**17000104. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine permit in Decatur Township, **Clearfield County** affecting 51.7 acres. Receiving streams: two unnamed tributaries to Moshannon Creek. Application received April 3, 2000.

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

**33930107. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767-0343) Transfer of an existing bituminous surface strip operation in Pinecreek and Warsaw Townships, **Jefferson County** affecting 383.3 acres. Receiving streams: Unnamed tributary of Laurel Run to Little Millcreek and unnamed tributaries to Little Millcreek. Transfer from Leonard Zenzi. Application received April 10, 2000.

**33940105. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767-0343) Transfer of an existing bituminous surface strip operation in Pinecreek Township, **Jefferson County** affecting 118.1 acres. Receiving streams: Two unnamed tributaries to Five Mile Run to Mill Creek and Mill Creek. Transfer from Leonard Zenzi. Application received April 10, 2000.

**33980103. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767-0343). Transfer of an existing bituminous surface strip operation in Warsaw Township, **Jefferson County** affecting 74.3 acres. Receiving streams: Unnamed tributary to Mill Creek. Transfer from Leonard Zenzi. Application received April 10, 2000.

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

**30950701. Consolidation Coal Co.,** (P. O. Box 100, Osage, WV 26543), to renew the permit for the Blacksville No. 2, Hughes Hollow Slurry Pond in Wayne Township, **Greene County**, renewal, no additional discharges. Application received March 6, 2000.

**03901304. TJS Mining, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774), to revise the permit for the Darmac No. 3 Mine in Plumcreek Township, **Armstrong County** to revise the existing permit to add 298.6 underground acres to the permit boundary and 220.8 acres to the subsidence control plan boundary, no additional discharges. Application received March 10, 2000.

**03871302. DLR Mining, Inc.,** (3065 Airport Road, Indiana, PA 15701), to revise the permit for the Triple K No. 1 Mine in Burrell Township, **Armstrong County** to revise the existing permit and add a 3rd surface facility site consisting of three deep mine entries, associated

structures, and 2.2 surface acres, no additional discharges. Application received March 15, 2000.

**32841302. Pennsylvania Mines Corp.,** (P. O. Box 367, Ebensburg, PA 15931), to revise the permit for the Greenwich Collieries—No. 2 South Mine in Green Township, **Indiana County**, revision to existing permit to include 18" discharge borehole, pump installation, pond, and modifications to discharge point, no additional discharges. Application received March 29, 2000.

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

*Noncoal Applications Received*

**65950301. Twin Ridge Industrial Development Corporation** (R. D. 5, Box 34, Latrobe, PA 15650). Application received to transfer permit currently issued to Tasman Development Company, Ltd. for continued operation and reclamation of a large noncoal surface mining site located in Latrobe Borough, **Westmoreland County**, affecting 8.63 acres. Receiving streams: Loyalhanna Creek and unnamed tributaries. Application received April 10, 2000.

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

**40000301. Hanson Aggregates Pennsylvania, Inc.,** (P. O. Box 231, Easton, PA 18044-0231), commencement, operation and restoration of a quarry operation in Denison Township, **Luzerne County** affecting 57.3 acres, receiving stream—none. Application received April 7, 2000.

**7974SM4A1C6. M & M Stone Co.,** (2840 West Clymer Avenue, P. O. Box 130, Telford, PA 18969-0130), renewal of NPDES Permit PA0612332 in West Rockhill Township, **Bucks County**, receiving stream—East Branch Perkiomen Creek. Application received April 10, 2000.

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

### ENCROACHMENTS

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

**Application 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.*

**E46-866.** Encroachment. **Reitnour Investment Properties**, 1260 Valley Forge Road, Phoenixville, PA 19460. To modify and maintain an existing 5.6 acre man-made lake by filling in a 1.2 acre portion of open water to facilitate the construction of the Lakeview Commercial Center (former Lakeview Amusement Park). Work will impact 0.16 acre of wetland (PEM). The project is situated on the northern part of the site approximately 1,200 feet northeast of the intersection of Lewis Road and Royersford Road (Phoenixville, PA Quadrangle N: 12.65 inches; W: 4.1 inches) in Limerick Township and Royersford Borough, **Montgomery County**.

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

**E39-382.** Encroachment. **Fred R. Walter**, 7685 Weisenberg Church Road, New Tripoli, PA 18066-2807. To excavate a 60-foot by 150-foot area within the impoundment area of a nonjurisdictional dam across a tributary to Lyon Creek (HQ-CWF, MF). The project is located on the north side of Weisenberg Church Road (T-859), approximately 0.5 mile west of the intersection of T-642 (Slatedale PA Quadrangle N: 3.0 inches; W: 10.7 inches), Weisenberg Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

**E45-391.** Encroachment. **Pennsylvania Department of Transportation, Engineering District 5-0**, 1713 Lehigh Street, Allentown, PA 18103-4724. To maintain a bridge having a single span of approximately 61 feet and underclearance of approximately 13 feet across Emerald Lake. The construction of this bridge was authorized under Emergency Permit 4500402. The project is located along S. R. 4002, approximately 0.7 mile north of S. R. 0080 (Pocono Pines, PA Quadrangle N: 15.0 inches; W: 7.7 inches), Tobyhanna Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

**E64-210.** Encroachment. **Wayne County**, 925 Court Street, Honesdale, PA 18431. To remove the existing structure and to construct and maintain a prestressed concrete, adjacent box beam bridge, having a normal span of 47.9 feet and an underclearance of approximately 6.8 feet across Equinunk Creek (HQ-CWF). A temporary road crossing located downstream of the existing structure is also proposed during construction. This bridge, also known as Magee Bridge, is located along Township Road T-608 (High Lake Road), approximately 0.25 mile east of its intersection with T-684 (Lake Como, PA Quadrangle N: 10.8 inches; W: 9.5 inches), Buckingham Township, **Wayne County** (Philadelphia District, U. S. Army Corps of Engineers).

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

**E21-305.** Encroachment. **Lauren Imgrund, Dickinson College—ALARM**, P. O. Box 1773, Carlisle, PA 17013. To regrade and stabilize the banks of the

channel of a tributary to Letort Spring Run (CWF) starting at a point at Bedford Street and extending downstream 600 feet (Carlisle, PA Quadrangle N: 12.7 inches; W: 8.6 inches) in Carlisle Borough, **Cumberland County**.

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

**E02-1303.** Encroachment. **County of Allegheny, Department of Public Works**, 501 County Office Building, 414 Grant Street, Philadelphia, PA 15219-2951. To remove the existing structure and to construct and maintain a new concrete wall approximately 120.0 feet in length and 7.0 feet in height along the right bank of Thompson Run for the purpose of stabilizing Railroad Street located approximately 150 feet northeast from the intersection of Railroad Street and Larimer Avenue (Braddock, PA Quadrangle N: 7.4 inches; W: 10.2 inches) in Wilkins Township, **Allegheny County**.

**E63-487.** Encroachment. **Louis Dugas**, Box 308, Slovan, PA 15078. To construct and maintain a 5 foot diameter culvert (depressed 1 foot) in a tributary to Burgetts Fork Raccoon Creek (WWF) to provide access to a proposed private residence. The project is located on the west side of Atlasburg Road approximately 800 feet south of its intersection with Cross Creek Road (SR 4029) (Avella, PA Quadrangle N: 15.7 inches; W: 1.9 inches) in Smith Township, **Washington County**.

**E04-271.** Encroachment. **First Energy Nuclear Operating Company**, 76 South Main Street, Akron, OH 44308. To repair, operate and maintain an existing 17'11" by 11'8" metal pipe arch approximately 156' long and an existing 15' diameter cm pipe approximately 1,788' long in Peggs Run (WWF). The work includes removing rocks and debris from the culverts and installing a 6" to 8" thick reinforced concrete lining at various locations in the bottom of the culverts. This permit also authorizes the construction and maintenance of a 100' long by 35' wide and 4' deep settling pond located at the upstream end of the culverts in Peggs Run. The culverts start at a point approximately 575' from the confluence of Peggs Run and the Ohio River and extends upstream approximately 1944' (Hookstown, Pa Quadrangle N: 22.2 inches; W: 7.2 inches) in the Borough of Shippingport, **Beaver County**. Note the 17' 11" by 11'8" metal pipe arch and the 15' diameter cm pipe where originally permitted under permits 18772 and 0477723 respectively.

#### ENVIRONMENTAL ASSESSMENT

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

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

**D06-036EA.** Environmental Assessment. **Bureau of Abandoned Mine Reclamation** (5th Floor, Rachel Carson State Office Building, P. O. Box 8476, Harrisburg, PA 17105-8476) To remove the breach remains of the Felix Dam across the Schuylkill River (WWF, MF), remove the remains of a small dam located upstream of the Felix Dam, remove accumulated sediments upstream of the dam, stabilize an eroded section of the stream bank with rock removed from remains of the dam, and reseed disturbed areas along the stream banks at a public park



upstream of the Felix Dam. The project is located approximately 1,000 feet downstream of the S. R. 222 bridge across the river (Temple, PA Quadrangle, N: 2.95 inches; W: 13.20 inches), in Bern and Muhlenberg Townships, **Berks 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).

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

**NPDES Permit No. PA0055930.** Industrial waste. **Abington Memorial Hospital**, 1200 Old York Road, Abington, PA 19001, is authorized to discharge from a facility located in Abington Township, **Montgomery County** into an unnamed tributary to Meadow Creek.

**NPDES Permit No. PA0056090.** Industrial waste. **Ogden Aviation Service Company of Pennsylvania, Inc.**, Hog Island Road-Tank Farm, Philadelphia, PA 19153, is authorized to discharge from a facility located in Tinicum Township, **Delaware County** into the Delaware River.

**NPDES Permit No. PA0053562.** Sewerage. **Joseph A. Gallagher**, 533 Kellers Church Road, Ottsville, PA 18942, is authorized to discharge from a facility located in Nockamixon Township, **Bucks County** to an unnamed tributary to Rapp Creek.

**NPDES Permit No. PA0056766 Amendment No. 1.** Industrial waste. **Philadelphia International Airport Terminal E**, Philadelphia, PA 19153, is authorized to

discharge from a facility located in Tinicum Township, **Delaware County and the City of Philadelphia** into 001: Mingo Creek; 003, 004, 005: Delaware River.

**WQM Permit No. 2399404.** Sewerage. **Delaware County Regional Water Quality Control Authority**, 100 East Fifth Street, P. O. Box 999, Chester, PA 19016. Applicant is granted approval for the construction and operation of an upgrade to the pump station to serve the Central Delaware County Authority service area located in Ridley Township, **Delaware County**.

**WQM Permit No. 2399201 Amendment No. 1.** Industrial waste. **Springfield Township**, 50 Powell Road, Springfield, PA 19064. Applicant is granted approval for the construction and operation of a wetland treatment system to serve the Springfield Township Landfill located in Springfield Township, **Delaware County**.

**WQM Permit No. 1500406.** Sewage. **TAD Facilities**, 628 Telegraph Road, Coatesville, PA 19320. Applicant is granted approval to make modifications for a proposed treatment system located in West Caln Township, **Chester County**.

**WQM Permit No. 4600407.** Sewerage. **Candlewyck Estates Homeowner's Association**, 5022 Fernwood Avenue, Egg Harbor Township. Applicant is granted approval for the construction and operation of a wastewater treatment plant to serve 14 single-family residences located in Marlborough Township, **Montgomery County**.

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

**Permit No. PA-0044997-A1.** Sewage. **Mount Pocono Municipal Authority**, 303 Pocono Boulevard, Mount Pocono, PA 18344, is authorized to discharge from a facility located in Mount Pocono Borough, **Monroe County**, to Forest Hills Run.

**Permit No. 1300402.** Sewerage. **Weissport Municipal Authority**, 406 White Street, Lehighton, PA 18235. Permit for a sanitary collection system, located in the Borough of Weissport, **Carbon County**.

**Permit No. 4899407.** Sewerage. **Bath Borough Authority**, P. O. Box 87, Bath, PA 18014. Permit for modifications and additions to existing sewage treatment plant, located in Bath Borough, **Northampton County**.

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

**Permit No. PA0082694.** Sewerage. **East St. Clair Township Municipal Authority**, (Fishertown STP), P. O. Box 55, Fishertown, PA 15539, is authorized to discharge from a facility located in East St. Clair Township, **Bedford County**, to the receiving waters named Dunning Creek.

**Permit No. PA0081248.** Sewerage. **PP&L Inc.** (Otter Creek Recreation Area), Two North Ninth Street, Allentown, PA 18101, is authorized to discharge from a facility located in Lower Chanceford Township, **York County**, to the receiving waters named Susquehanna River.

**Permit No. PA0086819.** Sewerage. **Donald L. Collier**, 12300 Dalewood Drive, Silver Spring, MD 20902, is authorized to discharge from a facility located in Southampton Township, **Bedford County**, to the receiving waters named Wilson Run.

**Permit No. PA0088331.** Sewerage. **David Martin**, (Martin Lot No. 1), 914 South 13th Street, Harrisburg, PA 17104, is authorized to discharge from a facility located in



Londonderry Township, **Dauphin County**, to the receiving waters named Conewago Creek.

**Permit No. 2299409.** Sewerage. **David Martin** (Martin Lot No. 2), 914 South 13th Street, Harrisburg, PA 17104, is authorized to discharge from a facility located in Londonderry Township, **Dauphin County**, to the receiving waters named Conewago Creek.

**Permit No. PA0088307.** Sewerage. **Snyders LLP** (Eagles Crossing Golf Course STP), R. D. 1, Box 178, Glen Rock, PA 17327, is authorized to discharge from a facility located in North Middleton Township, **Cumberland County**, to the receiving waters named Conodoguinet Creek.

**Permit No. PA0046370.** Industrial waste. **Hastings Pavement Co., Inc.**, 200 North Canal Street, P. O. Box 756, Leesport, PA 19533, is authorized to discharge from a facility located in Leesport Borough, **Berks County**, to the receiving waters named Schuylkill River.

**Permit No. PA0081647.** Sewerage. **White Run Regional Municipal Authority**, 2001 Baltimore Pike, Gettysburg, PA 17325, is authorized to discharge from a facility located in Mount Joy Township, **Adams County**, to the receiving waters named White Run.

**Permit No. PA0023183** Sewerage. **Mount Holly Springs Borough**, 11—13 Mill Street, Mount Holly Springs, PA 17065, is authorized to discharge from a facility located in Mount Holly Springs Borough, **Cumberland County**, to the receiving waters named Mountain Creek.

**Permit No. 2299408.** Sewerage. **David Martin**, 914 South 13th Street, Harrisburg, PA 17104. This permit approves the construction of Sewage Treatment Facilities in Londonderry Township, **Dauphin County**.

**Permit No. 2299409.** Sewerage. **David Martin**, 914 South 13th Street, Harrisburg, PA 17104. This permit approves the construction of Sewage Treatment Facilities in Londonderry Township, **Dauphin County**.

**Permit No. 3600402.** Sewerage. **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. This permit approves the construction of Pump Station in Lancaster Township, **Lancaster County**.

**Permit No. 210401.** Sewerage. **Snyders LLP** (Eagles Crossing Golf Course STP), R. D. 1, Box 178, Glen Rock, PA 17327. This permit approves the construction of Sewage Treatment Facilities in North Middleton Township, **Cumberland County**.

**Permit No. 2177403-99-1.** Sewerage. **Mount Holly Springs Municipal Authority**, 200 Harman Street, Mount Holly Springs, PA 17065. This permit amendment approves the modification/construction of Sewage Treatment Facility in Mount Holly Springs Borough, **Cumberland County**.

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

**NPDES Permit No. PA0022276.** Sewerage. **Southmoreland School District**, 609 Parker Avenue, Scottdale, PA 15683, is authorized to discharge from a facility located at Southmoreland School District STP, East Huntingdon Township, **Westmoreland County**, to receiving waters named Unnamed Tributary of Stauffer Run.

**NPDES Permit No. PA0022331.** Sewerage. **West Elizabeth Sanitary Authority** is authorized to discharge from a facility located at West Elizabeth Wastewater

Treatment Plant, West Elizabeth, **Allegheny County**, to receiving waters named Monongahela River.

**NPDES Permit No. PA0092860.** Sewerage. **Terry G. and Regina A. Lambie**, R. D. 2, Dunbar, PA 15431, is authorized to discharge from a facility located at Terrace Acres MHP STP, Upper Tyrone Township, **Fayette County**, to receiving waters named Jacobs Creek.

**NPDES Permit No. PA0094676.** Sewerage. **Twin Lakes Center, Inc.**, P. O. Box 909, 224 Twin Lake Road, Somerset, PA 15501, is authorized to discharge from a facility located at Twin Lakes Center STP, Somerset Township, **Somerset County**, to receiving waters named East Branch Coxes Creek.

**NPDES Permit No. PA0203742.** Sewerage. **Schenley Industrial Park**, P. O. Box 62, Schenley, PA 15682, is authorized to discharge from a facility located at Schenley Industrial Park STP, Gilpin Township, **Armstrong County**, to receiving waters named Allegheny River.

**NPDES Permit No. PA0216941.** Sewerage. **Forest Hills Municipal Authority**, 401 Grant Street, South Fork, PA 15956, is authorized to discharge from a facility located at South Fork Regional Wastewater Treatment Plant, Conemaugh Township, **Cambria County**, to receiving waters named Little Conemaugh River.

**NPDES Permit No. PA0218375.** Sewerage. **Arensberg Estates Homeowner's Association**, 660 Mercer Road, Greenville, PA 16125, is authorized to discharge from a facility located at Arensberg Estates STP, Cecil Township, **Washington County**, to receiving waters named Unnamed Tributary of Millers Run.

**Permit No. 0278408-A5.** Sewerage. **Upper Allegheny Joint Sanitary Authority**, 420 Fourth Avenue, Tarentum, PA 15084. Reconstruction of CSO outfalls located in East Deer Township, **Allegheny County**, to serve East Deer, Tarentum and Natrona.

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

**NPDES Permit No. PA0005983.** Industrial waste. **Cooper-Bessemer Reciprocating**, 150 Lincoln Avenue, Grove City, PA 16127-1836 is authorized to discharge from a facility located in Grove City, **Mercer County**, to Wolf Creek (Outfall 001, 003, 007 and 008) and McMillan Run (Outfall 005).

**NPDES Permit No. PA0022373.** Sewerage. **Lakeview Joint Sewer Authority**, Route 62N, P. O. Box 357, Stoneboro, PA 16153-0357, is authorized to discharge from a facility located in Sandy Lake Township, **Mercer County**, to Sandy Creek.

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

*Southwest Regional Office: Regional Oil and Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4024.*

**NPDES Permit No. PA0228222.** Industrial, **Hart Resource Technologies, Inc.**, P. O. Box 232, Creekside, PA 15732. Approval granted to discharge treated industrial waste from a facility in Pike Township, **Clearfield County**, into West Branch Susquehanna River.

**NPDES Permit No. PA0095273-A2.** Industrial, **Franklin Brine Treatment Corporation**, R. D. 2, Box 403-R, U. S. Route 322E, Franklin, PA 16323. Approval granted for increased discharge volume of treated indus-

trial waste from a facility in Burrell Township, **Indiana County**, into Blacklick Creek.

### INDIVIDUAL PERMITS

#### (PAS)

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

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under 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). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

*Southcentral Region: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.*

**PAS-10-H037-R.** Individual NPDES. **Kollas & Costopoulos**, 1104 Fernwood Avenue, Camp Hill, PA 17011. To implement an erosion and sedimentation control plan for the construction of a development called Westgate Residential Subdivision on 84.5 acres in South Middleton Township, **Cumberland County**. The project is located just west of Mount Holly Springs Borough (Mt. Holly Springs, PA Quadrangle N: 22.0 inches; W: 10.85 inches). Drainage will be to Yellow Breeches Creek. (HQ-CWF)

**PAS-10-M071-R.** Individual NPDES, **Daniel Sheedy**, P. O. Box 68, Boonsboro, MD 21713. To implement an erosion and sedimentation control plan for a single family housing development on 190 acres in Antrim Township, **Franklin County**. The project is located about 1.5 mile northwest of Greencastle Borough (Williamstown, PA Quadrangle N: 10.9 inches; W: 0.4 inch). Drainage will be to Muddy Run. (HQ-CWF)

**PAS-10-H086.** Individual NPDES. **S & A Homes, Inc.**, 501 Rolling Ridge Drive, State College, PA 16801. To

implement an erosion and sedimentation control plan for construction of a single family residential subdivision called Meadowood Subdivision on 13.88 acres in South Middleton Township, **Cumberland County**. The project is located just north of PA 174 about 1,200 feet west of its intersection with Forge Road (Carlisle, PA Quadrangle N: 4.45 inches; W: 1.2 inch). Drainage will be to UNT to Yellow Breeches Creek. (HQ-CWF)

### INDIVIDUAL PERMITS

#### (PAR)

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

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permits to discharge wastewater into the surface waters of this Commonwealth; (2) NOIs for coverage under General Permits 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 arrangements made for copying at the contact office noted.

#### List of General Permit Types

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater 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

## NOTICES

2151

*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>
Lackawanna County Taylor Borough	PAR10N054-2	Eugene J. Kane, Jr. Kane Properties P. O. Box 931 Scranton, PA 18501-0931	Keyser Creek	Lackawanna CD (570) 281-9495
Northampton County City of Bethlehem	PAR10U134	Bethlehem Steel Corp. 1170 Eighth Ave. Room 1718 Martin Towers Bethlehem, PA 18016-7699	Lehigh River WWF	Northampton CD (610) 746-1971
Monroe County Polk Township	PAR10S028	Hunter's Run at Polk KAL-TAC, Inc. P. O. Box 378 Brodheads ville, PA 18322	Chapple Creek (CWF-MF)	Monroe CD (570) 629-3060
Upper Allen Township Cumberland County	PAR-10-H217	PennDOT District 8-0 SR 0015 Section A12 2140 Herr Street Harrisburg, PA 17103-1699	Yellow Breeches Creek	Cumberland County CD 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812
Shippensburg Borough Cumberland County	PAR-10-H223	Shippensburg Borough Shippensburg Little League 60 West Burd Street Shippensburg, PA 17257	Middle Spring Creek	Cumberland County CD 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812
Shrewsbury Township York County	PAR-10-Y449	Lutheran Social Services Michael Stoner 1050 Pennsylvania Avenue York, PA 17404-1999	UNT to Deer Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
East Manchester Township York County	PAR-10-Y417	Chestnut Valley—Phase 1 John Davis Penn State Investment Group 2555 Kingston Road York, PA 17402	Hartman Run	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Dover Borough York County	PAR-10-Y456	Dover GFLP Dennis Schmidt 1000 North Front Street, Suite 240 Wormleysburg, PA 17043	Fox Run	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Heidelberg Township York County	PAR-10-Y461	Codorus Overlook Bruce Ruhlman J & J Enterprises 94 Baumbardner Road Hanover, PA 17313	West Branch of Codorus Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Shrewsbury Township Hopewell Township York County	PAR-10-Y423	Grace United Methodist Church 108 South Main Street Shrewsbury, PA 17361	UNT to Deer Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Shrewsbury Township York County	PAR-10-Y436	Chestnut Commerce Center John Buchart Chestnut Commerce Partnership Space Leasing Inc. Managing Partner 11 East Market Street York, PA 17401	Deer Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Chestnut Commerce Partnership Space Leasing Inc., Managing Partner 11 East Market Street York, PA 17401	PAR-10-Y434	The Pointe @ Presidential Heights John Huenke Cornerstone Development Group, Inc. P. O. Box 179 Felton, PA 17322	UNT to Deer Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Centre County Potter Township	PAR10F071-1	Hidden Lake Estates Stanley Lindsay, Sr. R. R., Box 245 Centre Hall, PA 16828	Cedar Run	Centre County CD 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County Muncy Township	PAR103934	Lycoming Mall Outparcels Crown Investment Trust Pasquerilla Plaza Johnstown, PA 15907	Margarets Run	Lycoming County CD 2130 County Farm Rd. Suite 6 Montoursville, PA 17754 (570) 433-3003
Snyder County Penn Township	PAR105919	Susquehanna Valley RV R. R. 1, Box 131-5 Selinsgrove, PA 17870	Unt. Middle Creek	Snyder County CD 043 W. Market St. Middleburg, PA 17842 (570) 837-0085
Beaver County Franklin Township	PAR100265	PA American Water Co. 800 West Hershey Drive Hershey, PA 17033	UNT Hazen Run Hazen Run Camp Run UNT Connoquenessing Creek Buck Run UNT Buck Run UNT Longtown Run	Beaver County CD (724) 774-7090
Beaver County Hopewell Township	PAR100266	Dave Dascanio Majestic Properties 1401 Imperial Drive Aliquippa, PA 15001	UNT Longtown Run	Beaver County CD (724) 774-7090
Fayette County Dunbar Borough Dunbar Township	PAR10L056	Dunbar Borough/Township Sanitary Authority 47 Connellsville Street Dunbar, PA 15431	Dunbar Creek	Southwest Regional Office (412) 442-4315
Fayette County Springhill Township	PAR10L060	Allegheny Energy Supply 800 Cabin Hill Dr. Greensburg, PA 15601	UNT Grassy Run	Fayette County CD (724) 438-4497
Fayette County Upper Tyrone Township	PAR10L061	Vincent Opalinski Box 42 Everson, PA 15631	UNT Jacobs Creek	Fayette County CD (724) 438-4497
Fayette County Springfield Township	PAR10L062	DEP Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105	Raster Run	Fayette County CD (724) 438-4497
Washington County Chartiers Township	PAR10W155	Charles Fife Fife Moving and Storage 2121 West Chestnut Street Washington, PA 15301	UNT Chartiers Creek	Washington County CD (724) 228-6774
Washington County Chartiers Township	PAR10W156	ECM Transport Inc. P. O. Box 113 Springdale, PA 15144	UNT Chartiers Creek	Washington County CD (724) 228-6774

<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>
Clarion County Perry Township	PAR101523	Kifer Mine Reclamation Sidney L. Miles, President Milestone Crushed, Inc. 521 South Street Clarion, PA 16214	Unnamed Tributary to Allegheny River and Unnamed Tributary to Clarion River (WWF)	Northwest Region Water Mgt. Program Manager 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-3</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Montgomery County Lower Gwynedd Township	PAR110049	Moore Products Company 1201 Sumneytown Pike Spring House, PA 19477-0900	Trewellyn Creek	Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Berks County Heidelberg Township	PAR113545	Reading Pretzel Machinery Corp. t/a Reading Bakery Systems 380 Old West Penn Avenue Robesonia, PA 19551-8949	Furnace Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Logan Township	PAR803614	Norfolk Southern Railway Company Juniata Locomotive Shop 110 Franklin Road SE Box 13 Roanoke, VA 24042-0013	Spring Run	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Logan Township	PAR803615	Norfolk Southern Railway Company Rose Yard 110 Franklin Road SE Box 13 Roanoke, VA 24042-0013	Little Juniata River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Denver Borough	PAR123516	Wise Foods, Inc. Quinlan Pretzel Company 245 Townpark Drive Suite 450 Kennesaw, GA 30144	Cocalico Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Hanover Borough	PAR603547	Staiman Recycling—Hanover Division P. O. Box 1235 Williamsport, PA 17703-1235	Plum Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County East Hempfield Township	PAR123517	Hubbard Feeds 424 N. Riverfront Drive Mankato, MN 56001	W. Branch Little Cocalico Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Wellsville Borough	PAR203592	Pennex Aluminum Company P. O. Box 100 Wellsville, PA 17365	Doe Run	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County East Hempfield Township	PAR123528	Hershey Foods Corporation 1025 Reese Avenue Hershey, PA 17033	Brubaker Run	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<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>
Cambria County West Taylor Township	PAR706112	Quaker Sales Corporation P. O. Box 880 Johnstown, PA 15907	Conemaugh River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cambria County Susquehanna Township	PAR706113	Quaker Sales Corporation P. O. Box 880 Johnstown, PA 15907	West Branch of Susquehanna River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Armstrong County Washington Township	PAR806146	Mark Ann Industries, Inc. P. O. Box 1022 Kittanning, PA 16201	UNTs to Limestone Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Adams County Straban Township	PAG043510	Stacy D. Martin 110A Woodside Road Gettysburg, PA 17325	UNT Conewago Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Napier Township	PAG043641	William Hillegass 191 Frazier Homestead Road Schellsburg, PA 17559	Dry Stream	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County West Hempfield Township	PAG043516	Matthew R. Gardner 2522 Ironville Pike Columbia, PA 17512	Shawnee Run	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Perry County Watts Township	PAG043511	Kenneth Shull 155 W. High Street Elizabethtown, PA 17022	Juniata River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-5*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Washington County Burgettstown Borough	PAG056139	Sutherland Lumber Company P. O. Box 351 Langeloth Rd. Burgettstown, PA 15021	Burgetts Fork Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Washington County Canton Township	PAG056144	Chico Enterprises 331 Beechurst Avenue Morgantown, WV 26505	Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-8*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Fulton Township Lancaster County	PAG-08-0004	Philadelphia Water Department 1101 Market Street Philadelphia, PA 19153	Huyard Farm Fulton Township Lancaster County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-9*

<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>
Lincoln Township Huntingdon County	PAG-09-3527	Burns Septic Service 139 Captain Phillips Memorial Road Saxton, PA 16678	Burns Farm No. 2 Lincoln Township Huntingdon County	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

**SEWAGE FACILITIES ACT  
PLAN APPROVAL**

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

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

*Location: Mount Union Borough, Huntingdon  
County, Nine West Market St., Mount Union, PA 17066.* The approved plan revises the previously approved sewage treatment plant treatment capacity from 1.65 mgd to 1.10 mgd. This change reflects the results of an inflow and infiltration reduction program and revised capacity requirements of the participating municipalities. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. The required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Location: Upper Allen Township, Cumberland  
County, 100 Gettysburg Pike, Mechanicsburg, PA 17055.* The approved plan provides for construction of a new interceptor along Cedar Run to connect to the Lower Allen Township sewer system and eliminate three pump stations. A proposed extension of existing sewers will serve the Villages of Bowmansdale and Shepardstown. Sewage from the Pump Station 6 service area will be redirected from the Lower Allen Township System to the township's Grantham sewage treatment plant. An Onlot Disposal System Maintenance program will be developed and implemented. The Department's review of the sewage facilities update revision has not identified any significant

environmental impacts resulting from this proposal. The required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-0530.*

*Location: Herndon Borough and Jackson Township, Northumberland County.* An update revision proposing construction of a new sewage treatment plant and sewers to serve the borough of Herndon and adjacent areas in Jackson Township has been disapproved by the Department. The reasons for disapproval were failure of these municipalities to present a plan that addressed the consistency issues of the selected plan with the Commonwealth's regulations and failure to comply with public notice and planning commission review requirements for the selected alternative.

*Location: Hamilton Township, Tioga County.* The approved plan calls for construction by Hamilton Township of gravity sewers to serve the village of Morris Run and surrounding areas with conveyance of the collected wastewater to the existing Blossburg Municipal Authority wastewater treatment facility for treatment; 162 existing EDUs will be served by the new system. The Department's review of the sewage facilities update revision has not identified any significant negative environmental impacts resulting from this proposal.

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

*Location:* **City of New Castle**, Lawrence County, The Honorable Timothy M. Fulkerson, Mayor, City of New Castle, City Building, 230 North Jefferson Street, New Castle, PA 16101. This approved project proposes to eliminate four sanitary sewer overflows (SSOs) in the sewer system of the City of New Castle. The Plan also proposes to construct a new siphon as part of the comprehensive plan to not only eliminate SSOs but also provide additional sewer capacity for future development on the east side of the City and surrounding municipalities. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

*Location:* **City of Titusville**, Titusville, **Crawford County**, Timothy McGregor, Interim City Manager, City of Titusville, 107 North Franklin Street, Titusville, PA 16354. This approved project proposes the construction of a relief sewer to carry wastewater around the combined sewer overflow located at Central Avenue and Church Run. The goal is to eliminate the Central Avenue overflow. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

## SAFE DRINKING WATER

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

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

**Permit No. 0999512.** Public water supply. **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 19786. A permit has been issued for the construction of Well No. S-3 as an additional source of supply for Bucks County Water and Sewer Authority in Solebury Township, **Bucks County**. *Type of Facility:* Public Water Supply System. *Consulting Engineer:* Boucher and James, Inc., 127 5th Street, Quakertown, PA 18951. *Permit to Construct Issued:* April 5, 2000.

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

**Permit No. 1498501.** The Department issued an operation permit to **Whispering Pines, DKZ, Inc.**, 625 Little Marsh Creek Road, Bellefonte, PA 16823, Boggs Township, **Centre County**. This permit authorizes operation of Well No. 3, transmission line, chemical treatment and finished water storage.

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

**Permit No. 6587502-T1.** Public water supply. **Patterson Kurelic Rentals**, P. O. Box 608, Greensburg, PA 15601. *Type of Facility:* Pines Apartments Water System. *Permit issued for Operation:* April 7, 2000.

**Permit No. 6587502-A1-T1.** Public water supply. **Patterson Kurelic Rentals**, P. O. Box 608, Greensburg, PA 15601. *Type of Facility:* Pines Apartments Well No. 4. *Permit issued for Operation:* April 7, 2000.

**Permit No. 5689504-A1.** Public water supply. **Hidden Valley Resort**, L. P., 1 Craighead Drive, Hidden Valley, PA 15502. *Type of Facility:* Corrosion control accomplished by pH adjustment using liquid sodium hydroxide. *Permit issued for Operation:* April 7, 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 Operation:* April 7, 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 nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

**Braxton's Animal Works**, Tredyffrin Township, **Chester County**. Eric S. Poulson, Poulson & Associates, 5 Camby Chase, Media, PA 19063, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

**Kathleen Adamczyk Residence**, Borough of Morrisville, **Bucks County**. Brian R. Evans, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.



**The Former Canada Dry Facility**, City of Philadelphia, **Philadelphia County**. Peter D. Beyer, P.G., Environmental Resources Management, 855 Springdale Drive, Exton, PA 19341, has submitted a Final Report concerning remediation of site groundwater contaminated with lead, solvents, BTEX, MTBE and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health and site-specific standards.

**Howard Merkel Residence**, Doylestown Township, **Bucks County**. Eric B. Rosina, Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

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

**P. H. Glatfelter Company**, Spring Grove Borough, **York County**. EPSYS Corporation, 1414 North Cameron Street, Harrisburg, PA 17103 and P. H. Glatfelter Co., 228 South Main Street, Spring Grove, PA 17362 have submitted a Final Report concerning remediation of site groundwater contaminated with BTEX, PHCs and PAHs. The report is intended to document remediation of the site to the Statewide health standard.

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

**LTV Southside (Eliza Works)**, City of Pittsburgh, **Allegheny County**. Martin Knuth, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205-9702 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PHCs as indicated in the Notice of Intent to Remediate dated June 26, 1997. The report is intended to document remediation of the site to meet the Statewide health standard.

**Neville Island Industrial Park (Lot B-RPS Facility)**, Neville Township, **Allegheny County**, Shenango Group, Inc., 200 Neville Road, Pittsburgh, PA, Neville Island Associates, Gregg Brown, 733 Washington Avenue, Carnegie, PA 15106 and Stephen G. McGuire, Fluor Daniel GTI, 637 Braddock Avenue, East Pittsburgh, PA 15112, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX, PHCs and PAH. The Remedial Investigation Report, Risk Assessment and Cleanup Plan for this site were approved on July 7, 1997. The final report is intended to document remediation of the site to meet the site-specific standard.

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

**National Forge Company, Area of Concern (AOC-06)**, One Front Street, Irvin, PA 16329, Brokenstraw Township, **County of Warren**, has submitted a Remedial Investigation Report and a Final Report concerning the remediation of groundwater. The site has been found to be contaminated with PAHs and Cutting Oil. The report is intended to document remediation of the site to meet the Statewide health and site specific standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigations, 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 content of the plans and reports, contact the Environmental Cleanup Program Manager in the Department Regional Office under which the notice of the plan and report appears. If information concerning the plan and 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 plans and reports.

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

**M. B. Land Company**, Horsham Township, **Montgomery County**. A Final Report concerning remediation of site soils and groundwater contaminated with lead, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and VOCs was submitted to the Department. The report demonstrated attainment of Statewide health and background standards and was approved by the Department on September 4, 1997.

**Blue Chip Products, Inc.**, Falls Township, **Bucks County**. A Baseline Environmental Report concerning

remediation of site soil and groundwater contaminated with heavy metals, solvents and BTEX was submitted to the Department. The report was approved by the Department on September 12, 1997 and the Special Industrial Area Consent Order and Agreement was executed on September 26, 1997.

**Joseph L. Wesley (Amquip Corp.)**, Bensalem Township, **Bucks County**. A Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated with lead was submitted to the Department. The report demonstrated attainment of Statewide health and background standards and was approved by the Department on September 30, 1997.

**Exxon Properties, L. P.**, West Whiteland Township, **Chester County**. A Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons was submitted to the Department. The report demonstrated attainment of the Statewide health standard and was approved by the Department on September 29, 1997.

**184 Pennsylvania Avenue Associates**, Malvern Borough, **Chester County**. Michael S. Welsh, P.E., Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355, has submitted a Final Report concerning remediation of site soil contaminated with polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on April 5, 2000.

**Former Automatic Timing and Controls Facility**, Upper Merion Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Site Characterization/Risk Assessment Report concerning remediation of site groundwater contaminated with solvents. The report was approved by the Department on April 6, 2000.

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

**Pennsylvania Power & Light Company (PP&L)—former Avoca Substation**, Avoca Borough, **Luzerne County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on September 11, 1997.

**Brensinger Residence**, Moore Township, **Northampton County**. All Phase Environmental Services, Inc., 131 Technology Drive, Bethlehem, PA (on behalf of its client, John Brensinger, 469 Monacacy Drive, Bath, PA 18014) submitted a Final Report concerning the remediation of site soils found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polycyclic aromatic hydrocarbons. The final report demonstrated attainment of the Statewide health standard, and was approved on September 3, 1997.

**Pennsylvania Power & Light Company (PP&L)—Retired Old Forge Substation**, Old Forge Borough, **Lackawanna County**. PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demon-

strated attainment of the Statewide health standard, and was approved on September 18, 1997.

**Reichard Residence**, Whitehall Township, **Lehigh County**. David R. Crowther, Geologist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 submitted a Final Report (on behalf of his clients, Mr. and Mrs. Lorenz Reichard, Roosevelt Street, Whitehall, PA 18052) concerning the remediation of site soils found or suspected to have been contaminated with no. 2 home heating oil compounds. The report demonstrated attainment of the Statewide health standard and was approved on April 6, 2000.

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

**Highland Industrial Park**, Springettsbury Township, **York County**. A Final Report has been submitted concerning the remediation of site soils and groundwater contaminated with BTEX and PHCs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on September 9, 1997.

**Distribution Pole 22694S35285**, East Pennsboro Township, **Cumberland County**. PP&L, Inc., Two North Ninth Street, Allentown, PA 18101-1179, has submitted a final report concerning the remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on April 11, 2000.

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

**Penn Garment Company**, Old Lycoming Township, **Lycoming County**. A Final Report was submitted addressing soil and groundwater contamination with BTEX, PHCs and PAHs. The report demonstrated remediation to meet the site-specific standard. The report was approved by the Department on September 19, 1997.

**Ockers Fuel Oil, Inc.**, Loyalsock Township, **Lycoming County**. Robert Ocker, 17 Wodbryn Drive, Williamsport, PA 17701 has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with BTEX and PHCs. The Remedial Investigation Report, Risk Assessment Report and Cleanup Plan were deficient and were disapproved by the Department on April 5, 2000.

**Renninger Lumber Truck Spill (Charles Rishel Residence)**, Potter Township, **Centre County**. US Filter on behalf of their client, Bituminous Casualty Corporation, P. O. Box 509, Lutherville, MD 21094, has submitted a Final Report concerning the remediation of soil contaminated with benzene, toluene, ethylbenzene, isopropylbenzene (cumene), fluorene, naphthalene and phenanthrene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on April 5, 2000.

**Former Greystone Property**, City of Williamsport, **Lycoming County**. Converse Consultants on behalf of their client, PENNRAM, P. O. Box 695, Williamsport, PA 17701, has submitted a Work Plan concerning the remediation of site soil and groundwater contaminated with lead and BTEX. The Work Plan was approved by the Department on October 4, 1999. A Baseline Environmen-

tal Report was subsequently submitted and was approved by the Department on January 18, 2000.

**St. Louis De Montford Academy**, Herndon Borough, **Northumberland County**. Frank's Electrical Construction, Inc., on behalf of their client, St. Louis De Montford Academy, R. D. 2, Box 609, Herndon, PA 17830, has submitted a Final Report concerning soil contaminated with kerosene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on April 10, 2000.

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

**Gil Partnership**, Pittsburgh, **Allegheny County**. Howard J. Wein of Klett, Leiber, Rooney and Schorl, 40th Floor, One Oxford Centre, Pittsburgh, PA 15219, has submitted a Final Report concerning remediation of site soil contaminated with lead and petroleum hydrocarbons. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 25, 1997.

**Pennzoil Products Company**, 54th Street Terminal, City of Pittsburgh, **Allegheny County**. Pennzoil Products Company, David Soza, P. O. Box 2967, Houston, TX 77252 has submitted a remedial investigation report concerning remediation of site soil and groundwater contaminated with solvents. The report submitted under the site-specific standard was disapproved by the Department on April 5, 2000.

**Federal Laboratories Site**, Area 15A, Saltsburg, **Indiana County**. TransTechnology Corporation, 150 Allen Road, Liberty Corner, NJ 07938 and Kelly R. Macintosh, Conestoga-Rovers and Associates, 2055 Niagara Falls Boulevard, Niagara Falls, NY 14304, has submitted a remediation investigation report, a risk assessment and a cleanup plan concerning remediation of site soil and groundwater contaminated with solvents. The reports submitted under the site-specific standard were disapproved by the Department on March 21, 2000.

**LTV Southside (Eliza Works)**, City of Pittsburgh, **Allegheny County**. Martin Knuth, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205-9702 has submitted a final report concerning remediation of site soil and groundwater contaminated with PHCs. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on March 31, 2000.

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

**GPU Energy—Punxsutawney District Office**, 500 Pine St., Punxsutawney, PA 15767, Borough of Punxsutawney, **County of Jefferson**, did submit a Final Report concerning the remediation of groundwater and soil. The report was approved and did demonstrate attainment of the Statewide health and site-specific standards and was approved by the Department on April 13, 2000.

**Brockway Subdistrict Facility—Pennsylvania Electric Company, d/b/a GPU Energy**, James Street and Evergreen Avenue, Borough of Brockway, **Jefferson County**. A Final Report concerning remediation of site soils contaminated with BTEX and petroleum hydrocarbons was submitted to the Department. The report demonstrated attainment of the Statewide health standard and was approved on August 22, 1997.

**Housing Authority of the City of Meadville**, 611/613 Terrace Street, City of Meadville, **Crawford County**. A Final Report concerning remediation of site soils contaminated with lead was submitted to the Department. The report demonstrated attainment of the Statewide health standard and was approved on September 10, 1997.

## SOLID AND HAZARDOUS WASTE RESIDUAL WASTE PROCESSING FACILITIES

**Proposed Department initiated general permit 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 residual waste management regulations for a general permit to process or beneficially use residential waste.**

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

**General Permit No. WMGR064.** Beneficial use of natural gas well brines. **Department of Environmental Protection, Bureau of Land Recycling and Waste Management**, proposes to authorize the beneficial use of natural gas well brines under General Permit No. WMGR064. This general permit will authorize the use of natural gas well brines for wintertime roadway prewetting (brines mixed with antiskid materials prior to roadway application) and anti-icing (brines applied directly to the roadway surface) applications. This will be a Statewide general permit.

Under the terms and conditions of the general permit, persons who are approved to beneficially use natural gas well brines will be required to meet, at a minimum, the following: compliance with The Clean Streams Law and Solid Waste Management Act, conformance with PennDOT standards for the use of brines in roadway applications, conformance with brine quality standards, and maintenance of operating records.

The Department is authorized under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and § 287.611 of the residual waste management regulations to issue general permits for any category of beneficial use or processing that results in the beneficial use of residual waste on a regional or Statewide basis when the Department determines that the use will not harm or present a threat of harm to the health, safety or welfare of the public or the environment and the activity can be adequately regulated using standard permit conditions.

Persons requesting approval to operate under the terms and conditions of the general permit will be required to register with the Department's Central Office at least 15 days prior to commencing activities authorized under the general permit. The following minimum information will be required to obtain the registration:

- (a) Name and address of registrant.
- (b) Name and location of generators of the natural gas well brines.
- (c) Number and title of the general permit.
- (d) Contact person of registrant.
- (e) Proof that proposed beneficial use activities are consistent with the general permit.

(f) A signed statement accepting all conditions of the general permit.

(g) Proof of identification of interests.

(h) Compliance history information

(i) A registration fee.

Persons interested in obtaining further information or a copy of the proposed general permit may contact Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted to the Department within 60 days of the date of this notice and may recommend conditions upon, revisions to, and approval or rejection of the proposed general permit.

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

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

**Permit ID No. 300876. Conemaugh Generating Station Ash/Refuse Disposal Site, Sithe Northeast Management Company**, 1001 Broad Street, Johnstown, PA 15907. Operation of a captive residual waste landfill in West Wheatfield Township, **Indiana County**. Permit reissuance from GPU Generation, Inc. to Sithe Northeast Management Company was issued by the Regional Office on April 11, 2000.

**Permit ID No. 300837. Keystone Generating Station Ash/Mine Refuse Disposal Site, Sithe Northeast Management Company**, 1001 Broad Street, Johnstown, PA 15907. Operation of a captive residual waste landfill in Plumcreek Township, **Armstrong County**. Permit reissuance from GPU Generation, Inc. to Sithe Northeast Management Company and major permit modification providing for a 142 acre contiguous expansion of the Keystone Generating Station Ash/Mine Refuse Disposal Site to include the West Valley Disposal Area was issued by the Regional Office on April 11, 2000.

**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

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

**Permit No. 101662. ADC Recycling Corp.**, 1060 Conshohocken Road, Conshohocken, PA 19428. Permit was issued for a new, construction and demolition transfer station to be located in Plymouth Township, **Montgomery County**. Permit was issued by the Southeast Regional Office on April 12, 2000.

**Permit No. 101468. Republic Services Group of Pennsylvania I, LLC**, 3600 South 26th Street, Philadelphia, PA 19145. Permit for the Girard Point Transfer

Station was reissued from USA Waste Transfer of Philadelphia to Republic. Permit was reissued by the Southeast Regional Office on April 11, 2000.

**Permit No. 100973. Republic Services Group of Pennsylvania II, LLC**, 2900 Orthodox Street, Philadelphia, PA 19137. Permit for the Quickway Transfer Station was reissued from the USA Waste Hauling of Philadelphia to Republic. Permit was reissued by the Southeast Regional Office on April 11, 2000.

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

**Permit No. 301261.** Permit reissued under 25 Pa. Code § 287.221 to **U. S. Liquids of Pennsylvania, Inc.**, 199 Clyde Street, Ellwood City, PA 16117, located in **Lawrence County**, Ellwood City Borough. Former owner was Ellwood Processing, Inc., 199 Clyde Street, Ellwood City, PA 16117. Permit was issued by the Regional Office on April 5, 2000.

**AIR QUALITY  
OPERATING PERMITS**

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

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

**GP-33-158: Fairman Drilling Co., Big Run Compressor Station** (Route 36, Gaskill, PA 15767) on April 4, 2000, for installation and operation of two compressor engines in Gaskill Township, **Jefferson County**.

**GP-25-992: Snap Tite Hose, Inc.** (217 Titusville Road, Union City, PA 16438) on April 14, 2000, for installation and operation of a burn off oven in Union City, **Erie 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.**

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

**47-318-007D: Cabinet Industries, Inc.** (400 Railroad Street, Danville, PA 17821) on April 7, 2000, to correct a typographical error regarding the required submittal dates for quarterly finishing material volatile organic compound/hazardous air pollutant content reports in Danville Borough, **Montour County**.

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

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

**42-00011: Honeywell International Inc.—Farmers Valley** (101 Columbia Road, Morristown, NJ 07962) in Keating Township, **McKean County**. The modification to the Title V permit is for the inclusion of two plan approvals (42-302-009B and 42-312-017B) for changing the operating procedures at the facility. Plan Approval 42-302-009B conditions are as follows:

1. This condition supercedes Condition Number 3 of Operating Permit 42-302-009 issued on July 1, 1978, which required the precipitator to be operated any time the sources were operated. The owner or operator of the facility shall only be required to operate the precipitator when any of the sources are fueled with coal. If all of the boilers operating are burning fuel oil, the owner or operator shall not be required to operate the precipitator.

2. The owner or operator shall keep records of the individual fuel usage for each of the sources. The records shall be kept for a minimum of 5 years. The records, at a minimum, shall identify the type of fuel and the hours the sources were operated using each type of fuel.

3. While the precipitator is not in use, the owner or operator shall ensure that the control device functions properly when reactivated by following the standard shutdown and startup procedures identified in the control device Operations and Maintenance Manual.

4. The sources and the control devices shall be maintained in accordance with the manufacturer's specifications and consistent with good air pollution control practices. Plan Approval 42-312-017B condition is as follows: 1. This condition supercedes the condition in Plan Approval 42-312-017A which required that alternate tanks (55, 19, 37, 24, 29 and 36) can be filled only if corresponding tanks (10, 18, 21, 22, 28 and 34) are empty. The facility may use tanks (3, 22, 24, 28, 29 and 32) concurrently.

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

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

**21-310-031B: Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201-0809) on April 11, 2000, for operation of a limestone crushing plant controlled by wet suppression and a fabric collector at the Shippensburg Quarry in Southampton Township, **Cumberland County**. These sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**OP-03-00196: National Fuel Gas Supply Corp.** (P. O. Box 2081, Erie, PA 16512) on April 11, 2000, for operation of Kaylor Station Facility in Sugarcreek Township, **Armstrong County**.

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

**PA-25-069B: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) on March 31, 2000, for operation of a nickel plant fluid bed reactor in Erie, **Erie County**.

**PA-25-095F: Lord Corp., Mechanical Products Division** (1635 West 12th Street, Erie, PA 16514) on February 28, 2000, for operation of a de-smut tank in Erie, **Erie County**.

**PA-43-316A: Atlantic States Materials of PA, Inc.** (Route 19, P. O. Box 269, Mercer, PA 16137) on March 31, 2000, for operation of a non-metallic mineral processing facility in East Lackawonock Township, **Mercer County**.

**Nitrogen Oxides (NOx) Allowance Program**

**Title V/State Only Operating Permit to include conditions relating to NOx Allowance Requirements in 25 Pa. Code §§ 123.101—123.120**

The Department of Environmental Protection (Department) has issued the following Operating Permit which includes allocations under the provisions of 25 Pa. Code §§ 123.101—123.120 (relating to NOx allowance requirements) as specified in Appendix E.

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.

Copies of this permit and other relevant information are available for review at the following address.

*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**.

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**PLAN APPROVALS**

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**Administrative Amendment 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.**

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

**TV-56-00151: Fleetwood Folding Trailers, Inc.** (258 Beacon Street, P. O. Box 11, Somerset, PA 15501) amended to correct the permit contact person's telephone number and a typographical error found in Condition 011 of Section C in Somerset Borough, **Somerset County**.

**TV-65-00837: Consolidated Natural Gas Transmission Corp.** (Route 22, P. O. Box 66, Delmont, PA 15626) for inclusion of two new dehydration heating units constructed under Plan Approval PA-65-837A in Salem Township, **Westmoreland County**. The new units replace two

existing dehydration heaters. The applicable requirements and special conditions from the plan approval have been added to the Title V Operating Permit.

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

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

**08-318-027: Mills Pride—Pennsylvania** (100 Lamoka Road, Sayre, PA 18840) on April 7, 2000, to extend the authorization to operate a wood kitchen cabinet door manufacturing and finishing operation on a temporary basis until August 5, 2000, as well as to extend the deadline for performing stack testing on two wood-fired boilers and associated air cleaning devices (dual stage multiclones) and a finishing operation and associated air cleaning device (regenerative thermal oxidizer) in Athens Township, **Bradford 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.*

**40-310-044: Lonsetta Trucking & Excavating Co.** (P. O. Box 644, 340 Rocky Road, Hazleton, PA 18201) on April 11, 2000, for construction of a stone crushing operation and associated air cleaning device in Hazle Township, **Luzerne County**.

**40-303-020: Pikes Creek Asphalt** (Division of Haines & Kibblehouse, P. O. Box 196, Skippack, PA 19474) on April 11, 2000, for construction of a batch asphalt plant and associated air cleaning device on Trojan Road in Lehmen Township, **Luzerne County**.

**66-315-039: Proctor & Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) on April 14, 2000, for construction of a diaper production area air handling system on Route 87 in Washington Township, **Wyoming County**.

**66-315-040: Proctor & Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) on April 14, 2000, for construction of a four diaper raw material delivery air handling system on Route 87 in Washington Township, **Wyoming County**.

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

**01-05025A: Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201) on April 17, 2000, for construction of a drum mix asphalt plant controlled by a cyclone in series with fabric collector at the Gettysburg Quarry in Cumberland Township, **Adams County**. The drum mix asphalt plant is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities. The cement tank and the oil tank for the hot mix asphalt plant are subject to 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels).

**07-03035: Pennfield Corp.** (P. O. Box 4366, 711 Rohrerstown Road, Lancaster, PA 17604) on April 13, 2000, for construction of six mineral storage bins controlled by two LMC fabric collectors along with eight grain storage bins in Martinsburg Borough, **Blair County**.

**67-03063: Advanced Recycling Technology, Inc.** (340 South Broad Street, Hallam, PA 17406) on April 12, 2000, for construction of an industrial dryer controlled by a wet scrubber in Hallam Borough, **York 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.*

**06-01003B: Lucent Technologies, Inc.** (P. O. Box 13396, Reading, PA 19612-3396) granted February 25, 2000, to authorize temporary operation of a photoresist stripper line, covered under this Plan Approval until June 24, 2000, at the Reading Plant in Muhlenberg Township, **Berks County**.

**29-318-003B: JLG Industries, Inc.** (JLG Drive, McConnellsburg, PA 17233) granted March 29, 2000, to authorize temporary operation of the McConnellsburg Manlift Production Facility, covered under this Plan Approval until July 26, 2000, in Ayr Township, **Fulton County**.

**67-05042: Hanover Foods Corp.** (P. O. Box 334, Hanover, PA 17331) granted March 27, 2000, to authorize temporary operation of the boiler plant in Penn and Heidelberg Townships, **York County**.

**Plan Approvals denied 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.*

**19-304-003A: S&B Foundry Co.** (3825 New Berwick Highway, Bloomsburg, PA 17815) on April 12, 2000, for failure to demonstrate that the air contaminant emissions from two iron induction furnaces and a ductile iron inoculation station will comply with the fugitive air contaminant emission limitations specified in 25 Pa. Code § 123.1 as well as failure to demonstrate that they will be controlled to the maximum extent consistent with best available technology as required by 25 Pa. Code §§ 127.1 and 127.12 in South Centre Township, **Columbia County**.

## MINING

### APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on

each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

#### *Coal Mining Permits Issued*

**63841306. Mon View Mining Corp.,** (P. O. Box 1203, Uniontown, PA 15401), to renew the permit for the Mathies Mine in Nottingham Township, **Washington County**, to revise for post mining land use change, no additional discharges. Permit issued April 3, 2000.

**30871301. Genesis Inc. dba Meadow Run Genesis, Inc.,** (P. O. Box 552, Somerset, PA 15501-0552), to revise the permit for the Meadow Run Mine in Dunkard Township, **Greene County**, to extend the subsidence control plan boundary and add 32 acres to the existing plan, no additional discharges. Permit issued April 6, 2000.

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

**32940109. Permit Renewal, K.M.P. Associates** (R. D. 2, Box 194, Avonmore, PA 15618-9512), for continued operation of a bituminous surface and auger mine in Young Township, **Indiana County**, affecting 133.1 acres, receiving stream tributary to/and Whisky Run, application received February 8, 2000, permit issued April 13, 2000.

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

#### *Small Industrial Mineral Issued*

**56990801. M & S Stone Quarries, Inc.,** commencement, operation and restoration of a small industrial mineral burgoon sandstone operation in Addison Township, **Somerset County**, affecting 2.9 acres, receiving stream unnamed tributary to Zehner Run, application received September 9, 1999, issued April 13, 2000.

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

#### *Noncoal Permits Issued*

**37840409. Southdown, Inc.** (1200 Smith Street, Suite 2400, Houston, TX 77002). Revision to an existing limestone operation to allow incidental coal extraction in Shenango Township, **Lawrence County**. Receiving streams: Unnamed tributary to Big Run; unnamed tributary to McKee Run. Application received: December 22, 1999. Permit Issued: April 6, 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 Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

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

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**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 to not include 401 Certification, unless specifically stated in the description.)

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

**E51-182. Encroachment Permit. The Bridesburg Outboard Club,** P. O. Box 5991, Philadelphia, PA 19137-0991. To construct and maintain a fishing and docking facility in and along the western bank and 100-year floodplain of the Delaware River (WWF-MF). Work will include a boat ramp, steel walkway, gangway, floating landing dock, several floating fishing docks and several mooring buoys associated with the relocation of the Bridesburg Outboard Club. The site is located approximately 1,000 feet south of the intersection of Richmond Street and Buckius Street, at 3101 Buckius Street (Camden NJ-PA Quadrangle N: 21.5 inches; W: 9 inches) in the **City and County of Philadelphia**. The permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E15-628. Encroachment Permit. Pennsylvania Department of Transportation,** 7000 Geerdes Boulevard, King of Prussia, PA 19406. To remove an existing three span reinforced concrete T-beam bridge across Pickering Creek (HQ-TSF) and to construct and maintain, in its place, a twin span reinforced concrete box beam bridge. Each span of the new bridge will measure approximately 63.0 feet and the average vertical clearance will be about 6.0 feet. The new abutments and pier will be skewed 72 degrees to match the approximate direction of stream flow. Roadway improvements will include widening the curb-to-curb distance to 30 feet and reducing the vertical alignment in certain areas to improve sight distance. The site is located along State Road (S. R. 0029) approximately 1,000 feet northeast of its intersection with Pickering Dam Road (Malvern USGS Quadrangle N: 18.3 inches; W: 5.1 inches) in Charlestown Township, **Chester County**.

**E63-480. Encroachment. William and Mary Stewart,** 788 Rural Valley Road, Washington, PA 15301. To widen and maintain the channel of Wolf Run (HQ-WWF) and an unnamed tributary to Wolf Run for the purpose of constructing ponds for the Royal Tartan Golf Course located just south from the intersection of Rural Valley Road, Smiley Road and South Hewlett Road (Washington



West, PA Quadrangle N: 13.2 inches; W: 12.5 inches) in Canton Township, **Washington County**. This permit also authorizes the construction and maintenance of six outfall structures. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E06-529.** Encroachment. **Robesonia-Wernersville Municipal Authority**, P. O. Box 202, Wernersville, PA 19565. To construct and maintain a screening device and an extension to an existing wet well within the floodplain of Spring Creek (TSF) at an existing sewage treatment plant at a point approximately 9,000 feet upstream of Blue Marsh Lake (Sinking Springs, PA Quadrangle N: 17.9 inches; W: 11.8 inches) in Wernersville Borough, **Berks County**. This permit was issued under the Chapter 106 Floodplain Management.

**E07-327.** Encroachment. **Blair County Convention & Sports Facility Authority**, c/o Allegheny Mountains Convention & Visitors Bureau, Logan Valley Road, Altoona, PA 16602. To construct and maintain a twin span prestressed I-Beam bridge having two normal spans of 133.73 feet with a 1.5-foot center pier and an underclearance of 19.7 feet across Brush Run (WWF); place riprap revetment at the bridge pier and abutments; construction of a temporary stream crossing consisting of five 42-inch diameter, 52.5 feet long culverts to facilitate construction of the bridge; a 5.50-foot diameter, 400.0-foot long, RCP stream enclosure with gabion outfall protection and a temporary sand bag diversion in an unnamed tributary to Brush Run (WWF); place fill in 0.80 acre of wetlands and construction of three temporary sediment traps in wetlands for the purpose of constructing Blair County Convention Center Boulevard (SR 9900) between Plank Road (SR 1001) and Logan Boulevard (SR 0036) located about 2.0 miles north of the intersection of Logan Boulevard and SR 0022 (Hollidaysburg, PA Quadrangle N: 14.7 inches; W: 3.2 inches) in Allegheny Township, **Blair County**. The permittee is required to construct 1.1 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

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

**E02-1263.** Encroachment. **Wil-Mar Group**, 431 Brown Lane, P. O. Box 15284, Pittsburgh, PA 15237. To construct and maintain a 54-inch outfall pipe along the left bank of Brush Creek (WWF) and to place and maintain fill in 0.66 acre of wetlands (PEM/PSS) for a proposed commercial development known as Warrendale Village. The development is located along the north side of Warrendale-Bayne Road (SR 4052) approximately 700 feet west of its intersection with Perry Highway (SR 0019) (Mars, PA Quadrangle N: 5.7 inches; W: 12.5 inches) in Marshall Township, **Allegheny County**. To meet the wetland replacement requirements the applicant will construct 0.56 acre of replacement wetlands and pay into the Wetland Replacement Fund for the remaining 0.1 acre.

**E32-413.** Encroachment. **West Wheatfield Township**, 6120 Route 22 Highway E, New Florence, PA 15944-6821. To remove the existing structure and to construct and maintain a 27-foot long oval pipe culvert having a clear span of 6.5 feet, an underclearance of 5 feet (invert depressed 6 inches) in an unnamed tributary to Conemaugh River (CWF) located on Southwell Road

(T600) at a point approximately 1 mile east of its intersection with Clay Pike Road. The project includes construction and maintenance of rip rap bank protection for a total length of 30 feet at the structure's approaches (New Florence, PA Quadrangle N: 7.7 inches; W: 7.95 inches) in West Wheatfield Township, **Indiana County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E02-1299.** Encroachment. **Pittsburgh Water and Sewer Authority**, 441 Smithfield Street, Pittsburgh, PA 15222. To construct and maintain a 60 inch stormwater outfall on the left bank of the Allegheny River (WWF) near River Mile 1.1 (Pittsburgh East, PA Quadrangle N: 13.3 inches; W: 16.5 inches) in the City of Pittsburgh, **Allegheny County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E63-480.** Encroachment. **William and Mary Stewart**, 788 Rural Valley Road, Washington, PA 15301. To widen and maintain the channel of Wolf Run (HQ-WWF) and an unnamed tributary to Wolf Run for the purpose of constructing ponds for the Royal Tartan Golf Course located just south from the intersection of Rural Valley Road, Smiley Road and South Hewlett Road (Washington West, PA Quadrangle N: 13.2 inches; W: 12.5 inches) in Canton Township, **Washington County**. This permit also authorizes the construction and maintenance of six outfall structures. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

*Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6492.*

**E27-060.** Encroachment. **Jack Jordan**, 510 Forest Drive, Grove City, PA 16127. To operate and maintain a 114-inch wide by 78-inch high corrugated metal pipe arch culvert in Ellsworth Run for access to a private camp home approximately 300 feet west of S. R. 2007, 3 miles north of Vowinckle (Marienville West, PA Quadrangle N: 13.05 inches; W: 15.45 inches) in Green Township, **Forest County**.

**E25-594.** Encroachment. **Millennium Pipeline Company, L.P.**, P. O. Box 2002, 265 Industrial Park Drive, Binghamton, NY 13902-2002. To construct and maintain a 36-inch-diameter concrete weighted steel natural gas pipeline on the bed of Lake Erie entering Pennsylvania at the border of the United States of America and Canada (Latitude: 42° 21' 18"; Longitude: 80° 20' 0") approximately 22 miles north of the shore at the mouth of Elk Creek and extending eastward a distance of 30.07 miles (158,790 feet), exiting Pennsylvania at the Pennsylvania/New York state line (Latitude: 42° 18' 15"; Longitude: 79° 45' 44") approximately 2.4 miles north of the shore at the Pennsylvania/New York state line.

#### ENVIRONMENTAL ASSESSMENT

**EA25-001NW.** Environmental Assessment. **Ronald G. Troyer**, 13021 Flat Road, Waterford, PA 16441. To drain and place fill in a 0.29 acre body of water (farm pond) to remove human safety liability and to restore the area to original conditions. The project is located approximately 1,000 feet northwest of the intersection of S. R. 0019 and S. R. 0097 (Waterford, PA Quadrangle N: 11.1 inches; W: 14.6 inches) located in Waterford Township, **Erie County**.

**EA33-004NW.** Environmental Assessment. **Mike Poerio Contracting**, R. D. 1 Box 750, Rimersburg, PA



16248. To remove the abandoned railroad ridge, bridge abutment (north side), and bridge pier across Mahoning Creek. This project will include in-stream work and construction of a temporary causeway. The project is located over Mahoning Creek approximately 200 feet south of the intersection of S. R. 0310 and S. R. 0119 in the Borough of Punxsutawney (Punxsutawney, PA Quad-range N: 13.5 inches; W: 12.3 inches) located in Borough of Punxsutawney, **Jefferson County**.

[Pa.B. Doc. No. 00-701. Filed for public inspection April 28, 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 Guidance Documents. 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.

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

DEP encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

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

#### *Changes To Technical Guidance Documents*

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

#### *Final Guidance*

DEP ID: 550-0800-001 Title: Pennsylvania's Plan for Addressing Problem Abandoned Wells and Orphaned Wells Description: This guidance document updates the Department's Oil and Gas Management Program's strategic plan for pursuing the plugging of abandoned oil and gas wells, as part of the Reclaim PA initiative. Effective Date: April 29, 2000 Contact: Carl Morganeiere at (717) 772-2199 or email [Morganeiere.Carl@dep.state.pa.us](mailto:Morganeiere.Carl@dep.state.pa.us).

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-702. Filed for public inspection April 28, 2000, 9:00 a.m.]

### Plan Approval and Operating Permit Exemptions

Under 25 Pa. Code § 127.14, the Department of Environmental Protection (Department) may determine sources or classes of sources to be exempt from the plan

approval and permitting requirements of 25 Pa. Code Chapter 127. A listing of these exemptions was last published at 29 Pa.B. 2078 (April 17, 1999). Subsequently, the Department published notice of proposed revisions to the listing and provided a 30-day public comment period at 30 Pa.B. 583 (January 29, 2000). During the 30-day comment period, three comments were received on the proposed revisions and a Comment and Response Document was prepared.

The revised Plan Approval and Operating Permit Exemptions List is set forth as follows:

#### *Listing of Plan Approval Exemptions*

##### *Section 127.14(a) Exemptions*

In accordance with § 127.14(a), approval is not required for the construction, modification, reactivation or installation of the following:

1. Air conditioning or ventilation systems not designed to remove pollutants generated by or released from other sources.
2. Combustion units rated at 2.5 million or less BTUs per hour of heat input.
3. Combustion units with a rated capacity of less than 10 million BTUs per hour of heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter-viscosity less than or equal to 5.82 C St—and which meet the sulfur content requirements of § 123.22 (relating to combustion units). Combustion units converting to fuel oils which are No. 3 or heavier-viscosity greater than 5.82 C St or contain sulfur in excess of the requirements of § 123.22 require approval. For the purpose of this section, commercial fuel oil shall be virgin oil which contains no reprocessed, recycled or waste material added.
4. Sources used in residential premises designed to house four or less families.
5. Space heaters which heat by direct heat transfer.
6. Mobile sources.
7. Laboratory equipment used exclusively for chemical or physical analyses.
8. Other sources and classes of sources determined to be of minor significance by the Department.

##### *Section 127.14(a)(8) Exemptions*

The following is a list of those sources and classes of sources determined, in accordance with § 127.14(a)(8), to be exempt from the Plan Approval requirements of §§ 127.11 and 127.12. Unless labeled otherwise, emission rates are to be considered actual ton per year (tpy). Note that certain exceptions and qualifications regarding this list are contained in the discussion that follows the list.

1. Incinerators with rated capacities less than 75 lb per hour burning a municipal or residual waste as defined by the Bureau of Land Recycling and Waste Management.
2. Shot blast and sandblasting units with appropriately designed fabric collectors, cartridge collectors or scrubbers manufactured as an integral part of the design and which have exhaust volumes equal to or smaller than 5,000 scfm.
3. Coal handling facilities processing less than 200 tons per day. (Thermal coal dryers and pneumatic coal cleaners remain subject to the requirements of § 127.11).
4. Combustion turbines rated at less than 1,000 horsepower or 10.7 gigajoules per hour.

5. Internal combustion engines rated at less than 100 brake horsepower. Note Category 36 addresses oil and gas facilities.

6. Natural gas-fired heat treating furnaces with less than 10 million BTUs per hour heat input (fuel burning emissions only).

7. Steam aspirated vacuum degassing of molten steel.

8. Wet sand and gravel operations (screening only) and dry sand and gravel operations with a capacity of less than 150 tons per hour of unconsolidated materials.

9. Concrete batch plants and associated storage vessels which are equipped with appropriately designed fabric collectors.

10. Bulk material storage bins, except those associated with a production facility with total actual facility particulate emissions greater than 10 tpy.

11. Storage vessels for volatile organic compounds [which do not contain hazardous air pollutants (HAPs)] which have capacities less than 40 m<sup>3</sup> (10,000 gallons) based on vessel dimensions, unless subject to § 129.59 (bulk gasoline terminals) or § 129.60(b) and (c) (bulk gasoline plants).

12. Storage vessels containing non-VOC or non-hazardous air pollutant materials and compounds.

13. Diesel fuel, Nos. 2, 4 and 6 fuel oils, or kerosene and jet fuel storage and dispensing facilities as long as the stored or dispensed product has a vapor pressure less than 1.5 psia.

14. Covered wastewater transfer systems such as covered junction boxes, sumps and tanks at industrial sites.

15. Plastic bead or pellet milling, screening and storage operations (does not include handling and storage of resin powders).

16. Plastic parts casting ovens and injection molding processes.

17. Tire buffing.

18. Paper trimmers/binders.

19. Vocational education shops. Chemistry laboratories at schools and colleges.

20. Bench-scale laboratory equipment used for kinetic studies, mass/energy transport studies, chemical synthesis and physical or chemical analysis.

21. Research and development activities with annual emission rates:

i. less than or equal to 20 tpy of CO;

ii. less than or equal to 0.12 tpy of lead;

iii. less than or equal to 3 tpy of PM<sub>10</sub>;

iv. less than or equal to 8 tpy of SO<sub>2</sub> or VOC;

v. less than or equal to 10 tpy of NO<sub>x</sub>;

vi. less than or equal to one tpy of a single HAP or 2.5 tpy of a combination of HAPs.

22. Woodworking facilities including sawmills and pallet mills which process green wood; or, small woodworking facilities processing kiln-dried wood or wood products (flakeboard, particleboard, and the like) associated with pattern shops, retail lumber yards, shipping and packing departments, and the like. This category also includes woodworking facilities of any size processing kiln-dried wood or wood products equipped with appropriately designed fabric collectors.

This exemption does not apply to woodworking facilities processing wood that has been treated with a wood preservative of any kind. The term "woodworking facilities" refers only to operations in which wood or a wood product is sawed, sanded, planed or similarly shaped or reshaped. The term does not include activities such as painting, finishing, hardboard manufacturing, plywood manufacturing, and the like.

23. Smokehouses.

24. Slaughterhouses (rendering cookers remain subject to the requirements of § 127.11).

25. Restaurant operations.

26. Cold degreasers, except those emitting more than one tpy of a HAP or 2.5 tpy of a combination of HAPs. These units are still subject to § 129.63(a).

27. Vapor degreasers with cross sectional areas at the liquid-vapor interface, equal to or less than 10 square feet, except those emitting more than one tpy of a HAP or 2.5 tpy of a combination of HAPs.

28. Detergent washing of metal parts, except those using VOCs or HAPs.

29. Sources of uncontrolled VOC emissions not addressed elsewhere in this exemption listing modified or newly added, such that emission increases are less than 2.7 tpy. Facilities claiming this exemption must provide a 15-day prior written notification to the Department and limit VOC emission increases to less than 2.7 tpy.

30. Dry-cleaning facilities which are not subject to § 129.70, NSPS, MACT (area MACT sources are currently deferred from plan approval and operating permit requirements), PSD or NSR requirements.

31. Retail gasoline stations and vehicle-fueling operations at industrial plant sites.

32. Sources of particulate matter (not subject to NESHAPs, NSPS, PSD, or major source requirements) which are controlled by a baghouse, have an emission rate which meets the limits of Chapter 123, and are exhausted indoors and cannot be bypassed to exhaust to the outdoor atmosphere. These sources should not emit more than 0.12 tpy of lead, one tpy of a single HAP or 2.5 tpy of a combination of HAPs. Multiple sources within this category may be exempt from plan approval requirements.

33. Sources emitting inert gases only, such as argon, helium, krypton, neon and xenon; pure constituents of air such as nitrogen, oxygen or carbon dioxide; or, methane or ethane.

34. Sources qualifying under § 127.449 as de minimis emission increases.

35. Sources that exhaust to a filter/baghouse and have particulate loading (before control) below limits specified in Chapter 123.

36. Oil and gas exploration and production facilities and operations that include wells and associated equipment and processes used either to: a) drill or alter oil and gas wells; b) extract, process and deliver crude oil and natural gas to the point of lease custody transfer; c) plug abandoned wells and restore well sites, or d) treat and dispose of associated wastes. This includes petroleum liquid storage tanks which are used to store produced crude oil and condensate prior to lease custody transfer. (Multiple sources within this subcategory may be exempt from plan approval requirements.) This category does not

include gas compressor station engines equal to or greater than 100 HP or gas extraction wells at landfills.

37. Combustion units with a rated capacity of less than 10 million BTUs per hour of heat input fueled by natural gas supplied by an independent gas producer. (Sources firing natural gas supplied by an independent producer shall be given the same consideration given sources that fire natural gas provided by a public utility.)

38. Any source qualifying for exemption based on criteria contained in a general permit developed in accordance with the procedures described in §§ 127.601—127.642.

39. Powdered metal sintering furnaces using only organic lubricants equal to or less than 0.75% organic lubricant by weight. The furnace atmosphere must contain hydrogen (H<sub>2</sub>) at 3% or greater. The furnace must also maintain an operating flame curtain between the part entry and pre-heat zone. In the absence of an operating flame curtain, the furnace must operate an afterburner. A furnace sintering metal lubricated parts may be exempted if the furnace emits particulate matter not exceeding 0.15 lb/hr (determined by mass balance or stack tests). Note, for mass balance purposes, the following conversion factors are to be used:

Zinc Stearate to Zinc Oxide particulate matter = 0.129, Lithium Stearate to Lithium Carbonate particulate matter = 0.15.

The Department may approve alternate conversion factors provided a satisfactory written justification is submitted to the Department.

A sintering furnace using organic lubricants and operating outside the limitations specified, may be exempted under a case-by-case determination through the execution of a Request for Determination of Requirement for Plan Approval Application form. The owner/operator of a sintering furnace exempt from permitting requirements must notify the Department within 30 days of the furnace installation. For sintering furnaces using metal containing lubricants, records must be maintained to demonstrate compliance with the particulate matter emission limit of 0.15 lb/hr for each product.

The exemption does not apply to sintering furnaces used to sinter parts that are treated with oil.

40. Facilities engaged primarily in collision repair and refinishing of automobiles and light duty trucks.

41. Any source granted an exemption by the Department through the execution of a Request for Determination of Requirement for Plan Approval form.

*Further Qualifications Regarding Plan Approval Exempted Sources:*

1. This notice shall not be construed to exempt facilities that include multiple sources of air contaminants, unless specifically stated in the source category.

2. The addition of any source that would subject the facility to major source New Source Review or Prevention of Significant Deterioration, Title V or Reasonably Available Control Technology (RACT) requirements shall comply with plan approval requirements, even if such sources are within a category in the previous list.

3. Sources exempt from plan approval may be required to be included in the operating permit if the source is not included in the trivial activity listing.

4. Sources located in Allegheny and Philadelphia Counties may be subject to different permitting requirements. Please contact the Allegheny County Air Quality Pro-

gram, (412) 567-8115 or the Philadelphia Air Management Services, (215) 823-7580 for information applicable to sources located in those counties.

These determinations do not exempt the previously listed sources from compliance with the emission limitations, work practice, and other applicable requirements contained in Chapters 121—124, 127, 129 and 135. Although a source may be exempt from the plan approval and operating permit requirements of Chapter 127, the source is subject to all other applicable air quality regulations. For example, combustion units exempt from the requirements of Chapter 127 are not exempt from the opacity limitations of § 123.41 or the emission limitations of § 123.22. Storage vessels for organic compounds with capacities between 2,000 gallons to 40,000 gallons, not subject to the requirements of Chapter 127, must install pressure relief valves in accordance with the requirements of § 129.57. (*Note:* Storage vessels in this size range would also not be subject to the requirements of §§ 129.59 and 129.60.)

If the Department determines that any exempted source is causing air pollution in violation of section 8 of the Air Pollution Control Act (35 P. S. § 4008) or 25 Pa. Code § 121.7, the Department may order the installation of additional air cleaning devices. In such cases, plan approvals and operating permits may be required.

Requests for exemptions from the plan approval requirements of Chapter 127 for multiple source facilities must be considered on a case-by-case basis.

As noted in Category 41 of the list, additional exemptions, when appropriate, may be obtained through the submission of a completed Request for Determination of Requirement for Plan Approval Application form. These forms are available from any of the Department's Air Quality office.

*Physical Changes Qualifying for Exemption Under § 127.14(a)(9)*

In accordance with § 127.14(a)(9), the Department has determined that the following physical changes qualify for plan approval exemption if the change: a) would not violate the terms of an operating permit, the Air Pollution Control Act, the Federal Clean Air Act or the regulations adopted under the acts; b) would not result in emission increases above the allowable in the operating permit; and, c) would not result in an increased ambient air quality impact for an air contaminant. These changes may be made without notification to the Department.

*Caution:* Do not make determinations regarding the following list without consideration of the preceding criteria.

1. Changes in the supplier or formulation of similar raw materials, fuels, paints and other coatings which do not affect emissions and which meet all applicable standards and limitations.

2. Changes in product formulations that do not affect air emissions.

3. Changes that result in different speciation of pollutants but fall within permit limitations.

4. Changes in the method of raw material addition.

5. Changes in the method of product packaging.

6. Changes in temperature, pressure or other operating parameters which do not adversely affect air cleaning device performance or air emissions.

7. Additions of or changes to sampling connections used exclusively to withdraw materials for testing and analysis including air contaminant detection and vent lines.

8. Changes to paint drying oven length designed to alter curing time, so long as capture efficiencies of control equipment are not altered.

9. Routine maintenance, inspection and cleaning of storage tanks and process vessels or the closure or dismantling of a storage tank or process.

10. Changing water sources to air cleaning devices when there is no effect on air cleaning device performance or air emissions.

11. Moving a source from one location to another at the same facility with no change in operation or controls.

12. Installation of an air cleaning device that is not installed to comply with regulatory requirements and will not be used to generate emission reduction credits.

13. Repairing, replacing, upgrading, maintaining or installing pollution control device instrumentation or component equipment including pumps, blowers, burners, filters, filter bags, devices for measuring pressure drop across an air cleaning device or a filter breakage detector for a baghouse, provided the changes would not violate an operating permit term or condition.

14. Installing a fume hood or vent system for industrial hygiene purposes or in a laboratory.

15. The temporary (no longer than 6 months) replacement of a source with a source of equal or less emission potential.

16. Repairing, replacing, upgrading, maintaining or installing equipment and processes at oil and gas extraction and production facilities and operations. The category includes equipment or processes used either to drill or alter oil and natural gas to the point of lease custody transfer, to plug abandoned wells and restore well sites, or treat and dispose of associated wastes.

In accordance with § 127.14(c), additional physical changes may be determined to be of minor significance and not subject to plan approval requirements through the following procedure.

1. If the changes do not involve the installation of equipment, the changes may be made within 7 calendar days of the Department's receipt of a written request provided the Department does not request additional information or objects to the change within the 7-day period.

2. If the changes involve the installation of equipment, the changes may be made within 15 calendar days of the Department's receipt of a written request provided the Department does not request additional information or objects to the change within the 15-day period.

3. If the change would violate the terms of an operating permit the plan approval exemption may be processed contemporaneously with the minor operating permit modification under the procedures described in § 127.462.

#### *Exemption Criteria for Operating Permits*

A Title V operating permit is needed by all facilities which have the potential to emit (PTE) exceeding the levels described in the definition of "Title V facility." A state-only operating permit is needed for facilities which do not have a PTE which exceeds the Title V facility thresholds, but which has actual emissions equal to or exceeding the facility levels summarized in the following

table. An existing facility which does not have a PTE exceeding the Title V facility thresholds and which does not have actual emissions exceeding the levels shown, is exempt from the requirement to obtain an operating permit.

#### *State-Only Operating Permit Facility Exemptions\**

<i>Pollutant</i>	<i>PTE&lt;</i>	<i>Actual Emission Rate&lt;</i>
CO	100 TPY	20 TPY
NO <sub>x</sub>	100 TPY**	10 TPY
SO <sub>x</sub>	100 TPY	8 TPY
PM <sub>10</sub>	100 TPY	3 TPY
VOCs	50 TPY**	8 TPY
Single HAP	10 TPY	1 TPY
Multiple HAPs	25 TPY	2.5 TPY

\*Sources located in Allegheny and Philadelphia Counties may be subject to different permitting requirements. Please contact the Allegheny County Air Quality Program (412) 567-8115 or the Philadelphia Air Management Services (215) 823-7580 for information applicable to sources located in those counties.

\*\*25 TPY for Severe Ozone NA areas including Bucks, Chester, Delaware and Montgomery Counties.

Sources listed in the plan approval exemption list should be included in an operating permit application unless it is also included in the listing of trivial activities.

#### *Exempted Facility and Source Categories for Operating Permits*

Unless preclude by the Federal Clean Air Act, or the regulations thereunder, the following facilities and source categories are exempted from the operating permit requirements of § 127.402.

1. Residential wood stoves.
2. Asbestos demolition/renovation sites.
3. Facilities engaged primarily in collision repair and refinishing of automobiles and light duty trucks.
4. Retail gasoline stations.

#### *Deferral of Operating Permit Requirements for Area Sources*

Sources subject to MACT standards are not exempted from operating permit requirements. However, the permitting of MACT area sources will be deferred at this time. Area MACT sources emit or have the PTE less than 10 tpy of any hazardous air pollutant or 25 tpy of any combination of hazardous air pollutants. These nonmajor sources include: perchloroethylene dry cleaning, halogenated solvent cleaning, ethylene oxide commercial sterilization and fumigation operations, hard and decorative chromium electroplating, chromium anodizing tanks and secondary lead smelters. These MACT area sources are still required to meet all applicable emission control requirements established by the respective MACT requirement. The owner or operator of a MACT area source need not submit an operating permit application until December 9, 2004.

#### *Trivial Activities*

Trivial activities are those located within a facility which do not create air pollution in significant amounts. These insignificant activities need not be described in a Title V or state-only operating permit application. Also, these activities do not require a plan approval. Sources listed in the plan approval exemption list should be included in an operating permit application unless it is

also listed in the following list. Certain of these listed activities include qualifying statements intended to exclude many similar activities.

1. Combustion emissions from propulsion of mobile sources. The term "mobile" means it is capable of moving by its own power. The term does not include a source mounted on a vehicle, whether the mounting is permanent or temporary, which source is not used to supply power to the vehicle. Examples might include lawn mowers, tow and lift vehicles, and the like.

2. Air-conditioning units used for human comfort that do not have applicable requirements under Title VI of the act.

3. Ventilating units used for human comfort that do not exhaust air pollutants into the ambient air from any manufacturing, industrial or commercial process.

4. Electric space heaters. Propane and gas fired space heaters with a plant-wide capacity less than 2.5 million BTUs per hour heat input and which have not been subject to RACT requirements.

5. Electrically heated furnaces, ovens and heaters, and other electrically operated equipment from which no emissions of air contaminants occur.

6. Noncommercial food preparation.

7. Use of office equipment and products, not including printers or businesses primarily involved in photographic reproduction.

8. Any equipment, machine or device from which emission of air contaminant does not occur.

9. Janitorial services and consumer use of janitorial products.

10. Internal combustion engines used for landscaping purposes.

11. Garbage compactors and waste barrels.

12. Laundry activities, except for dry-cleaning and steam boilers.

13. Bathroom/toilet vent emissions.

14. Emergency (backup) electrical generators at residential locations.

15. Tobacco smoking rooms and areas.

16. Blacksmith forges.

17. Plant maintenance and upkeep activities (for example, grounds-keeping, general repairs, cleaning, painting, welding, plumbing, retarring roofs, installing insulation and paving parking lots) provided these activities are not conducted as part of a manufacturing process, are not related to the source's primary business activity, and not otherwise triggering a permit modification.<sup>1</sup>

18. Repair or maintenance shop activities not related to the source's primary business activity, not including emissions from surface coating or degreasing (solvent metal cleaning) activities, and not otherwise triggering a permit modification.

19. Portable electrical generators that can be moved by hand from one location to another<sup>2</sup>.

20. Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning or machining wood, metal or plastic.

21. Brazing, soldering and welding equipment, and cutting torches related to maintenance and construction activities that do not result in emission of HAP metals.<sup>3</sup>

22. Air compressors and pneumatically operated equipment, including hand tools.

23. Batteries and battery charging stations, except at battery manufacturing plants.

24. Storage tanks, vessels and containers holding or storing liquid substances that will not emit any VOC or HAP.

25. Propane or natural gas tanks and containers.

26. Storage tanks, reservoirs and pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.

27. Equipment used to mix and package, soaps, vegetable oil, grease, animal fat and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.

28. Drop hammers or hydraulic presses for forging or metalworking.

29. Equipment used exclusively to slaughter animals, but not including other equipment at slaughterhouses, such as rendering cookers, boilers, heating plants, incinerators and electrical power generating equipment.

30. Vents from continuous emissions monitors and other analyzers.

31. Natural gas pressure regulator vents.

32. Hand-held applicator equipment for hot melt adhesives with no VOC in the adhesive formulation.

33. Equipment used for surface coating, painting, dipping or spraying operations, except those that will emit VOC or HAP.

34. CO<sub>2</sub> lasers, used only on metals and other materials which do not emit HAP in the process.

35. Consumer use of paper trimmers/binders.

36. Electric or steam-heated drying ovens and autoclaves, but not the emissions from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam.

37. Salt baths using nonvolatile salts that do not result in emissions of any regulated air pollutants.

38. Laser trimmers using dust collection to prevent fugitive emissions.

39. Bench-scale laboratory equipment used for kinetic studies, mass/energy transport studies, chemical synthesis and physical or chemical analysis.

<sup>1</sup> Cleaning and painting activities qualify if they are not subject to VOC or HAP control requirements. Asphalt batch plant owners/operators must still get a permit.

<sup>2</sup> "Moved by hand" means that it can be moved without the assistance of any motorized or nonmotorized vehicle, conveyance or device.

<sup>3</sup> Brazing, soldering and welding equipment, and cutting torches related to manufacturing and construction activities that emit HAP metals are more appropriate for treatment as insignificant activities based on size or production level thresholds. Brazing, soldering, welding and cutting torches directly related to plant maintenance and upkeep and repair or maintenance shop activities that emit HAP metals are treated as trivial and listed separately in this appendix.

40. Sources emitting inert gases only, such as argon, helium, krypton, neon and xenon; pure constituents of air such as nitrogen, oxygen or carbon dioxide; or the organic aliphatic hydrocarbon gases methane and ethane.

41. Routine calibration and maintenance of laboratory equipment or other analytical instruments.

42. Equipment used for quality control/assurance or inspection purposes, including sampling equipment used to withdraw materials for analysis.

43. Hydraulic and hydrostatic testing equipment.

44. Environmental chambers not using hazardous air pollutant (HAP) gasses.

45. Shock chambers.

46. Humidity chambers.

47. Solar simulators.

48. Fugitive emissions related to movement of passenger vehicles, provided the emissions are not counted for applicability purposes and any required fugitive dust control plan or its equivalent is submitted.

49. Process water filtration systems and demineralizers, but not including air strippers.

50. Demineralized water tanks and demineralizer vents.

51. Boiler water treatment operations, not including cooling towers.

52. Oxygen scavenging (de-aeration) of water.

53. Potable water treatment systems.

54. Ozone generators.

55. Fire suppression systems and activities involved in fire protection training, first aid or emergency medical training.

56. Emergency road flares.

57. Steam vents and safety relief valves.

58. Steam leaks.

59. Steam cleaning operations.

60. Steam sterilizers.

61. Oil and gas exploration and production facilities and operations that include wells and associated equipment and processes used either to: a) drill or alter oil and gas wells; b) extract, process and deliver crude oil and natural gas to the point of lease custody transfer; c) plug abandoned wells and restore well sites, or d) treat and dispose of associated wastes. This category does not include gas compressor station engines or gas extraction wells at landfills.

62. Typesetting, image setting and plate making equipment used in the preparatory phase of printing.

If an applicant conducts an activity that is believed trivial but not covered by this listing, the applicant may list the activity in an operating permit application and provide a written justification for listing the activity as trivial. If the Department accepts the applicant's justification, no further information will be required on the

activity. If the Department rejects the justification, additional information must be included in an operating permit application submitted to the Department.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-703. Filed for public inspection April 28, 2000, 9:00 a.m.]

### Radiation Protection Advisory Committee Meeting

A meeting of the Radiation Protection Advisory Committee (RPAC) is scheduled for May 10, 2000 at 9 a.m. in the Delaware Room, 16th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the RPAC meeting should be addressed to William Kirk at (717) 783-9730 or e-mail at [kirk.william@dep.state.pa.us](mailto:kirk.william@dep.state.pa.us). The agenda is also available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Marianne Hansen directly at (717) 787-2480 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-704. Filed for public inspection April 28, 2000, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Aestique Ambulatory Surgical Center, Inc. for Exception to 28 Pa. Code §§ 551.22(2) and 555.24(d)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Aestique Ambulatory Surgical Center, Inc., has requested an exception to the requirements of 28 Pa. Code § 551.22(2) which requires surgeons in ambulatory surgical centers to document that a child's primary care provider was notified in advance of a surgical procedure and asked his opinion of the appropriateness of an ASF for the procedure; and § 555.24(d) which requires that if a patient receives general anesthesia, regional anesthesia or IV sedation, an anesthetist shall remain present until that patient has been discharged from the facility.

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact, Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
Secretary

[Pa.B. Doc. No. 00-705. Filed for public inspection April 28, 2000, 9:00 a.m.]

### **Application of Children's Hospital of Pittsburgh for Exception to 28 Pa. Code §§ 551.22(1) and (2), 553.3, 553.4, 553.31, 555.3, 555.4, 567.3(b) and 567.32**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Hospital of Pittsburgh has requested an exception to the requirements of 28 Pa. Code § 551.22(1) which requires a child under 6 months of age may not be treated in an ambulatory surgery facility; § 551.22(2) which requires that the medical record shall include documentation that the child's primary care provider was notified by the surgeon in advance of the performance of a procedure in an ambulatory surgery center and that an opinion was sought from the primary care provider regarding the appropriateness of the use of the facility for the proposed procedure; § 553.3, § 553.4 and § 553.31, which explains governing body responsibilities, other functions of the governing body (that is, meeting frequency, and the like), and administrative responsibilities; § 555.3 and § 555.4, which defines medical staff, medical staff requirements and membership and clinical activities and duties of physician assistants and certified registered nurse practitioners; § 567.3(b) which deals with environmental services, infection control and current written policies and procedures to assure definite and valid infection control; and § 567.32, which deals with housekeeping policies and procedures.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, Telephone: (717) 783-8980, FAX: (717) 772-2163, E-Mail Address: mvia@state.pa.us.

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

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

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

783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
Secretary

[Pa.B. Doc. No. 00-706. Filed for public inspection April 28, 2000, 9:00 a.m.]

### **Application of Magee Rehabilitation Hospital for Exception to 28 Pa. Code § 571.1**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Magee Rehabilitation Hospital has requested an exception to the requirements of 28 Pa. Code § 571.1 which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. Specifically, Magee Rehabilitation Hospital requests exception from the following standards contained in this publication: Section 10.15.A7, which requires patient room wardrobe units to measure 1 foot 10 inches by 1 foot 8 inches in size.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, Telephone: (717) 783-8980, FAX: (717) 772-2163, E-Mail Address: mvia@state.pa.us.

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

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

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact, Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
Secretary

[Pa.B. Doc. No. 00-707. Filed for public inspection April 28, 2000, 9:00 a.m.]

### **Application of Valley Gastroenterology Associates for Exception to 28 Pa. Code § 571.1**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Valley Gastroenterology Associates has requested an exception to the requirements of 28 Pa. Code § 571.1 which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. Specifically, Valley Gastroenterology Associates request exemption from the following standards contained in this publication: Section 9.31.D1 which deals with

ventilation rates; § 9.31.D3 which deals with appropriate placement of intake and exhaust vents, plumbing and vacuum facilities; and § 9.31.D8 which deals with filter efficiency.

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

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact, Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 00-708. Filed for public inspection April 28, 2000, 9:00 a.m.]

### **Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings**

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Thursday, May 18, 2000.

The meeting will be held at the Sheraton Inn Harrisburg East, 800 East Park Avenue, Harrisburg, PA 17111, from 9 a.m. to 3 p.m.

For additional information contact Thomas M. DeMelfi, Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0574.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid service or other accommodation to do so, should also contact Thomas DeMelfi at (717) 783-0574 or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 00-709. Filed for public inspection April 28, 2000, 9:00 a.m.]

## **DEPARTMENT OF PUBLIC WELFARE**

### **Availability of Fiscal Year 2000-2001 Title XX Social Services Block Grant Planning Document**

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year 2000-2001 Social Services Block Grant Plan. Comments on this document will be used to formulate the Department's final plan for using Title XX Social Services Block Grant funds in Fiscal Year 2000-2001.

Persons wishing to obtain a copy of the Plan may do so at their local County Assistance Office or by contacting the Department at the address listed within this notice.

Persons wishing to submit written comments on this Plan must do so by May 30, 2000. Comments are to be addressed to John R. Gibble, Department of Public Welfare, Office of Social Programs, Bureau of Social Services, 2nd Floor, Bertolino Building, P. O. Box 2675, Harrisburg, PA 17105-2675.

#### *Availability of Other Social Services Block Grant Documents*

The Department, in accordance with the requirements of Title XX Block Grants to States for Social Services (42 U.S.C.A. § 1397) announces the availability of the following Social Services Block Grant documents:

- a. Social Services Block Grant Annual Report for Fiscal Year 1998-1999;
- b. Fiscal Year 1999-2000 Social Services Block Grant Pre-Expenditure Report; and
- c. Responses to Comments on the Fiscal Year 1999-2000 Social Services Block Grant Plan.

These documents are available by written request to John R. Gibble at the previous address indicated.

Persons with a disability may request a copy of the Fiscal Year 2000-2001 SSBG Plan and/or provide comments by using the AT&T Relay Service. The Relay Service may also be used to request any of the other SSBG documents which are available.

The Relay Service may be accessed by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another alternative should contact John Gibble at (717) 787-5756.

FEATHER O. HOUSTON,  
*Secretary*

[Pa.B. Doc. No. 00-710. Filed for public inspection April 28, 2000, 9:00 a.m.]

## **DEPARTMENT OF REVENUE**

### **Pennsylvania Pocono Race for the Riches Instant Lottery Game**

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice



of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Pocono Race for the Riches.

2. *Price:* The price of a Pennsylvania Pocono Race for the Riches instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Pocono Race for the Riches instant lottery game ticket will contain six play areas known as "Lap 1," "Lap 2," "Lap 3," "Lap 4," "Lap 5" and "Lap 6." Each "Lap" is played separately. Each "Lap" will feature a "Your Speed" area and a "Their Speed" area. The play symbols and their captions located in the "Your Speed" area are: 160 (HUNSXY), 165 (HNSXFV), 170 (HUNSTY), 173 (HNSVTR), 175 (HNSVTV), 178 (HNSVET), 182 (HNETTW), 187 (HNETSX), 190 (HUNNTY), 196 (HNNTSX) and 200 (TWOHUN). The play symbols and their captions located in the "Their Speed" area are: 150 (HUNFTY), 160 (HUNSXY), 165 (HNSXFV), 170 (HUNSTY), 173 (HNSVTR), 175 (HNSVTV), 178 (HNSVET), 182 (HNETTW), 187 (HNETSX), 190 (HUNNTY) and 196 (HNNTSX).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the six "Prize" areas are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$30\$ (THIRTY), \$70\$ (SEVENTY), \$100 (ONE HUN), \$1,000 (ONE THO), \$2,000 (TWO THO), \$20,000 (TWY THO) and a replicated Pocono Pace Car (PACECAR).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$4, \$5, \$10, \$15, \$20, \$30, \$70, \$100, \$1,000, \$2,000, \$20,000 and a replicated Pocono Pace Car. The player can win up to six times on a ticket.

6. *Second Chance Drawing:* The Pennsylvania Lottery will conduct Second Chance Drawings for non-winning Pennsylvania Pocono Race for the Riches instant lottery tickets as provided for in paragraph 11.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 3,120,000 tickets will be printed for the Pennsylvania Pocono Race for the Riches instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of a replicated Pocono Pace Car (PACECAR) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of replicated Pocono Pace Car as described in section 12(b).

(b) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$20,000 (TWY THO) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$20,000.

(c) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$2,000 (TWO THO) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$2,000.

(d) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$1,000 (ONE THO) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$100 (ONE HUN) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$70\$ (SEVENTY) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$70.

(g) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$30\$ (THIRTY) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$20\$ (TWENTY) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$15\$ (FIFTN) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$4<sup>00</sup> (FOR DOL) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$3<sup>00</sup> (THR DOL) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$3.

(n) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets where the "Your Speed" play symbol exceeds the "Their Speed" play symbol in the same "Lap," and a prize play symbol of \$1<sup>00</sup> (ONE DOL) appears in the "Prize" area for that "Lap," on a single ticket, shall be entitled to a prize of \$1.

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

<i>When Your Speed Beats Their Speed or Get a Pace Car With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,120,000 Tickets</i>
\$1 x 2	\$2	1:10.71	291,200
\$2	\$2	1:23.44	133,120
\$1 x 3	\$3	1:30	104,000
\$3	\$3	1:150	20,800
\$1 x 4	\$4	1:40.54	76,960
\$1 x 2 + \$2	\$4	1:44.12	70,720
\$2 x 2	\$4	1:53.57	58,240
\$4	\$4	1:375	8,320
\$1 x 4 + \$3 x 2	\$10	1:115.38	27,040
\$2 x 5	\$10	1:1,500	2,080
\$10	\$10	1:1,500	2,080
\$2 x 4 + \$4 + \$3	\$15	1:250	12,480
\$1 x 5 + \$10	\$15	1:750	4,160
\$15	\$15	1:750	4,160
\$4 x 2 + \$3 x 4	\$20	1:375	8,320
\$10 x 2	\$20	1:750	4,160
\$2 x 5 + \$10	\$20	1:750	4,160
\$20	\$20	1:750	4,160
\$4 x 5 + \$10	\$30	1:727.27	4,290
\$10 x 3	\$30	1:2,400	1,300
\$5 x 6	\$30	1:857.14	3,640
\$15 x 2	\$30	1:2,000	1,560
\$30	\$30	1:4,000	780
\$10 x 5 + \$20	\$70	1:12,000	260
\$15 x 4 + \$10	\$70	1:4,000	780
\$30 x 2 + \$10	\$70	1:8,000	390
\$70	\$70	1:24,000	130
\$100	\$100	1:40,000	78
\$20 x 3 + \$30 + \$10	\$100	1:24,000	130
\$1,000 x 2	\$2,000	1:1,040,000	3
\$2,000	\$2,000	1:1,040,000	3
\$20,000	\$20,000	1:780,000	4
Pace Car	Pace Car	1:780,000	4

Pace Car = Replicated Pocono Pace Car as described in section 12(b)

10. *Second Chance Drawing Eligibility Requirements:*

(a) To be eligible for one of the Second Chance Drawings, a player must mail exactly three non-winning Pennsylvania Pocono Race for the Riches instant lottery tickets in an envelope no larger than 4 1/8 by 9 1/2 inches addressed to Pennsylvania Lottery, Pocono Race for the Riches Drawing, P. O. Box 999, Middletown, PA 17057.

(b) Envelopes containing less than or more than three non-winning Pennsylvania Pocono Race for the Riches instant lottery tickets shall be disqualified.

(c) Non-winning Pennsylvania Pocono Race for the Riches instant lottery tickets received in an envelope larger than 4 1/8 by 9 1/2 inches shall be disqualified.

(d) The back of each non-winning Pennsylvania Pocono Race for the Riches instant lottery ticket entered in the Second Chance Drawing must be completed by the same player in a legible manner, including the player's name, street address, city, state, zip code and signature. Incomplete tickets shall be disqualified.

(e) Winning lottery tickets submitted to the Pocono Race for the Riches Drawing address will not be paid or honored.

(f) Non-winning Pennsylvania Pocono Race for the Riches instant lottery tickets must be received by the Pennsylvania Lottery no later than July 5, 2000, to be

eligible for the last Second Chance Drawing to be held the week of July 8, 2000.

11. *Second Chance Drawing Procedures:*

(a) Frequency. The first five Second Chance Drawings will be held at Lottery Headquarters beginning the week of May 6, 2000, continuing weekly through the week of June 3, 2000. The second five Second Chance Drawings will be held at Lottery Headquarters beginning June 10, 2000, continuing weekly through the week of July 8, 2000. The odds of an entry being selected in a Second Chance Drawing depend upon the number of entries received.

(b) Eligibility for Second Chance Drawings. To be eligible for a Second Chance Drawing, a player must have complied with the requirements of section 10.

(1) The Lottery will make a reasonable effort to ensure that each Second Chance entry is entered into one of the Second Chance Drawings. The Lottery assumes no responsibility for a lost or misplaced entry not entered into a Second Chance Drawing.

(2) A Second Chance entry is eligible for only one Second Chance Drawing. An entry that is not in one eligible group, may, at the discretion of the Director, remain eligible for a subsequent Second Chance Drawing.

(3) If a Second Chance entry is rejected during or following a Second Chance Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(4) Determination of winners will be made by the Secretary, whose judgment will be final and binding.

(c) Manner of conducting the Second Chance Drawings.

(1) By use of a mechanical device, 20 containers of Pennsylvania Pocono Race for the Riches entries will be selected. From each of these 20 containers, five finalist entries will be drawn. As each finalist entry envelope is opened, its contents will be validated according to the requirements of section 10. If the finalist entry does not meet the requirements of section 10, another entry will be selected from that container; and so on, until a qualified entry has been chosen. The 100 validated finalist entries drawn will each win a Pocono Raceway jacket, and will be eligible for a Grand Prize Finalist Drawing. There is no cash equivalent for the Pocono Raceway jacket prize.

(2) This procedure will be repeated for each of the Second Chance Drawings set forth in subsection (a).

(d) Manner of conducting the two Grand Prize Finalist Drawings.

(1) The Pocono 500 Grand Prize Drawing.

(i) The 500 validated finalist entries selected in the five Second Chance Drawings beginning the week of May 6, 2000, and continuing weekly through the week of June 3, 2000, shall be placed in a mechanical device. Five finalist entries will be selected as Grand Prize finalists. The five Grand Prize finalists shall each win \$5,000 and will be eligible to win a replicated Pocono Pace Car, as described in section 12(b), at the Grand Prize Drawing to be held at the Pocono 500 Race.

(ii) At the Pocono 500 Race, the five Grand Prize finalists, in order of their selection, will randomly select an envelope containing an ignition key. The finalist who has the key that starts the replicated Pocono Pace Car wins the car. There is no cash equivalent for the replicated Pocono Pace Car prize.

(2) The Pennsylvania 500 Grand Prize Drawing.

(i) The 500 validated finalist entries selected in the five Second Chance Drawings beginning the week of June 10, 2000, continuing weekly through the week of July 8, 2000, shall be placed in a mechanical device. Five finalist entries will be selected as Grand Prize finalists. The five Grand Prize finalists shall each win \$5,000 and will be eligible to win a replicated Pocono Pace Car, as described in section 12(b), at the Grand Prize Drawing to be held at the Pennsylvania 500 Race.

(ii) At the Pennsylvania 500 Race, the five Grand Prize finalists, in order of their selection, will randomly select an envelope containing an ignition key. The finalist who has the key that starts the replicated Pocono Pace Car wins the car. There is no cash equivalent for the replicated Pocono Pace Car prize.

(e) The payment of the prize awarded in the Second Chance drawing to a person who dies before receiving the prize or to a person 17 years of age or younger shall be paid according to 61 Pa. Code §§ 811.16 and 811.27 (relating to prizes payable after death of a prize winner; and payment of prizes to persons under 18 years of age).

(f) The determination of a winner will be made by the Secretary, whose judgment will be final, conclusive and binding on the Grand Prize finalists.

(g) Winners of the replicated Pocono Pace cars will be responsible for any income tax due to the Federal government.

12. *Second Chance Prize Descriptions.*

(a) *Pocono Raceway jacket.* The Pocono Raceway jacket will be awarded to the 1,000 finalists eligible for the two Grand Prize Drawings. The jacket will contain the Pocono Raceway and Pennsylvania Lottery logos.

(b) *Replicated Pocono Pace Car.* The replicated Pocono Pace Car is a 2000 Grand Prix GTP Coupe with a decal package, 3.8 liter, 3800 Srs II Supercharged V6 engine, 4-speed automatic transmission with an EYECUE Head-Up display. Replicated Pocono Pace Car prize includes Pennsylvania Sales Tax, fees and tags.

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

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

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

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

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 00-711. Filed for public inspection April 28, 2000, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The following meetings of the Health Care Cost Containment Council have been scheduled: Wednesday, May 3, 2000, Data Systems Committee—9 a.m.; Mandated Benefits Review Committee—11 a.m.; Education Committee—1:30 p.m. Thursday, May 4, 2000, Council Meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodations due to a disability and want to attend the meetings should contact Cherie Elias,

Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 00-712. Filed for public inspection April 28, 2000, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission (Commission) met publicly at 10:30 a.m., Thursday, April 13, 2000, and took the following action:

*Regulations Deemed Approved Under Section 5(g) of the Regulatory Review Act—Effective April 6, 2000.*

Insurance Department #11-196: Valuation of Life Insurance Policies (amends Chapter 84c).

*Regulations Approved:*

Department of Public Welfare #14-465: Elimination of Physician Attestation Requirement (amends 55 Pa. Code Chapter 1163, Subchapter A).

State Board of Optometry #16A-527: Application Fees (amends 49 Pa. Code § 23.91).

Insurance Department #11-193: Medicare Supplement Insurance Minimum Standards (amends 31 Pa. Code Chapter 89).

State Board of Dentistry #16A-465: Expanded Function Dental Assistants (amends 49 Pa. Code Chapter 33).

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

Public Meeting held  
April 13, 2000

*Department of Public Welfare—Elimination of Physician Attestation Requirement; Regulation No. 14-465*

#### Order

On March 6, 2000, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapter 1163, Subchapter A. The authority for this regulation is sections 201(2) and 443.1 of the Public Welfare Code (62 P. S. §§ 201(2) and 443.1). Notice of proposed rulemaking was omitted for this regulation. It will become effective upon publication in the *Pennsylvania Bulletin*.

Under existing regulations, the attending physician must attest to the accuracy of the principal and secondary diagnoses and the procedures performed during a Medical Assistance patient's stay in the hospital. These amendments eliminate this requirement.

Federal Medicare regulations eliminated a similar requirement on September 1, 1995. That was done because it was administratively burdensome, and there was an

extremely low denial rate (less than 0.01 percent) for claims involving the physician attestation requirement. This rulemaking change will reduce the administrative burden on hospitals and physicians.

This regulation meets the criteria of the Regulatory Review Act.

*Therefore, It Is Ordered That:*

1. Regulation No. 14-465 from the Department of Public Welfare, as submitted to the Commission on March 6, 2000, is approved; and

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

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

Public Meeting held  
April 13, 2000

*State Board of Dentistry—Expanded Function Dental Assistants; Regulation No. 16A-465*

#### Order

On July 1, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Dentistry (Board). This rulemaking amends 49 Pa. Code Chapter 33. The authority for this regulation is sections 2, 3(d.1) and 3(o) of the Dental Law (63 P. S. §§ 121, 122(d.1) and 122(o)). The proposed regulation was published in the July 11, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 29, 2000.

On March 10, 2000, the Commission received a request from the Board to toll consideration of this final-form regulation to correct four typographical errors. On March 14, 2000, the Board submitted its revisions to the final-form regulation to the Commission.

The regulation establishes the education and examination requirements and certification procedures for Expanded Function Dental Assistants (EFDAs). It also sets forth standards of practice and professional conduct for EFDAs.

This revised final-form regulation meets the criteria of the Regulatory Review Act.

*Therefore, It Is Ordered That:*

1. Regulation No. 16A-465 from the State Board of Dentistry, as revised on March 14, 2000, is approved; and

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

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

Public Meeting held  
April 13, 2000

*State Board of Optometry—Application Fees; Regulation No. 16A-527*

#### Order

On April 19, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Optometry (Board). This

rulemaking amends 49 Pa. Code § 23.91. The authority for this regulation is found in sections 3(b)(14), 5(b) and 9 of the Optometric Practice and Licensure Act (63 P. S. §§ 244.2(b)(14), 244.5(b) and 244.9). The proposed regulation was published in the May 1, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 8, 2000.

The Board is revising fees for applications for certified copies of licenses for each additional practice location; certification of scores or licensure; and verification of licensure. Additionally, it adds a fee for continuing educational program approval applications. The Board anticipates that approximately 1,800 persons will avail themselves of one or more of these services over the next 2 years.

This regulation meets the criteria of the Regulatory Review Act.

*Therefore, It Is Ordered That:*

1. Regulation No. 16A-527 from the State Board of Optometry, as submitted to the Commission on March 8, 2000, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

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

Public Meeting held  
April 13, 2000

*Insurance Department—Medicare Supplement Insurance Minimum Standards; Regulation No. 11-193*

**Order**

On January 27, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking amends 31 Pa. Code Chapter 89. The authority for this regulation is sections 206, 506, 1501 and 1502 of the Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412). The proposed regulation was published in the February 6, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 1, 2000. The final-form regulation was withdrawn and re-submitted on March 8, 2000.

This regulation establishes minimum requirements for a new category of medical coverage in Pennsylvania called "Medicare Select" policies. Medicare Select policies use a network of specific hospitals, and possibly specific doctors, that must be used to receive full benefits, except in case of emergency.

Medicare Select policies expand health care policy choices for consumers. The Department believes these policies will result in the availability of policies with lower premiums than standard Medicare supplement policies. This regulation meets the criteria of the Regulatory Review Act.

*Therefore, It Is Ordered That:*

1. Regulation No. 11-193 from the Insurance Department, as submitted to the Commission on March 8, 2000, is approved; and

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

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-713. Filed for public inspection April 28, 2000, 9:00 a.m.]

**Notice of Comments Issued**

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

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulations must be submitted by the dates indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
2-128	Department of Agriculture Importation and Intrastate Transportation of Animals; Brucellosis	4/13/00	3/13/02
2-119	Department of Agriculture Farm Safety and Occupational Health Grant Program	4/13/00	3/13/02
2-122	Department of Agriculture Farm Safety and Occupational Health Development and Instructional Program	4/13/00	3/13/02
2-123	Department of Agriculture Farm Safety and Occupational Health Tuition Assistance Program	4/13/00	3/13/02
15-392	Department of Revenue Sales and Use Tax; Computer Software, Hardware and Related Transactions	4/13/00	3/13/02

**Department of Agriculture Regulation No. 2-128  
Importation and Intrastate Transportation of  
Animals; Brucellosis**

**April 13, 2000**

We submit for 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 Department of Agriculture (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 13, 2002, the regulation will be deemed withdrawn.

**1. Section 3.103(d) Designation of other tests as acceptable—Statutory authority; Legislative intent.**

**Section 7.72(a) Designation of vaccine—Statutory authority; Legislative intent.**

Section 3.103(d) provides that the Secretary may designate a new test for equine infectious anemia by publishing an order in the *Pennsylvania Bulletin*, provided a proposed regulation follows within 1 year. Section 7.72 provides that the Secretary may designate a new brucellosis vaccine in the same manner. These provisions are modeled after section 2322 of the Agriculture Code (3 Pa.C.S. § 2322(d)) which authorizes the Secretary to designate additional transmittable diseases through issuance of a temporary order published in the *Pennsylvania Bulletin*, which stays in effect for 1 year, unless reissued, or until a regulation designating the disease is adopted, whichever occurs first.

These regulatory provisions implement section 2325 of the Code (3 Pa.C.S. § 2325), which authorizes the Department to promulgate regulations governing diagnostic agents and vaccines. Language authorizing the Department to do so by publication of a temporary order is conspicuously absent from this statutory provision. Although we agree that it would be expeditious to designate tests and vaccines through temporary orders, we object to these provisions because they are not consistent with the Department's statutory authority and the intent of the General Assembly.

**2. Section 3.103(c) Inconsistent results—Clarity. Section 7.72(c) Official vaccination—Clarity.**

Section 3.103(c) requires that the Pennsylvania State Veterinarian grant permission before an equid may be imported into the Commonwealth if inconsistent tests results are reported. Section 7.72(c) requires the permission of the Pennsylvania State Veterinarian for the vaccination of cattle over the age of 12 months to be considered an "official vaccination." What is the procedure for obtaining permission? Is there a written procedure? The regulation should outline how permission is requested and granted from the State Veterinarian, or provide a cross reference to an existing regulation if there is one.

**3. Section 7.72. Procedure—Clarity.**

Subsection (c) states that a vaccination given to cattle over 12 months of age is not considered an official vaccination. The Department should cross reference 9 CFR 78.1 or define "official vaccination."

**4. Section 7.73. Identification on vaccination report—Clarity.**

There is a typographical error in subsection (c). The Department should delete "or" from the last sentence.

**Department of Agriculture Regulation No. 2-119  
Farm Safety and Occupational Health Grant  
Program**

**April 13, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Subsections 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) list the criteria the Commission must use to determine if the regulation is in the public interest. The Department of Agriculture (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 13, 2002, the regulation will be deemed withdrawn.

**1. Section 138k.1. Program objectives.—Consistency with other regulations and Clarity.**

*Subsection (b) Competitive program.*

The second sentence of this subsection states: "Grant requests and related documentation will be collected by the Department and reviewed by the Board [Farm Safety and Occupational Health Advisory Board] and Secretary." Similar phrasing occurs in sections 138k.4(c) and 138k.6(a)—(c) of this regulation. These sections indicate that the Board will participate in the review of grants and applications.

Giving the Board this duty is inconsistent with similar provisions in two simultaneously submitted proposed regulations (#2-122 and #2-123). All three proposed regulations, currently under review, are designed to implement section 6 of the Farm Safety and Occupational Health Act (act) (3 P. S. § 1906).

In the other two regulations, this provision states that the grants will be "reviewed by the Secretary or a designee." The Board is not included. It is our understanding that the Board meets only three times per year. Since the Department plans to review and approve grant applications within 30 days, it is not feasible to include the Board in the review of each application. Therefore, this proposed regulation should be revised to be consistent with the other two regulations.

**2. Section 138k.2. Definitions.—Consistency with statute.**

*Board*

The definitions of the term "Board" in the regulation and the term "Advisory Board" in the act are identical. Both refer to the "Farm Safety and Occupational Health Advisory Board." Therefore, for consistency with the statute, the Department should replace "Board" with "Advisory Board."

**3. Section 138k.4. Applications generally.—Clarity.**

Another part of the regulation, subsection 138k.6(a), is entitled "Grant application requirements." It sets forth a list of required attachments to an application. To improve clarity, the contents of subsection 138k.6(a) should be moved to section 138k.4 (relating to applications generally). Alternatively, the contents could be placed in a new section captioned "Application requirements" following section 138k.4 and preceding section 138k.5 (relating to application deadline).

Section 138k.4 requires applicants to complete and submit application forms provided by the Department. However, the regulation does not list the basic information that is required on an application form. The Department should include basic information on the contents of the application form in this section.

**4. Section 138k.6. Review of application.—Reasonableness and Clarity.**

*Subsection (b) Factors.*

This section should include a reference to subsection 138k.3(c) (relating to the use of grant funds), or list the types of projects that will qualify for grant funding.

**5. Section 138k.7. Notice of disposition of application.—Reasonableness and Clarity.**

This section states, "[G]rant applicants will be notified by the Secretary within 30 days of a decision to reject or approve the grant." How long will it take the Department

to issue a decision once the application is received? The Department should clarify the length of time it will take to evaluate an application.

The last sentence of this section provides that grant money shall be used within 1 year of the date of the grant agreement unless the Secretary allows an extension. There are two concerns. First, what constitutes use of the grant money? Must the grant money be actually expended within a year, or can it also be committed but not actually spent?

Second, this regulation should also state what happens if the grant funds are not used within 1 year of their receipt. There are two parts to this concern. First, this section should indicate how a grant recipient could apply for an extension. Second, it should indicate what action the Department may take and whether these actions could include cancellation of the grant under section 138k.10 of this regulation.

**6. Section 138k.8. Recordkeeping.—Paperwork requirements and Reasonableness.**

Grant recipients must submit a final report with documentation as required under section 138k.9. Why must they also retain copies of documents and records for 3 years after the grant year?

**7. Section 138k.9. Verification of use.—Clarity.**

*Subsection (a) Verification.*

Subsection (a) requires applicants to submit to the Department written receipts for the project costs, a final report and a narrative report. While the written receipts are due to the Department within 3 months of the project completion date, there are no due dates for submission of the other two reports. The Department should provide a time limit for submission of the final and narrative reports in this subsection.

**8. Miscellaneous Issues.—Consistency with other regulations and statute and Clarity.**

Proposed Regulations (2-122 and 2-123) include provisions for requesting additional documentation from an applicant when an application is deficient (§§ 138j.6(c) and 138i.6(c)). They also suspend processing of an incomplete application until the Department receives the data. The applicant must submit the requested data within 10 days (§§ 138j.7(a) and 138i.7(a)).

The Department should consider adding similar provisions to this regulation (2-119). In addition, it should also state that the Department will confirm in writing all requests for, and submission of, additional data.

Proposed Regulations 2-122 and 2-123 also contain conflict of interest provisions (§§ 138j.12 and 138i.9). These provisions allow a member of the Board to apply for a grant, subject to the cited statutory and regulatory requirements relating to conflict of interest. Similar conflict of interest provisions should be added to this rule-making.

**Department of Agriculture Regulation No. 2-122**

**Farm Safety and Occupational Health  
Developmental and Instructional Program**

**April 13, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Subsections 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) list the criteria the Commission must use to determine if the regulation is in the public interest. The Department of Agriculture (Department)

must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 13, 2002, the regulation will be deemed withdrawn.

**1. Section 138j.2. Program objectives.—Reasonableness and Clarity.**

*Subsection (a) Purpose.*

This subsection lists the four types of institutions that qualify for the program: the Pennsylvania Fire Academy; a public or private college or university; a community college; or a vocational or technical school. This list is repeated in sections 138j.4(a), 138j.6(a) and 138j.9(b) of the regulation. According to subsection 6(c)(1) of the Farm Safety and Occupational Health Act (act) (3 P. S. § 1906(c)(1)), these are the only types of institutions that are eligible for the grants covered by this regulation. Is it necessary to repeat this list? For example, the four types of institutions could be listed once in the definition of a new term “eligible applicant” or “eligible recipient.” The new term could be added to the Definitions section and replace the lists in the four sections.

*Subsection (b) Competitive program.*

The phrase “the Secretary or a designee” is used in this subsection and in sections 138j.5—138j.9 in the regulation. However, the term “designee” is not defined. The regulation should include a definition of “designee.”

**2. Section 138j.3. Definitions.—Consistency with statute and Clarity.**

*Board*

The definitions of the term “Board” in the regulation and the term “Advisory Board” in the act are identical. Both refer to the “Farm Safety and Occupational Health Advisory Board.” Therefore, for consistency with the statute, the Department should replace “Board” with “Advisory Board.”

*Farm laborers*

The first sentence of this definition reads, in part: “An individual employed by a farmer in raising, cultivating. . . .” Hence, the term should be “farm laborer” not “farm laborers.”

*Members of farm families*

The definition of “members of farm families” includes the phrase “collateral relation of the first degree.” This phrase is unclear. It is our understanding that it applies to nieces, nephews and grandchildren. To improve clarity, the phrase “collateral relation of the first degree” should be replaced with “nieces, nephews and grandchildren” and any others that the Department decides to include in this definition. In addition, there is a conflict between plural and singular nouns in the term “members of farm families” and the first phrase of its definition: “Any son, daughter or spouse of a farmer. . . .”

**3. Section 138j.4. Limitation on grants.—Clarity.**

*Subsection (c) Recipient’s use of FSDIP grant funds.*

The term “FSDIP” is not defined by this regulation. The term “program” is defined by this section 138j.3 as the “Farm Safety and Occupational Health Developmental and Instructional Program.” Therefore, the term “program” should replace “FSDIP” in this rulemaking.

**4. Section 138j.5. General conditions.—Clarity.**

*Subsection (c) Verification.*

Subsection (c) requires a grant recipient to submit a final report to the Department that includes documentation of the projects costs. Additionally, a grant recipient must submit another final report that includes "pertinent documentation and a narrative report describing the project documentation and objectives." We have two concerns regarding this subsection.

First, are the final reports mentioned in this subsection one document, or two? If one document is required, the regulation should include a list of the content requirements that specifically identifies the types of financial information and other project data to be included in the report.

Second, the phrase "pertinent documentation" is unclear. The Department should provide examples of "pertinent documentation" in subsection (c).

**5. Section 138j.6. Applications.—Clarity.**

Another part of the regulation, subsection 138j.9(c), is entitled "Grant application requirements." It sets forth a list of required attachments to an application. To improve clarity, the contents of subsection 138j.9(c) should be moved to section 138j.6 (relating to applications). Alternatively, it could be a new section captioned "Application requirements" following section 138j.6.

Section 138j.6 requires applicants to complete and submit application forms provided by the Department. However, the regulation does not list the basic information that is required on an application form. The Department should include basic information on the contents of the application form in this section.

**6. Section 138j.7. Processing of applications.—Clarity.***Subsection (b) Approval power.*

Subsection (b) is closely related to section 138j.8 (relating to notice of disposition of application). It should be moved to section 138j.8.

*Subsection (c) Board.*

This subsection states "the Board shall recommend program priorities to the Secretary." It adds, "the Board shall recommend the amount of funds to be allocated for Program grants." It is our understanding that the Board meets three times per year. Since the Department plans to review and approve grant applications within 30 days, it is not feasible to include the Board in the review of each application. Therefore, it is not practical to include this language in provisions involving the review of applications. The Department should clarify the Board's role in the grant process. One alternative would be to place language similar to that in subsection (c) in section 138j.4 (relating to limitation on grants).

**7. Section 138j.8. Notice of disposition of application.—Clarity.***Subsection (a) Applications deemed complete.*

To improve the clarity of the sequence of steps involved with review and approval of applications, we recommend that this section follow, rather than precede, section 138j.9 (relating to review of applications) and immediately precede section 138j.10 (relating to conflict of interest).

*Subsection (b) Applications deemed incomplete.*

This provision follows other subsections related to the approval of applications. Any notice concerning the "com-

pleteness" of an application should occur before a final decision. Hence, this subsection should precede provisions concerning the final disposition of applications.

**8. Section 138j.11. Recordkeeping.—Paperwork requirements and Reasonableness.**

Grant recipients must submit a final report with documentation as required under subsection 138j.5(c). Why must they also retain copies of documents and records for 3 years after the grant year?

**9. Section 138j.12. Grant cancellation.—Reasonableness and Clarity.**

This section states that a "grant may be canceled by the Secretary upon a determination that the funds are not being or were not properly used." What is meant by the term "used"?

**10. Miscellaneous Clarity Issues.**

Section 138j.1 is entitled "Authority" and includes a discussion of three different subsections from the act. However, the section does not establish or clarify the Department's procedures and requirements for implementing the act. The section is unnecessary, and should be deleted.

**Department of Agriculture Regulation No. 2-123****Farm Safety and Occupational Health Tuition Assistance Program****April 13, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Subsections 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) list the criteria the Commission must use to determine if the regulation is in the public interest. The Department of Agriculture (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 13, 2002, the regulation will be deemed withdrawn.

**1. Section 138i.2. Program objectives.—Reasonableness and Clarity.***Subsection (b) Competitive program.*

The phrase "the Secretary or a designee" is used in this subsection and in sections 138i.7, 138i.8 and 138i.10 in the regulation. However, the term "designee" is not defined. The regulation should include a definition of "designee."

**2. Section 138i.3. Definitions.—Consistency with statute and Clarity.***Board*

The definitions of the term "Board" in the regulation and the term "Advisory Board" in the act are identical. Both refer to the "Farm Safety and Occupational Health Advisory Board." Therefore, for consistency with the statute, the Department should replace "Board" with "Advisory Board."

*Farm laborer*

The last sentence in this definition states, in part: "... or a farm product as defined in 1 Pa.C.S. § 1991." (Emphasis added.) In proposed regulation 2-122, also from the Department, the last sentence in the same definition states: "... or any farm product as defined in 1 Pa.C.S. § 1991." (Emphasis added.) For consistency with



other chapters of the Department's regulations, the regulations should use either "any" or "a," but not both, in this definition.

*Members of farm families*

The definition of "members of farm families" includes the phrase "collateral relation of the first degree." This phrase is unclear. It is our understanding that it applies to nieces, nephews and grandchildren. To improve clarity, the phrase "collateral relation of the first degree" should be replaced with "nieces, nephews and grandchildren" and any others that the Department decides to include in this definition. In addition, there is a conflict between plural and singular nouns in the term "members of farm families" and the first phrase of its definition: "Any son, daughter or spouse of a farmer. . . ."

**3. Section 138i.6. Applications.—Clarity.**

*Subsection (a) Application required.*

*Subsection (b) Obtaining an application and assistance.*

Another part of the regulation, subsection 138i.8(c), is entitled "Grant application requirements." It sets forth a list of required attachments to an application. To improve clarity, the contents of subsection 138i.8(c) should be moved to section 138i.6 (relating to applications). Alternatively, it could be a new section captioned "Application requirements" following section 138i.6.

Subsection 138i.6(a) and (b) require applicants to complete and submit application forms provided by the Department. However, the regulation does not list the basic information that is required on an application form. The Department should include basic information on the contents of the application form in this section.

*Subsection (d) Application deadline.*

This subsection includes the phrase "Applications for grants under this chapter shall be received by the Department prior to the date of the project the applicant wishes to attend." The phrase "prior to the date" is unclear. What is the intent? How many days before the project date will be sufficient? The Department should clarify this deadline in the final regulation.

**4. Section 138i.7. Processing of applications.—Clarity.**

*Subsection (a) Review by the Secretary.*

This subsection includes three different topics: criteria or standards for review of applications; requests for additional information for incomplete applications; and approval of applications. Hence, it duplicates portions of section 138i.8 relating to review of applications and section 138i.10 relating to notice of disposition of application. The Department should clarify the purpose and structure of this subsection. The procedures and criteria for reviewing applications and completeness review should be separate from, and precede, those sections relating to final disposition. Provisions concerning the final disposition of an application should be set forth in section 138i.10.

Additionally, subsection (a) is very long and confusing. To increase readability, this section could be broken down into outline form.

*Subsection (b) Board.*

This subsection states "the Board shall recommend program priorities to the Secretary." It adds, "the Board shall recommend the amount of funds to be allocated for Program grants." It is our understanding that the Board meets three times per year. Since the Department plans

to review and approve grant applications within 30 days, it is not feasible to include the Board in the review of each application. Therefore, it is not practical to include this language in provisions involving the review of applications. The Department should clarify the Board's role in the grant process. One alternative would be to place language similar to that in subsection (b) in section 138i.4 (relating to limitation on grants).

**5. Section 138i.12. Grant cancellation.—Reasonableness and Clarity.**

This section states that a "grant may be canceled by the Secretary upon a determination that the funds are not being or were not properly used." What is meant by the term "used"?

**6. Miscellaneous Clarity Issues.**

Section 138i.1 is entitled "Authority" and includes a discussion of three different subsections from the act. However, the section does not establish or clarify the Department's procedures and requirements for implementing the act. The section is unnecessary, and should be deleted.

**Department of Revenue Regulation No. 15-392**

**Sales and Use Tax; Computer Software, Hardware and Related Transactions**

**April 13, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Subsections 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) list the criteria the Commission must use to determine if the regulation is in the public interest. The Department of Revenue (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 13, 2002, the regulation will be deemed withdrawn.

**1. General.—Fiscal impact; Clarity.**

The proposed regulation sets forth those computer software and hardware items that are and are not taxable. However, the regulation is silent on whether canned software downloaded over the Internet or from another source is subject to tax. We understand from discussions with the Department that downloaded software is not considered "tangible personal property" and, therefore, is not taxable. Based on the Department's response, the regulation should clearly state that canned software that is purchased and delivered by computer download from the Internet, or transferred from the seller's computer to the purchaser's own storage media, is not subject to tax.

**2. Section 31.33. Computer software, hardware and related transactions.—Clarity.**

*Subsection (a) Definitions.*

*Canned software*

The definition of the term "canned software" is simply "[A]ll computer software that does not qualify as custom software." This definition is vague. For clarity, the Department should consider providing examples of "canned software" in this definition.

*Computer hardware*

The examples in subsection (iv) of the definition of "computer hardware" are not uniformly plural. For ex-

ample: "memory chip," "microphone" and "digitizer" should be rewritten as "memory chips," "microphones" and "digitizers."

*Subsection (b)(2)(i)(B) Computer software*

This subsection states, "Charges for the custom software or modifications must be reasonable. . . ." We have two concerns. First, this subsection incorrectly refers to custom software when it is only charges for modifications made to canned software that must be reasonable. The Department should consider deleting the phrase "custom software or."

Second, the term "reasonable" is vague. The Department should explain the standards they will use to determine whether or not charges for modifications are "reasonable."

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-714. Filed for public inspection April 28, 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>
57-198	Pennsylvania Public Utility Commission Reporting Requirements Relating to the Submission of Gas Supply and Demand Data	4/13/00

*Final-Omit*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-657	State Board of Physical Therapy Fees	4/13/00

JOHN MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-715. Filed for public inspection April 28, 2000, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application for Increase in Underwriting Authority of Granite State Insurance Company**

Granite State Insurance Company (GSIC), a Pennsylvania domiciled stock property insurance company, has filed an application to increase its underwriting authorities. The class of authority that GSIC is applying to add is Prepaid Legal, as defined by section 202, subdivision (e). The filing was made under the requirements set forth under section 322 of The Insurance Company Law of 1921 (40 P.S. § 445). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 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. 00-716. Filed for public inspection April 28, 2000, 9:00 a.m.]

**Erie Insurance Exchange; Homeowners Insurance Rate and Rule Revision**

On April 14, 2000, the Insurance Department received from Erie Insurance Exchange a filing for proposed rate level and rule changes for homeowners insurance.

The company requests an overall 0.2% decrease amounting to \$256,000 annually, to be effective August 1, 2000.

Unless formal administrative action is taken prior to June 13, 2000, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, (E-mail: xlu@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-717. Filed for public inspection April 28, 2000, 9:00 a.m.]

**Harleysville Mutual Insurance Company; Homeowners Insurance Rate and Rule Revision**

On April 17, 2000, the Insurance Department received from Harleysville Mutual Insurance Company a filing for proposed rate level and rule changes for homeowners insurance.

The company requests an overall 9.6% increase amounting to \$1,763,000 annually, to be effective June 12, 2000 for new business and August 1, 2000 for renewal business.

Unless formal administrative action is taken prior to June 16, 2000, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, (E-mail: xlu@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 00-718. Filed for public inspection April 28, 2000, 9:00 a.m.]

### Insurance Services Office, Inc.; Homeowners Loss Cost Level Revision

On April 14, 2000 the Insurance Department received from Insurance Services Office, Inc. a loss cost level change for homeowners insurance.

The advisory organization requests an overall 9.30% decrease in loss costs effective September 1, 2000.

Unless formal administrative action is taken prior to May 14, 2000 the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 00-719. Filed for public inspection April 28, 2000, 9:00 a.m.]

### UPMC Health Plan; HCFA UB-92 Claim Form

On April 12, 2000, UPMC Health Plan submitted a filing under section 1202(c)(2) of the Uniform Health Insurance Claim Form Act of 1992 (40 P. S. §§ 991.1201 et seq.) requesting the ability to use a blank space on the UB-92 claim form to gather additional claim information. This filing would allow UPMC providers the ability to enter fund code data into Box 49 of the UB-92 claim form. This request shall be deemed approved by the Department if not disapproved within 60 days after the receipt of the filing.

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

Interested parties are invited to submit written comments, suggestions or objections to Yen Lucas, Office of Rate and Policy Regulation, 1311 Strawberry Square,

Harrisburg, PA 17120, within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 00-720. Filed for public inspection April 28, 2000, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Dauphin County, Wine & Spirits Shoppe #2215, 55 The Point Shopping Center, Harrisburg, PA 17111.

*Lease Expiration Date:* October 31, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 9,500 net useable square feet of new or existing retail commercial space along Union Deposit Road between Progress Avenue to the West and East Park Drive to the East.

*Proposals due:* May 12, 2000 at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661

**Contact:** Charles D. Mooney, (717) 657-4228

JOHN E. JONES, III,  
Chairperson

[Pa.B. Doc. No. 00-721. Filed for public inspection April 28, 2000, 9:00 a.m.]

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

### Request for Proposals 2000-01

The Pennsylvania Infrastructure Investment Authority (PENNVEST) is requesting proposals by a recognized Certified Public Accounting (CPA) firm to provide a comprehensive audit of its financial statements, prepared on a fiscal year basis in accordance with generally accepted auditing standards (GAAS) over a 4-year period. The audit shall include supplemental schedules for the PENNVEST Revenue Bond Program as well as supplemental schedules and compliance testing of the PENNVEST Federal programs. The request for proposals will be available on May 1, 2000, and can be obtained from Elaine Keisling, Director of Administrative Services, (717) 783-4498, PENNVEST, 22 South Third Street, Harrisburg, PA 17101. PENNVEST is an equal opportunity employer. Contractor will be required to comply with all applicable equal employment opportunity laws and regulations.

*Department:* Pennsylvania Infrastructure Investment Authority  
*Location:* 22 South Third Street, Harrisburg, PA 17101  
*Duration:* 4 years  
*Contact:* Elaine Keisling/Jerry Allen, (717) 783-4494

PAUL K. MARCHETTI,  
*Executive Director*

[Pa.B. Doc. No. 00-722. Filed for public inspection April 28, 2000, 9:00 a.m.]

### Request for Proposals 2000-02

The Pennsylvania Infrastructure Investment Authority (PENNVEST) is requesting proposals to provide full financial advisory services over a 4-year period for all PENNVEST's drinking water, wastewater and storm-water financing programs, including the State Revolving Funds set up under the Title VI of the Clean Water Act and the Drinking Water Act, as amended. The request for proposals will be available on May 1, 2000 and can be obtained from Elaine Keisling, Director of Administrative Services, (717) 783-4498, PENNVEST, 22 South Third Street, Harrisburg, PA 17101. PENNVEST is an equal opportunity employer. Contractor will be required to comply with all applicable equal employment opportunity laws and regulations.

*Department:* Pennsylvania Infrastructure Investment Authority  
*Location:* 22 South Third Street, Harrisburg, PA 17101  
*Duration:* 4 years  
*Contact:* Elaine Keisling/Jerry Allen, (717) 783-4494

PAUL K. MARCHETTI,  
*Executive Director*

[Pa.B. Doc. No. 00-723. Filed for public inspection April 28, 2000, 2000, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### 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 May 22, 2000, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00116771. HDS Enterprises, Inc.** (R. D. 3, Box 3080, East Stroudsburg, Monroe County, PA 18301), a

corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Monroe. *Attorney:* Jason Zac, Christman, 3227 North Fifth Street, East Stroudsburg, PA 18301.

**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-00116773. A Priority Transportation Company, t/d/b/a Town & Country Limousine Service** (5 Carre Avenue, Essington, Delaware County, PA 19029), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of Delaware, Chester, Montgomery and Philadelphia, and from points in said counties, to points in Pennsylvania, and return; subject to the following conditions: (1) that no right, power or privilege is granted to provide transportation from points in the boroughs of Pottstown, Collegeville and Norristown and the townships of Upper Dublin, Whitmarsh, Montgomery, Upper Merion, Plymouth, Upper Moreland and Lower Gwynedd, Montgomery County; or from the city of Coatesville, the townships of Schuylkill and Charlestown, the Valley Forge General Hospital, the Great Valley Industrial Park, Unisys Corporation in Great Valley, M.A.I. Sorbus in Great Valley, the Embassy Hotel in the township of East Whiteland and the Chesterbrook Shopping Center in Chesterbrook, Chester County, to the Philadelphia International Airport, located in the city and county of Philadelphia and Tinicum Township, Delaware County; (2) that no right, power or privilege is granted to originate or terminate transportation in the townships of Media and Newtown Square, Delaware County; Gladwyne (Lower Merion Township), Montgomery County; Paoli, (Tredyffrin and Willistown Townships), Berwyn (Tredyffrin Township) and Westtown Township, Chester County; and (3) that no right, power or privilege is granted to render transportation from the Philadelphia International Airport located in the city and county of Philadelphia and the township of Tinicum, Delaware County, to points in the counties of Chester, Delaware, Montgomery and Philadelphia; which is to be a transfer of all of the rights authorized under the certificate issued at A-00108075 to Mercury Transportation Company, Inc., t/d/b/a Town & Country Limousine Service, a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. *Attorney:* John J. Gallagher, Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

**Applications of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.***

**A-00113186, Folder 2. Robert Nealon Dempsey, t/d/b/a Related Legal Services** (2206 Jefferson Avenue, Dunmore, Lackawanna County, PA 18509)—additional right—persons in paratransit service, between points in the counties of Lackawanna, Wayne, Pike, Monroe, Luzerne, Susquehanna, Carbon and Columbia, and from points in said counties, to points in Pennsylvania, and return.

**Application of the following for the approval of the *transfer of stock as described under each application.***

**A-00098302, Folder 5000. Walsh Cab Company, t/d/b/a Jenkintown Paratransit Taxicab Co., Montco**

**Suburban Taxicab Co. and Access Paratransit** (4425 Rising Sun Avenue, North Hills, PA 19116), a corporation of the Commonwealth of Pennsylvania—stock transfer—for the approval of the transfer of all (1,000) shares of the issued and outstanding stock from Harold J. Myers, Sr. (500) and Vera Myers (500) to Roman Barkan (667) and Alexander Kagan (333). *Attorney:* John J. Gallagher, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-724. Filed for public inspection April 28, 2000, 9:00 a.m.]

### Telecommunications

**A-310886F0002. Cardinal Communications of Pennsylvania, Inc. and GTE North Incorporated.** Adoption by Cardinal Communications of Pennsylvania, Inc., d/b/a Broadslate Networks of Pennsylvania, Inc. of an interconnection agreement between GTE North Incorporated and @link Networks, Inc. formerly known as Dakota Services, Limited under section 252(i) of the Telecommunications Act of 1996.

GTE North Incorporated and Cardinal Communications of Pennsylvania, Inc. d/b/a Broadslate Networks of Pennsylvania, Inc., by its counsel, filed on April 12, 2000, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the GTE North Incorporated and Cardinal Communications of Pennsylvania, Inc. d/b/a Broadslate Networks of Pennsylvania, 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. 00-725. Filed for public inspection April 28, 2000, 9:00 a.m.]

### Transfer of Stock Without Hearing

**A-130175 F5001. Harrisburg Steam Works, Ltd.** Application of Harrisburg Steam Works, Ltd., for approval of the transfer of 100% of the stock of Harrisburg Steam Works, Ltd., from its current owner, Statoil Energy Power, Inc., to NRG Thermal Corporation.

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 May 15, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Harrisburg Steam Works, Ltd

*Through and By Counsel:* Kevin J. McKeon, Attorney, Malatesta, Hawke and McKeon, LLP, Harrisburg Energy Center, 100 North Tenth Street, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-726. Filed for public inspection April 28, 2000, 9:00 a.m.]

### Water Service Without Hearing

**A-212285F0074 & A-211070F2000. Pennsylvania-American Water Company and Citizens Utilities Water Company of Pennsylvania.** Joint Application of Pennsylvania-American Water Company (PAWC), and Citizens Utilities Water Company of Pennsylvania for approval of 1) the transfer by sale of substantially all of the water utility property and rights of citizens to PAWC; 2) the commencement by PAWC of water service in the certificated territory of Citizens; and 3) the abandonment by Citizens of water service to the public.

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 May 15, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company, Citizens Utilities Water Company of Pennsylvania

*Through and By Counsel:* Thomas P. Gadsden, Esquire, Anthony C. DeCusatis, Esquire, Morgan, Lewis and Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921;

John H. Isom, Esquire, Morgan Lewis and Bockius, LLP, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-727. Filed for public inspection April 28, 2000, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

May 24, 2000	Daniel J. Wynn (Membership Eligibility)	1 p.m.
	Kathryn DeMichael (Membership Eligibility)	2:30 p.m.
June 14, 2000	William E. Kubin (Date of Retirement)	2:30 p.m.
June 21, 2000	John Brody (Membership Eligibility)	10:30 a.m.
	Barbara A. Marabell (Membership Eligibility)	1 p.m.
	Helen Jordan (Membership Eligibility)	2:30 p.m.

Persons with a disability, who wish to attend the above-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Marilyn Fuller-Smith, Assistant Executive Director, at (717) 720-4700 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa. C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DALE H. EVERHART,  
*Secretary*

[Pa.B. Doc. No. 00-728. Filed for public inspection April 28, 2000, 9:00 a.m.]

## STATE SYSTEM OF HIGHER EDUCATION

### Design for Chiller System Installation and Boiler Plant Upgrade and Modifications, IN-808

Indiana University of the State System of Higher Education, will select a firm for the purpose of providing professional design services for the Chiller System Installation and Boiler Plant Upgrade and Modifications. Interested professionals should obtain a Request for Proposals (RFP) from Robert L. Marx, Director of Engineering and Construction, Robertshaw Building, Indiana University of Pennsylvania, Indiana, Pennsylvania, 15705 (724-357-2289), (FAX 724-357-6480). The RFP can be found at [www.iup.edu/engcons](http://www.iup.edu/engcons). RFP's are due at 4 p.m. on Friday May 19, 2000. The System encourages responses from small firms, minority firms, women owned firms, and firms that have not previously worked for the System, and will consider joint ventures which will enable these firms to participate in System professional services contracts. Non-Discrimination and Equal Opportunity are

the policies of the Commonwealth and the State System of Higher Education.

JAMES H. MCCORMICK,  
*Chancellor*

[Pa.B. Doc. No. 00-729. Filed for public inspection April 28, 2000, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of Engineering Firms

#### In-Depth Inspection of the Allegheny Tunnel Somerset County Reference No. 2-058

The Turnpike Commission (Commission) will retain an engineering firm to perform a detailed inspection of both tubes of the Allegheny Tunnel, located at Milepost 122.20 in Somerset County. Inspection services for the engineering firm of the tunnel will include, but not be limited to: structural integrity, drainage, electrical, mechanical, lighting, and the portal buildings. Inspection of the roadway pavement will not be a part of this inspection. An inspection report will be prepared by the engineering firm, listing all findings and recommendations.

The engineering firm will also assess the existing operating systems at the Allegheny Tunnel and make recommendations regarding upgrades. A complete set of contract documents will be prepared to address deficiencies identified by this inspection.

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

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

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

Direct inquires to James L. Stump, P.E. at (717) 939-9551, ext. 5540 or by e-mail to [jstump@paturpike.com](mailto:jstump@paturpike.com).

#### Widening and Rehabilitation of Bridge No. NB-152 at Milepost A-11.13 Montgomery County Reference No. 5-035

The Turnpike Commission (Commission) will retain an engineering firm for the widening and rehabilitation

design of Bridge No. NB-152 at Milepost A-11.13, in Montgomery County. Bridge No. NB-152 is a three-span, continuous deck I-beam structure carrying the Turnpike over Skippack Creek. The selected firm will be responsible for the pre-final and final design of this project.

The engineering services required include field surveys, cross sections, evaluation of utility conflicts and potential relocations, development of erosion and sedimentation control plans, preliminary and final traffic control plans, preparation of Type, Size and Location plans and final bridge plans, geotechnical investigations and structural foundation reports, preparation of preliminary and final right-of-way plans, preparation of preliminary and final construction plans and specifications, in order for the Commission to let one construction contract. The intent is to widen the bridge to provide a minimum of three 12-foot travel lanes, a 12-foot shoulder right shoulder, and a minimum 4-foot left shoulder.

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

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

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

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

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

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

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

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

Direct inquiries to Gary L. Graham, P.E., at (717) 939-9551, extension 5990; or by e-mail at ggraham@paturnpike.com.

**Widening and Rehabilitation of Bridge Nos. NB-525 at Milepost A-54.27 and NB-526 at Milepost A-54.63, Carbon County Reference No. 5-036**

The Turnpike Commission (Commission) will retain an engineering firm for the widening and rehabilitation design of Bridge Nos. NB-525 and NB-526, at Mileposts A-54.27 and A-54.63, respectively, in Carbon County. Bridge No. NB-525 is an 11-span, deck plate girder structure carrying the Turnpike over the Lehigh River, Lehigh Valley Railroad, a township road, and SR 248. NB-526 is a six-span structure (2-span deck truss and 4-span deck plate girder) carrying the Turnpike over the Pohopoco Creek. The selected firm will be responsible for the pre-final and final design of this project.

The engineering services required include field surveys, cross sections, evaluation of utility conflicts and potential relocations, development of erosion and sedimentation control plans, preliminary and final traffic control plans,

preparation of Type, Size and Location plans and final bridge plans, geotechnical investigations and structural foundation reports, preparation of preliminary and final right-of-way plans, preparation of preliminary and final construction plans and specifications, in order for the Commission to let one construction contract. The intent is to widen both bridges to provide a minimum of two 12-foot travel lanes, a 12-foot shoulder right shoulder, and a minimum 4-foot left shoulder.

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

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

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

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

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

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

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

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

Direct inquiries to Gary L. Graham, P.E., at (717) 939-9551, extension 5990; or by e-mail at ggraham@paturnpike.com.

**General Requirements and Information**

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

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

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

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

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

5. An Annual Qualification Package similar to the one submitted to the Department of Transportation for the current year that is in the same District as this project or one that is best suited for this project.

The Annual Qualification Package should contain at a minimum the following information for the prime consultant and all subconsultants and attached to the back of the letter of interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project. (limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in the Commonwealth as provided by the Department of State for firms with out-of-state headquarters or corporations not incorporated in Pennsylvania.

- A copy of the Department's DBE/WBE Certification, if applicable.

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

does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the above services are invited to submit a letter of interest and required information to Barry L. Troup, P.E., Assistant Chief Engineer for Design, at the Turnpike Commission Administration Building located at 176 Kost Road, Carlisle, PA 17103-0779. (FedEx address: 176 Kost Road, Carlisle, PA 17103-0779) (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letter of interest and required information must be received by 12 p.m. (noon), Friday, May 19, 2000. Any letters of interest received after this date and time will be time-stamped and returned.

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

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

JAMES F. MALONE, III,  
*Chairperson*

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