

NOTICES

DEPARTMENT OF AGRICULTURE

Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of § 8 of the Pennsylvania Fertilizer, Soil Conditioner and Plant Growth Substance Law (3 P. S. §§ 68.1—68.9) establishes the commercial values per pound of nitrogen, phosphoric acid and potash.

The values are established as follows:

nitrogen	\$0.30 per pound
phosphoric acid	\$0.25 per pound
potash	\$0.15 per pound

Further Information

Further information is available by contacting John W. Breitsman, Program Specialist, Division of Agronomic and Regional Services, Bureau of Plant Industry, Department of Agriculture, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4843.

Effective Date

These commercial values are effective commencing July 1, 2001, and shall remain effective until further notice.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 01-988. Filed for public inspection June 8, 2001, 9:00 a.m.]

Plum Pox Virus Noncommercial Prunus Tree and Landscape Nursery Prunus Tree Indemnity Program

The Department of Agriculture (Department) hereby gives notice of the procedures and requirements under which it will award grants to owners of ornamental or fruit-bearing Prunus trees or shrubs when these trees or shrubs are: (1) located within the quarantine area described; (2) destroyed by order of the Department as part of its ongoing Plum Pox Virus (PPV) containment and eradication effort; and (3) not otherwise eligible for reimbursement of removal, destruction and loss of these trees under existing reimbursement grant programs. This program will be known as the Plum Pox Virus Noncommercial Prunus Tree and Landscape Nursery Prunus Tree Indemnity Program (Program).

PPV afflicts trees and shrubs in the genus Prunus. These trees include apricot, plum, peach, nectarine and other fruit trees used in commercial fruit production, and also include various ornamental and fruit-bearing trees and shrubs that are in popular use in residential backyard planting and landscaping.

In summary, the Program complements two other programs under which the Department provides partial indemnification for losses sustained by stone fruit tree owners:

1. The Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program, the procedures and requirements of

which were published at 30 Pa. Bulletin 4014 (August 5, 2000) and 30 Pa. Bulletin 6608 (December 23, 2000); and

2. The Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program, the procedures and requirements of which were published at 30 Pa. Bulletin 4737 (September 9, 2000).

Rather than focusing on stone fruit trees located in commercial orchards or commercial fruit tree nurseries, the Program focuses on: (1) those ornamental or fruit-bearing Prunus trees or shrubs that are located in residential yards, business curtilages, parks and similar locations within 500 meters of PPV-infected blocks of trees; and (2) those ornamental or fruit-bearing Prunus trees or shrubs that are located at landscape nurseries located within the PPV-Quarantine area. Since PPV is transmitted from tree-to-tree by aphids, these stone fruit trees are at risk of infection by PPV, and could become reservoirs from which aphids could spread PPV beyond the areas where it is currently known to be present.

Authority

Section 208 of the General Appropriation Act of 2000 (act of May 24, 2000) (No. 21A) appropriates the sum of \$3,100,000 to the Department for fruit tree indemnity payments related to PPV.

Background

Under the authority and responsibility imparted it under the Plant Pest Act (3 P. S. §§ 258.1—258.27), the Department has established PPV-related quarantines in several townships and boroughs in Adams and Cumberland Counties. In Cumberland County these quarantines cover South Middleton Township, Dickinson Township and the Borough of Mount Holly Springs. In Adams County these quarantines cover Huntington Township, Latimore Township, part of Menallen Township, part of Tyrone Township and the entire Borough of York Springs. The areas covered by these quarantine orders (and any area designated in any subsequent PPV-related quarantine order) are referred to collectively as the "PPV quarantine area." PPV is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable. PPV has the potential to cause serious damage to the stone fruit production and stone fruit nursery industries within this Commonwealth. PPV is transmitted from infected trees by aphids and by budding or grafting with PPV-infected plant material.

The Department has located PPV in stone fruit trees within the PPV quarantine area. To date, these PPV-infected trees have been within commercial stone fruit orchards. Since PPV is transmitted from tree-to-tree by aphids, the Department has determined it reasonable to order the destruction of any stone fruit tree within a 500-meter radius of a block of stone fruit trees in which PPV has been detected. In its surveys of these 500-meter buffer zones, the Department has discovered a number of ornamental or fruit-bearing Prunus trees or shrubs that are not used in commercial stone fruit production. Typically, these are ornamental trees on residential properties or unattended fruit-bearing trees growing wild in unmaintained fields. These trees are considered to be potential hosts of PPV. The Department's most recent

partial survey of the PPV quarantine area has identified 48 residential properties, with a total of 127 trees or shrubs, located within these 500-meter buffer zones. These at-risk trees and shrubs pose a serious plant pest threat to the commercial stone fruit industry. It is important to the Department's PPV containment and eradication effort that these trees and shrubs be destroyed.

The Department is also aware of ornamental or fruit-bearing *Prunus* trees and shrubs at several landscape nurseries located in the PPV quarantine area. For purposes of the Program, a "landscape nursery" is a business that has ornamental or fruit-bearing *Prunus* trees or shrubs in stock for sale for residential and landscape planting, rather than for commercial fruit production. The Department acknowledges that the wholesale price paid for these at-risk trees and shrubs by the landscape nurseries does not accurately reflect the value of the pesticides, herbicides, labor and other "inputs" the landscape nurseries have invested in preparing these trees for sale.

The Plant Pest Act and the current PPV-related quarantine orders issued under authority of that statute provide the Department with the authority to order destruction of plants in order to protect this Commonwealth's agriculture. Neither the Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program nor the Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program make provision for reasonable reimbursement to homeowners or owners of landscape nurseries when, through Treatment Orders issued by the Department, trees owned by either are ordered destroyed. This Program serves to fill that gap.

Eligibility

The Department will make a reimbursement grant to any person whose *Prunus* tree or shrub is ordered destroyed by the Department, provided the tree or shrub owner meets the following conditions:

1. The applicant owns the tree or shrub ordered destroyed by the Department.
2. The tree or shrub is either:
 - a. Located within a 500-meter buffer zone around a block of stone fruit trees that have tested positive for PPV; or
 - b. Located at a landscape nursery within the PPV quarantine area.
3. The applicant is not entitled to reimbursement for destruction or replacement of the tree under either the Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program or the Plum Pox Virus Commercial Nursery Fruit Tree Indemnity Program

Application Procedure

A person seeking a grant under the Program shall apply for a grant using a reimbursement grant application/agreement form provided by the Department. These forms may be obtained at the following address.

Grant Amount

a. *Noncommercial Prunus Trees and Shrubs.* If the grant applicant is the owner of an ornamental or fruit-bearing *Prunus* tree or shrub that is located in a residential yard, business curtilage, park or similar location within 500 meters of PPV-infected block of trees, and the Department approves a grant application under the Program, it shall reimburse the tree or shrub owner the sum of \$25 for each tree or shrub ordered destroyed and removed by the Department. The Department shall also reimburse the applicant for the actual costs incurred in destroying and removing the tree.

If the grant applicant is the owner of an unattended ornamental or fruit-bearing *Prunus* tree or shrub growing wild, the Department shall only reimburse the applicant for the actual cost incurred in destroying and removing the tree.

b. *Landscape Nursery Prunus Trees and Shrubs.* If the grant applicant is the owner of an ornamental or fruit-bearing *Prunus* tree or shrub that is located at a landscape nursery owned by the applicant and located within the PPV quarantine area, the Department will pay as compensation for destroyed stock the price at which the landscape nursery offers the tree for sale to its retail customers. The Department will also pay for reasonable costs of destruction, if performed by the nursery or dealer in the timeframe specified in the treatment order. The grant applicant must—prior to the issuance of a treatment order by the Department—provide the Department a list of *Prunus* stock species (common and scientific names), total number of trees or shrubs of that species and size of each tree or shrub. The grant applicant shall also provide invoices for purchase of acquired *Prunus* stock to the Department upon request. No treatment order will be issued with respect to *Prunus* stock that has already been destroyed, or which is otherwise not available to the Department for inspection as to size and type.

Additional Information

Applications and further information can be obtained by contacting the Department of Agriculture, Attn: Lyle B. Forer, Director, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5203.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 01-989. Filed for public inspection June 8, 2001, 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 May 29, 2001.

BANKING INSTITUTIONS

Holding Company Acquisition

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-23-01	Sun Bancorp, Inc., Selinsgrove, to acquire 100% of the voting shares of Guaranty Bank, N.A., Shamokin	Selinsgrove	Approved
5-23-01	PSB Bancorp, Inc., Philadelphia, to acquire 100% of the voting shares of Jade Financial Corp., Feasterville	Philadelphia	Approved

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-25-01	Third Street Interim Bank Williamsport Lycoming County	Williamsport	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-23-01	Sun Bank, Selinsgrove, and Guaranty Bank, N.A., Shamokin Surviving Institution— Sun Bank, Selinsgrove	Selinsgrove	Approved
5-23-01	First Penn Bank, Philadelphia, and IGA Federal Savings, Feasterville Surviving Institution— IGA Federal Savings, Feasterville	Philadelphia	Approved
5-25-01	Third Street Interim Bank, Williamsport, and Woodlands Bank, Williamsport Surviving Institution— Third Street Interim Bank, Williamsport	Williamsport	Filed

Merger application being filed to facilitate the acquisition of Woodlands Bank, Williamsport, by Woodlands Financial Services Company, Williamsport, a bank holding company in organization.

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-17-01	Northwest Savings Bank Warren Warren County	200 S. Center St. Grove City Mercer County	Opened
5-21-01	Jersey Shore State Bank Jersey Shore Lycoming County	1952 Waddle Road Suite 106 State College Centre County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-25-01	Somerset Trust Company Somerset Somerset County	Giant Eagle Store 344 Goucher Street Johnstown Cambria County	Filed
5-29-01	AmeriServ Financial Bank Johnstown Cambria County	231 State Street Harrisburg Dauphin County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-29-01	Farmers First Bank Lititz Lancaster County	Wal-Mart Store 2034 Lincoln Hwy. East Lancaster Lancaster County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-990. Filed for public inspection June 8, 2001, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

Under the Federal Clean Water Act and the Pennsylvania Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For all new permit applications, renewal application with major changes or applications for permits not waived by EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. All Oil and Gas Related permit applications are listed under Section III. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(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 received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments 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 comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated above the application.

Persons with a disability, who require an auxiliary aid service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay service at (800) 654-5984.

I. NPDES Renewal Applications

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0043362	Union Lake Hotel, Inc. R. R. 1, Box 74 Equinunk, PA 18471	Wayne County Manchester Township	Unnamed tributary of Little Equinunk Creek (1-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0083721	Paradise Homes 1124 Lake Road Spring Grove, PA 17362-8813	York County Paradise Township	Beaver Creek 7-F	Yes
PA0008087	Hershey Food Corporation 19 East Chocolate Avenue Hershey, PA 17033-0819	Dauphin County Derry Township	Spring Creek 7-D	Yes
PA0022233	Arendtsville Municipal Au- thority P. O. Box 43 Arendtsville, PA 17303-0043	Adams County Arendtsville Borough	Conewago Creek 7-F	Yes
PA0087378	Letterkenny Army Depot 1 Overcash Avenue Building 618 Chambersburg, PA 17201- 4150	Franklin County Greene Township	Susquehanna River 7-B	Yes

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0008800 Industrial Waste	Westfield Tanning Company 360 Church Street Westfield, PA 16950	Tioga County Westfield Borough	Tioga Creek 4A	Renewal Yes
PA0209317	Oakridge Personal Care Home R. R. #2 Box A-195 Mill Hall, PA 17751	Clinton County Colebrook Township	Tangascootack Creek 9B	Renewal Yes

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

PA0000124, Industrial Waste. International Paper Company—Erie Mill, 1540 East Lake Road, Erie, PA 16533.

This proposed facility is located in the City of Erie, Erie County.

Description of Proposed Activity: Renewal of an NPDES

permit to discharge noncontact cooling water.

The receiving stream, Presque Isle Bay and Outer Erie Harbor, is in watershed 15 and classified for: warm water fishery, aquatic life, water supply and recreation. There is no potable water supply affected by this discharge.

The proposed effluent limits for Outfall 006 based on a design flow of 7.2 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
Stormwater			See Part C, Condition No. 4		
pH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 007 based on a design flow of 12.2 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 010 based on a design flow of 0.9 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 012 based on a design flow of 0.15 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 013 based on a design flow of 0.007 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.2
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 014 based on a design flow of 0.11 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
Stormwater	See Part C, Condition No. 4				
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 015 based on a design flow of 0.003 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 017 based on a design flow of 3.0 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			30	60	
Iron (total)			2	4	
Aluminum (total)			4	8	
Manganese (total)			1	2	

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<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 018 based on a design flow of 2.21 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The EPA Waiver is in effect.

PA0103209, Sewage. **Wattsburg Area School District**, P. O. Box 219, Wattsburg, PA 16442.

This proposed facility is located in Greene Township, **Erie County**.

Description of Proposed Activity: Renewal of sewage discharge permit

The receiving stream, unnamed tributary to LeBoeuf Creek, is in watershed 16A and classified for: TSF

The proposed effluent limits for Outfall 001 based on a design flow of 0.02955 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N			
(05-01 to 10-31)	2.5		5.0
(11-01 to 04-30)	7.5		15.0
Dissolved Oxygen		minimum of 5.0 mg/l at all times	
Total Residual Chlorine	0.21		1.2
Fecal Coliform			
(05-01 to 09-30)		200/100 ml as a geometric average	
(10-01 to 04-30)		4,300/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0038814, Sewage. **Ellport Borough Sewer Authority**, 313 Burns Avenue, Ellwood City, PA 16177.

This proposed facility is located in Ellport Township, **Lawrence County**.

Description of Proposed Activity: a renewal for a treated sewage discharge to increase discharge flows.

The receiving stream, Connoquenessing Creek, is in watershed 20-C and classified for: warm water fishes, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Beaver Falls Municipal Authority intake on the Beaver River located at Eastvale, approximately 11 miles below point of discharge.

The proposed interim effluent limits for Outfall 001 are based on a design flow 0.356 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(05-01 to 10-31)	22		44
Fecal Coliform			
(05-01 to 09-30)		200/100 ml as a geometric average	
(10-01 to 04-30)		100,000/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0003026, Sewage. **US Bronze Foundry and Machine**, 18649 Meadville, PA 16335.

This proposed facility is located in Woodcock Township, **Crawford County**.

Description of Proposed Activity: renewal of an existing discharge of treated sewage and stormwater.

The receiving stream, French Creek (002, 005) and unnamed tributary to French Creek (003, 004), is in watershed 16D and classified for: Warm water fishes.

The proposed effluent limits for Outfall 005 based on a design flow of 0.007.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Phosphorus (as P)	2.0		4.0
NH ₃ -N (05-01 to 10-31)	14		28
Total Residual Chlorine	0.5		1.2
Fecal Coliform (05-01 to 09-30)		200/100 ml as a geometric average	
(10-01 to 04-30)		7,000/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0210005, Sewage. **Daniel W. Daliman**, 608 Sharon-Bedford Road, West Middlesex, PA 16159-2623.

This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Activity: a new sewage discharge.

The receiving stream, unnamed tributary to Little Deer Creek, is in watershed 20-A and classified for: warm water fishes, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 400 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Total Residual Chlorine		Monitor and Report	
Fecal Coliform		200/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications.

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

PA0012823, Industrial, **PPL Martins Creek**.

This proposed facility is located in Lower Mt. Bethel Township, **Northampton County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage and industrial wastewater.

The receiving stream, Delaware River (1) and Oughoughton Creek (2), is in the State Water Plan watershed #1F and is classified for: (1) WWF, (2) CWF. The nearest downstream public water supply intake for (1) State Line or Delaware River is located on (1) Delaware River at point of discharge is zero miles below the point of discharge, (2) Delaware River 2 miles below point of discharge.

Outfall 010 (Sewage)

The proposed effluent limits based on a design flow of .024 MGD are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N	20		40
Dissolved Oxygen	Minimum of 5 at all times.		
Fecal Coliform	200/100 ml Geometric Average		
Total Residual Chlorine	1.2		2.8

Outfall 011 (Stilling Pond)

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	Monitor & Report		
Oil and Grease	Monitor & Report		
pH	Monitor & Report		

Outfall 012

The proposed effluent limits based on a design flow of 76.81 MGD are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine		.2	
pH	6 to 9 Standard Units at all times.		
Temperature	Monitor and Report Instream Temperatures		

Monitoring Point 213

The proposed effluent limits based on a design flow of 5.82 MGD are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>
Free Available Chlorine	.2	.5
TSS	30	100
Oil and Grease	15	30

Monitoring Point 413

The proposed effluent limits based on a design flow of 2.52 MGD are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	100	
Oil and Grease	15	20	
Free Available Chlorine	0.2	0.5	

Outfall 013

The proposed limits based on a design flow of 8.3 MGD.

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature	Monitor and Report Instream Temperatures		
pH	6 to 9 Standard Units at all times.		

Outfall 014

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Oil and Grease	15	20	30
pH	6 to 9 Standard Units at all times.		

Outfalls 015, 101, 102, 103—Stormwater:

The EPA waiver is not in effect.

PA0064106, Sewage, **Benton-Nicholson Township Joint Sewer Authority**, R. R. 2, Box 2272, Nicholson, PA 18446.

This proposed facility is located in Nicholson Township, **Wyoming County**.

Description of Proposed Activity: discharge of treated sewage from a new treatment plant.

The receiving stream, unnamed tributary to South Branch Tunkhannock Creek, is in the State Water Plan watershed #04F and is classified for: cold water fishery, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Danville Borough is located on Susquehanna River is 70 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.140.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Instantaneous (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.15		0.48

PA-0032166, Sewage, **Delaware Valley School District**, 276 Routes 6 and 209, Milford, PA 18337.

This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Activity: Renewal of NPDES Permit to discharge treated sewage.

The receiving stream, Delaware River, is in the State Water Plan watershed #1D and is classified for: warm water migratory fishery. The nearest downstream public water supply intake for Stroudsburg/East Stroudsburg is located on Delaware River is approximately 40 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .018 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine 1st Month—24th Month 25th Month through Expiration	Monitor and Report 1.2	Monitor and Report	2.8

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

Application No. PA 0008541, SIC Code 3585, Industrial Waste, **York International**, 631 South Richland Avenue, York, PA 17403.

This proposed facility is located in Spring Garden Township, **York County**.

Description of proposed activity: Renewal of NPDES permit for process wastewater, noncontact cooling water and stormwater discharges.

The receiving stream (Codorus Creek) is in Watershed 7-H and classified for warm water fishery.

The proposed effluent limits for Outfall 001 (process wastewater) based on a design flow of 0.086 MGD are:

<i>Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	6.0 to 9.0 S.U. at all times		
TSS	31	60	75
Total Phosphorus	2.0	4.0	5.0
Total Cadmium	0.16	0.25	0.4
Total Chromium	1.7	2.8	4.2
Total Copper	0.75	1.5	1.9
Total Lead	0.43	0.69	1.1
Total Nickel	2.4	4.0	6.0
Total Silver	0.24	0.48	0.6
Total Zinc	1.5	2.6	3.8
Total Cyanide	0.65	1.2	1.6
Oil & Grease	15	XXX	30
Total Toxic Organics	XXX	2.13	XXX
Total Aluminum	XXX	Monitor & Report	XXX
Trichloroethylene	XXX	Monitor & Report	XXX

The proposed effluent limits for Outfalls 003, 005, 006 and 011 (noncontact cooling water) are:

<i>Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	6.0 to 9.0 S.U. at all times		
Discharge Temperature (°F)	XXX	Monitor & Report	XXX

The proposed monitoring parameters for Outfalls 002, 004, 007, 008, 009 and 010 (stormwater outfalls) are Total Cadmium, Total Chromium, Total Copper, Total Lead, Total Nickel, Total Silver, Total Zinc, Total Cyanide, Total Toxic Organics, Total Suspended Solids, Oil and Grease, pH, Total Aluminum and Trichloroethylene.

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

The EPA waiver is in effect.

Application No. PA 0027189, SIC Code 4952, Sewage, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Susquehanna River in Watershed 7-E, in Fairview 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, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Wrightsville Water Supply Company located in Wrightsville Borough, York County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.25 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	XXX	50
Suspended Solids	30	45	XXX	60
NH ₃ -N	Monitor & Report	XXX	XXX	XXX
Total Phosphorus	2.0	XXX	XXX	4.0
Total Residual Chlorine	0.7	XXX	XXX	1.8
Total Nitrogen	XXX	XXX	Monitor & Report	XXX
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)		87,000/100 ml as a geometric average		

Outfall 002 is listed as an intermittent stormwater discharge with no monitoring.

Industrial pretreatment program implementation requirements are outlined in the permit.

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

The EPA waiver is not in effect.

PAG123517, CAFO, White Oak Mills-Blue Mountain Finishing Farm, 419 W. High Street, Elizabethtown, PA 17022-2189.

This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Proposed Activity: Authorization to operate a 554.89 AEUs Swine Farm.

The receiving stream, Clippingers Creek, is in the State Water Plan watershed 7B/Conodoguinet Creek and is classified for: CWF.

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PAG123516, CAFO, Hostetter Management Company—New Hope, P. O. Box 526, Ephrata, PA 17522.

This proposed facility is located in Fannett Township, **Franklin County**.

Description of Proposed Activity: Authorization to operate a 1319.9 AEUs Swine Farm.

The receiving stream, UNT to Doylestown Stream/Narrows Branch Tuscarora Creek, is in the State Water Plan watershed 12B/Tuscarora-Buffalo Creek and is classified for: CWF.

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PAG123515, CAFO, Hostetter Management Company—Cedar Hill, 120 Harbold-Atland Road, Wellsville, PA 17365.

This proposed facility is located in Washington & Warrington Townships, **York County**.

Description of Proposed Activity: Authorization to operate a 1434.7 AEUs Swine Farm.

The receiving stream, Wolf Run/Doe Run/North Branch Bermudian Creek/Bermudian Creek/Conewago Creek, is in the State Water Plan watershed 7F/Conewago Creek and is classified for: WWF.

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

PA0001996, Industrial Waste, SIC, 3312, **Standard Steel**, 500 North Walnut Street, Burnham, PA 17009.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from a steel factory in Latrobe Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Loyalhanna Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Buffalo Township Municipal Authority, located at Freeport, 29 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.255 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
TSS			30		100
Oil and Grease			15		20
Temperature (°F)					110
pH	not less than 6.0 nor greater than 9.0				

Outfall 101: new discharge, design flow of 0.004 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
TSS	2.4	7.3	20	40	50
Lead	0.015	0.044	0.3	0.9	1.13
Zinc	0.022	0.066	0.45	1.35	1.7
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: new discharge, design flow of 0.0017 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
TSS			20		41
Iron			0.51		1.23
Lead			0.12		0.15
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0218502, Industrial Waste, SIC, 3273, **U. S. Army Corps of Engineers**, Pittsburgh District, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186.

This application is for issuance of an NPDES permit to discharge treated process water, stormwater, untreated stormwater from the Charleroi Batch Plant in Charleroi, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Pennsylvania-American Water Company, located at Becks Run Water Treatment Plant, 18 miles below the discharge point.

Internal Monitoring Point 101: new discharge, design flow of 0.13 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids					50.0
Total Dissolved Solids				Monitor and Report	
Oil and Grease			15.0		30.0
MBAS				Monitor and Report	
Aluminum			4.0		8.0
Iron			2.0		4.0

NOTICES

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Manganese			1.0		2.0
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Approval of an Erosion and Sedimentation Control Plan

The EPA waiver is in effect.

Internal Monitoring Point 201: new discharge, design flow of 0.13 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	This discharge shall consist solely of uncontaminated stormwater runoff not less than 6.0 nor greater than 9.0				

Outfall 001: Interim stormwater discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			35.0		70.0
Iron			3.5		7.0
Aluminum			4.0		8.0
Manganese			2.0		4.0
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: (Final)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	This discharge shall consist solely of those sources previously monitored at IMP 101 and IMP 201 not less than 6.0 nor greater than 9.0				

Outfall 002: new stormwater discharge

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	This discharge shall consist solely of uncontaminated stormwater runoff not less than 6.0 nor greater than 9.0				

PA0092525, Sewage, **Scottdale Manor Rehabilitation Center LLC**, 900 Porter Avenue, Scottdale, PA 15683-1147.

This application is for renewal of an NPDES permit to discharge treated sewage from Scottdale Nursing Home in East Huntingdon, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.00159 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	7.0			14.0
(11-1 to 4-30)	21.0			42.0

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0093271, Sewage, **Dyna-Craft Industries, Inc.**, 194 Goodview Drive, Apollo, PA 15613.

This application is for renewal of an NPDES permit to discharge treated sewage from Dyna-Craft Industries STP in Washington Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Beaver Run, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Buffalo Township Municipal Authority, Freeport Plant, on the Allegheny River.

Outfall 001: existing discharge, design flow of .0006 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	15			30
Suspended Solids	20			40
Ammonia Nitrogen (5-1 to 10-31)	5			10
(11-1 to 4-30)	15			30
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

PA0238562, Sewage. **John Ditrich Subdivision Property Owners Association, Inc.**, 5795 Peck Road, Erie, PA 16510.

This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Activity: septic tank, sand filter disinfection for five-lot subdivision.

The receiving stream, unnamed tributary to Six Mile Creek, is in watershed 15 and classified for: cold water fishery.

The proposed effluent limits for Outfall 001 based on a design flow of 0.002 MGD:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
	CBOD ₅	10	
Total Suspended Solids	10		20
NH ₃ -N (5-1 to 10-31)	3		6
(11-01 to 4-30)	3		6
Phosphorus as "P"	1.0		
Total Residual Chlorine	1.4		3.3
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		
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

**WATER QUALITY MANAGEMENT PERMITS
CONTROLLED INDUSTRIAL WASTE AND SEWAGE
WASTEWATER**

**APPLICATIONS UNDER THE PENNSYLVANIA
CLEAN STREAMS LAW**

PART II PERMITS

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department). The applications are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permit applications.

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted above the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments 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.

The Department reserves the right to hold a public hearing if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

I. Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

Southcentral Region: Water Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.

WQM Permit No. PA0088838, Industrial Waste, **Wenger's Feed Mill, Inc.**, 101 West Harrisburg Avenue, Rheems, PA 17570.

This proposed facility is located in Lykens Township, **Dauphin County**.

Description of Proposed Action/Activity: Requests authorization for discharge of boiler wastewater and stormwater to an unnamed tributary to Pine Creek.

WQM Permit No. PA0010294, Industrial Waste, **Tyco Electronics Corporation**, MS 140-042, P. O. Box 3608, Harrisburg, PA 17105-3608.

This proposed facility is located in Williamstown Borough, **Dauphin County**.

Description of Proposed Action/Activity: Requests authorization for discharge to Wiconisco Creek.

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 0399402-A1—Sewerage, **Shannock Valley General Services Authority**, P. O. Box 157,

Yatesboro, PA 16263. Application for the modification and operation of a sewage treatment plant to add sludge drying beds to serve the NuMine STP located in Cowanshannock Township, **Armstrong County**.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQM Permit No. 4301412, Sewerage, **Charles Jr. and Paula Ference**, 46 Reno Road, Hermitage, PA 16148.

This proposed facility is located in Jefferson Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No. 1001408, Sewerage, **Municipal Sewer and Water Authority of Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066.

This proposed facility is located in Cranberry Township, **Butler County**.

Description of Proposed Action/Activity: This project is a beneficial re-use system of treated domestic wastewater to irrigate a golf course.

WQM Permit No. 4301411, Sewerage, **Emily and Peter Daloni**, 2646 Mercer—West Middlesex Road, West Middlesex, PA 16159.

This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a small flow treatment facility to serve two private residences.

WQM Permit No. 2001413, Sewerage, **Meadville Area Sewer Authority**, 1320 Park Avenue, Meadville, PA 16335.

This proposed facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for the construction of a pump station and forcemain to serve the West Mead Industrial Park.

NPDES Stormwater Individual Permit

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into 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 conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a

concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office 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 sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS101324	Amarjit Grewal PAM Management, Inc. 193 Route 17 North Mahwah, NJ 07430	Carbon County East Side Borough	Unnamed Tributary to Lehigh River HQ-CWF

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

NPDES Permit PAS10 O082, Stormwater. **Graywood Farms, LLC**, 225 Mason Dixon Road, Peach Bottom, PA 17563 has applied to discharge stormwater associated with a construction activity located in Fulton Township, **Lancaster County** to UNT to Conowingo Creek (HQ-CWF).

Lancaster County Conservation District: 1383 Arcadia Road, Rm. 6, Lancaster, PA 17601, (717) 299-5361.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10O082	Graywood Farms, LLC 225 Mason Dixon Rd. Peach Bottom, PA 17563	Fulton County Lancaster County	UNT to Conowingo Creek (HQ-CWF)

NPDES Permit PAS10 H053-R1, Stormwater. **John E. Aneerson**, 643 Forge Road, Carlisle, PA 17013 has applied to discharge stormwater associated with a construction activity located in South Middleton Township, **Cumberland County** to Letort Spring Run (EV-CWF).

Cumberland County Conservation District: 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013, (717) 240-7812.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10H053-R1	John E. Anderson 643 Forge Road Carlisle, PA 17013	South Middleton Township Cumberland County	Letort Spring Run (EV-CWF)

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

NPDES Permit PAS102704, Stormwater. **Pennsylvania General Energy Corp.**, 208 Liberty Street, Warren, PA 16365 has applied to discharge stormwater associated with a construction activity located in Kingsley and Jenks Townships, **Forest County** to Salmon Creek (HQ-CWF), an unnamed tributary to Salmon Creek (HQ-CWF) and Little Salmon Creek (HQ-CWF).

SAFE DRINKING WATER

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

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 0801502, Public Water Supply.

Applicant	New Albany Borough P. O. Box 67 New Albany, PA 18833
Borough	New Albany Borough

Responsible Official	David Hindman P. O. Box 67 New Albany, PA 18833
Type of Facility	Public Water Supply
Consulting Engineer	Stiffler McGraw & Associates Inc. 19 N. Juniata St. Hollidaysburg, PA 16648
Application Received Date	May 21, 2001
Description of Action	New well and chlorination system

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 5601502, Public Water Supply.

Applicant **Lincoln Township Municipal Authority**
P. O. Box 162
Sipesville, PA 15561-0190

[Township or Borough] Lincoln Township

Responsible Official Bruce Hottle, Chairperson

Type of Facility Water treatment

Consulting Engineer Crouse & Company
332 South Lynn Avenue
Suite 100
P. O. Box 761
Somerset, PA 15501-0761

Application Received Date December 12, 2000

Description of Action Development of Well #1, extension of the distribution system, installation of storage tank #1, installation of a second storage tank to the existing distribution system in the Village of Acosta, replacement of a portion of distribution system.

Permit No. 0301503, Public Water Supply.

Applicant **Kittanning—Plumcreek Water Authority**
R. D. 1, Box 144K
Kittanning, PA 16201

[Township or Borough] Kittanning & Plumcreek Townships

Responsible Official Robert Kozicki, Chairperson

Type of Facility Water treatment

Consulting Engineer Bankson Engineers Inc.
267 Blue Run Road
P. O. Box 200
Indianola, PA 15051

Application Received Date May 9, 2001

Description of Action Construction of a new water distribution system including water line, a pump station, 303,000 gallon water storage tank and an interconnection with the Manor Township Joint Municipal Authority.

MINOR AMENDMENT

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

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Application No. Minor Amendment, Minor Amendment.

Applicant **BCI Municipal Authority**
Township Gulich Township, **Clearfield County**

Responsible Official Paul W. Winslow, Chairperson
BCI Municipal Authority
Cressview Street Extension
P. O. Box 388
Irvona, PA 16656

Type of Facility Public Water Supply

Consulting Engineer Stiffler, McGraw, & Associates, Inc.
19 N. Juniata Street
P. O. Box 462
Hollidaysburg, PA 16684

Application Received Date May 25, 2001

Description of Action Replace soda ash feed with caustic soda feed

Application No. 1989508-T1, Minor Amendment.

Applicant **Penn-Med Consultants, Inc.**
964 Marcon Blvd.
Suite 220
Allentown, PA 18109

Township Orangeville Borough, **Columbia County**

Responsible Official Laurie A. Carney
Corporate Office Manager
Penn-Med Consultants, Inc.
964 Marcon Blvd.
Suite 220
Allentown, PA 18109

Type of Facility Public Water Supply (Nursing Home)

Consulting Engineer None

Application Received Date May 11, 2001

Description of Action Transfer of permits from former Klingerman's Nursing Home to new owner

Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Application No. 1010-T1-MA4, Minor Amendment.

Applicant **Erie City Water Authority**
340 West Bayfront Parkway
Erie, PA 16507

Township or Borough City of Erie, **Erie County**

Responsible Official James J. Rudy,
Chief Operating Officer,
340 West Bayfront Parkway
Erie, PA 16507

Type of Facility Public Water Supply

Consulting Engineer Kemal Niksic
KLH Engineers, Inc.
5173 Campbells Run Rd.
Pittsburgh, PA 15205

Application Received Date May 22, 2001

Description of Action Replace portions of existing waterlines on French and Peach Streets

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

WA 54-13B. Water Allocations. **Schuylkill County Municipal Authority (SCMA)**, P. O. Box 960, Pottsville, PA 17901, **Schuylkill County**, has submitted a Water Allocation Permit application to increase the service area boundaries in Norwegian Township. The additional service area will be approximately 39.5 acres. No change in the current allocation amount of 6.0 MGD is being requested.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, 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, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection 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 of Environmental Protection has received the following Notices of Intent to Remediate:

Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

McDonald's Restaurant Site, City of Philadelphia, **Philadelphia County**. Scott Lang, McDonald's Corp., 150 S. Warner Rd., Suite 470, King of Prussia, PA 19406, on behalf of McDonald's Corp., 150 S. Warner Rd., Suite 470, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *University City Review* on May 16, 2001.

Zenith Products Corporation, Chester Township, **Delaware County**. Henry Alexander, P.E., Conestoga-Rovers & Associates, 559 W. Uwchlan Ave., Suite 120, Exton, PA 19341, on behalf of TFC Aston 2000 Partnership, 1621 Wood Street, Philadelphia, PA 19103, has submitted a Notice of Intent to Remediate site soil contaminated with heavy metals 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 *Delaware County Daily Times* on May 10, 2001.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue,

Banzhaf Residence, Manheim Township, **Lancaster County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522 (on behalf of Judy Kruse, 117 Victoria Road, Millersville, PA 17551) has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal-New Era* on April 20, 2001.

Quaker Oats Company, Hampden Township, **Cumberland County**. Science Applications International Corporation, 6310 Allentown Boulevard, Harrisburg, PA 17112 (on behalf of The Quaker Oats Company, 485 Saint Johns Church Road, Shiremanstown, PA 17011) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, PHCs and PAHs. The applicant proposes to remediate the site to meet a combination of the Statewide health and site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Sentinel* on May 9, 2001.

Former SKF USA Inc. Plant, Borough of Shipensburg, **Franklin County**. ARM Group, P. O. Box 797,

Hershey, PA 17033-0797 (on behalf of Elam Reiff, 510 West King Street, Shippensburg, PA 17257) has submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated with heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet a combination of the Statewide health and site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *News Chronicle* during the week of April 30, 2001.

Greencastle Antrim Area Development Corporation (GAADC), Antrim Township, **Franklin County**. Richenderfer & Assoc. Inc., P. O. Box 1199, Carlisle, PA 17013 (on behalf of Greencastle Antrim Area Development Corporation, 217 East Baltimore Street, Greencastle, PA 17225) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Echo Pilot*.

Ruth E. Swope Estate, Conoy Township, **Lancaster County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522 (on behalf of the Estate of Ruth E. Swope, c/o 4717 Cardinal Drive, Columbia, PA 17512) has submitted a Notice of Intent to Remediate groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal* on May 11, 2001.

Vanity Fair Corporation, Borough of Wyomissing, **Berks County**. ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 (on behalf of Vanity Fair Corporation, 801 Hill Avenue, Wyomissing, PA 19610) has submitted a Notice of Intent to Remediate groundwater contaminated with PAHs. The applicant proposes to remediate the site to meet the site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle* on May 21, 2001.

Former United Piece Dye Works, Spring Garden and Springettsbury Townships, **York County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 (on behalf of Spring Garden Township, 558 South Ogontz Street, York, PA 17403-5709) has submitted a Notice of Intent to Remediate site soils, groundwater, surface water and sediment contaminated with PCBs, lead, heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet a combination of the requirements for the site-specific and Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Dispatch* on March 8, 2001.

MUNICIPAL WASTE GENERAL PERMITS

Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

General Permit Application No. WMGM011. Champion Recycling, Inc., 575 Trestle Place, Downingtown, PA 19335.

The Department of Environmental Protection, Bureau of Land Recycling and Waste Management has received an application for the municipal waste general permit for the beneficial use of processed construction and demolition waste to produce mulch and aggregate for use in concrete or asphalt mixtures for construction purposes. The Department determined the application to be administratively complete on May 23, 2001.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 100172. Arden Landfill, Inc., 1550 Coraopolis Heights Road, Moon Township, PA 15108. Arden Landfill, Arden Station Road (off North Main Street), Washington, PA 15301. Application for a Minor Permit Modification for the on site processing of tires at a municipal waste landfill in Chartiers Township, **Washington County**, was received in the Regional Office on May 24, 2001.

AIR QUALITY

NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (DEP) 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 DEP, 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 DEP has received applications for plan approvals and/or operating permits from the following facilities.

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

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the DEP Regional Office within 30 days of the date of this notice and must file protests or comments on a Proposed Plan Approval or Operating Permit within 30 days of the DEP providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with DEP 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 DEP schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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 through 143, the Federal Clean Air Act and regulations adopted under the Act.

OPERATING PERMITS

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code §§ 127.521 and 127.424, notice is hereby given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V Operating Permits).

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

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

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30

days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Kanu Patel, Facilities Permitting Chief, (717) 705-4702.

21-05001: Lear East LP (50 Spring Road, Carlisle, PA 17013) for the administrative amendment to the facility's Title V Operating Permit No. 21-05001 to incorporate the modification to an automotive carpet foam molding operation and installation of a KJ Automotive Carpet Molding Line as per Plan Approval 21-05001A, in Carlisle Borough, **Cumberland County**. This installation will result in an increase of 5.4 tpy to the facility's potential VOC emissions. The facility's major sources of emissions include two boilers, three carpet dryers and other sources which primarily emit NOx and particulate matter.

Applications Received and Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

22-03041: Librandi's Machine Shop, Inc. (93 Airport Drive, HIA, Middletown, PA 17057) for a natural minor operating permit for chromium electroplating controlled by the surface tension method, in Middletown Borough, **Dauphin County**. The estimated potential emissions of chromium from the electroplating operations are approximately 60 pounds per year. The natural minor operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

67-03030: Bickel's Snack Foods, Inc. (1120 Zinns Quarry Road, York, PA 17405) for a natural minor operating permit for the operation of two potato chip fryers controlled by mist eliminators in West Manchester Township, **York County**. The natural minor operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.

17-305-042A: DTE River Hill, LLC (P. O. Box 8614, 425 South Main Street, Suite 201, Ann Arbor, MI 48107), as owner and Covol Fuels, a Division of Headwaters, Inc. (11778 South Election Drive, Suite 210, Draper, UT 84020), as operator, for operation of a coal fines agglomeration facility incorporating a coal fines crusher, a propane-fired agglomerated coal fines pellet drying oven, various conveyors, bins, stockpiles, etc. at their facility in Karthaus Township, **Clearfield County**. The coal fines crusher and agglomerated coal fines pellet drying oven were constructed under Plan Approval 17-305-042A, originally issued by the Department of Environmental Protection on June 19, 1998 and reissued on November 17, 1999 and the remainder of the facility was constructed under Plan Approval 17-305-042, issued by the Department of Environmental Protection on January 31, 2000.

The particulate matter emissions from the coal fines crusher are controlled by a fabric collector and the particulate matter emissions from the agglomerated coal

finer pellet drying oven are controlled by a second fabric collector. The fugitive particulate matter from the plant's conveyors are controlled via the use of complete or partial covers. The fugitive particulate matter from the plant roadways, stockpiles, truck loading activities, etc. are controlled with a water spray dust suppression system.

The Department of Environmental Protection has determined that the respective air contamination sources were constructed and are operating, in conformance with all applicable requirements contained in Article III of the Rules and Regulations of the Department of Environmental Protection as well as with all conditions contained in Plan Approval 17-305-042A and all conditions contained in Plan Approval 17-305-042 which were not superseded by the conditions contained in Plan Approval 17-305-042A. The Department of Environmental Protection consequently intends to issue an operating permit for these sources.

The Department intends to place conditions in the operating permit to be issued which are intended to assure continued compliance with all applicable regulatory requirements and all relevant conditions established in the respective two plan approvals as well as require appropriate monitoring and recordkeeping. The following is a summary of the most important conditions:

1. The particulate matter emissions in the exhaust of the fabric collectors associated with the coal fines crusher and agglomerated coal fines pellet drying oven shall not exceed .01 grains per dry standard cubic foot.

2. The nitrogen oxides and carbon monoxide emissions from the drying oven shall not exceed 30 ppm and 300 ppm, respectively, corrected to 3% oxygen.

3. The drying oven shall only be fired on propane or natural gas.

4. The air contaminant emissions from the plant roadways, stockpiles, truck loading activities, and the like shall be controlled by a water spray dust suppression system which is supplied by an on-demand water source capable of delivering an adequate supply of water to all spray nozzles at any time the facility is in operation. The water spray dust suppression system shall also incorporate strainers and pressure gauges at appropriate points.

5. The air contaminant emissions from the plant conveyor belts shall be controlled by conveyor belt covers.

6. Nothing shall be mixed with the coal fines which has a volatile organic compound or hazardous air pollutant content which is any greater than that of the materials identified in the application and supplemental materials submitted for Plan Approval 17-305-042.

7. The facility shall not produce more than 613,000 tons of product in any 12 consecutive month period. Records shall be maintained of the monthly production.

8. The maximum temperature of any zone in the drying oven shall not exceed 425°F. The temperature of each zone shall be continuously monitored and recorded.

9. Spare bags shall be kept on site for the fabric collectors and the compressed air used in the collectors shall come from a compressor equipped with an air dryer and an oil trap.

08-00014: State Aggregates, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) for a wet sand and gravel operation, batch asphalt plant and ready-mix concrete operation in Wysox Township, **Bradford County**. The Department intends to issue a

State Only Operating Permit to this facility. The facility's main sources include: crushers, screens, conveyors, a gas (natural or LP)/#2 fuel oil-fired rotary drum dryer and storage bins, silos and tanks. These sources have the potential to emit major quantities of carbon monoxide (CO), nitrogen oxides (NOx), particulate matter less than 10 microns in size (PM10) and sulfur oxides (SOx). The facility has taken restrictions to keep its annual CO, NOx, PM10 and SOx emissions below the major emission thresholds. The facility has the potential to emit volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below major emission thresholds.

18-00012: The Pennsylvania State System of Higher Education (North Fairview Street, Lock Haven, PA 17745) for the Lock Haven University campus in Lock Haven, **Clinton County**. The Department intends to issue a State Only Operating Permit to this facility. The facility's main sources include: #2 fuel oil/natural gas-fired boilers, heaters and emergency generators. These sources have the potential to emit major quantities of nitrogen oxides (NOx) and sulfur oxides (SOx). The facility has taken restrictions to keep its annual NOx and SOx emissions below the major emission thresholds. The facility has the potential to emit carbon monoxide (CO), particulate matter (PM), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below major emission thresholds.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, William Charlton, New Source Review Chief, (412) 442-4174.

63-00901: Allegheny Millwork (104 Commerce Blvd., P. O. Box 493, Lawrence, PA 15055) for installation of spray booths at Cecil Township Plant in Cecil Township, **Washington County**.

03-00147: Asbury Graphite Mills, Inc. (R. D. 7, Box 1, Kittanning, PA 16201) for installation of a Double Roll Crusher at Kittanning Division in North Buffalo Township, **Armstrong County**.

03-00206: Rosebud Mining Co. (R. D. 9, Box 379-A, Kittanning, PA 16201) for operation of coal processing/stockpiling at Tracy Lynne Mine in Kiskiminetas Township, **Armstrong County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Devendra Verma, New Source Review Chief, (814) 332-6940.

25-00456: Keystone Foundry Division (944 West 12th Street, Erie, PA 16501) for a Natural Minor Operating Permit to operate a nonferrous foundry in Erie, **Erie County**.

33-00144: National Fuel Gas Supply Corp.—Heath Station (R. D. 1 Box 155, Summit Township, Sigel, PA 15860) for a Synthetic Minor Permit to operate a natural gas compressor station in Heath Township, **Jefferson County**.

43-00317: Allegheny Asphalt/Lindy Paving Co.—Mercer Plant (R. D. 3, Box 2A, Northgate Industrial Park, New Castle, PA 16103) for a Synthetic Minor Operating Permit to operate the facility's air contamination sources consisting of a 400 tph drum mix hot asphalt plant in Wolf Creek Township, **Mercer County**.

PLAN APPROVALS

Applications Received for Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

36-05014D: Alumax Mill Products, Inc. (1480 Manheim Pike, Lancaster, PA 17604) for the installation of a replacement aluminum coil coater and emission control system at the existing plant in Manheim Township, **Lancaster County**. These installations are subject to 40 CFR 60, Subpart TT—Standards of Performance for Metal Coil Surface Coating.

Intent to Issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).

<i>Pollutant</i>	<i>Pounds/Hour</i>	<i>Tons/Year</i>
Arsenic	0.00098	0.004
Cadmium	0.00131	0.005
Hexavalent Chromium	0.00088	0.004
Lead	0.043	0.18
Mercury	0.00482	0.02
Nickel	0.01225	0.05
Zinc	0.25076	1.04
Total VOCs	5.7	23.7
SO ₂	195.0 (3-hr Block Average)	809.3
NOx (With TDF)	166.0 (30-day Rolling Average)	688.9
NOx (Without TDF)	202.3 (30-day Rolling Average)	839.5
Particulates	7.3	30.3

The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The company will be required to continue to operate and maintain a Continuous Emission Monitoring System (CEM), which is certified by the Department for opacity, sulfur dioxide and nitrogen oxides. In addition, the company is required to conduct annual stack testing for arsenic, cadmium, hexavalent chromium, lead, mercury, nickel, zinc, total VOCs and particulates due to the kiln being fired by TDF.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

36-05101A: Highway Materials, Inc. (1750 Walton Road, P. O. Box 1667, Blue Bell, PA 19422-0465) to modify the operation of the existing propane fired hot mix asphalt plant located in Warwick Township, **Lancaster County**. The Plant will operate with alternative fuels including: recycled fuel oil, No. 2 fuel oil, No. 4 fuel oil, No. 5 fuel oil and natural gas. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities. The asphalt plant is controlled by a baghouse. Facility wide emissions are limited to less than 100 tons/year of nitrogen oxides and carbon monoxide and less than 50 tons/year of volatile organic

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, James Parette, Acting New Source Review Chief, (570) 826-2531.

NOTICE OF INTENT TO ISSUE A PLAN APPROVAL AND AMEND A TITLE V OPERATING PERMIT

39-309-046D: Lafarge Corp. (5160 Main Street, Whitehall, PA 18052) for installation and operation of a fabric collector to replace the existing fabric collection which controls emissions emanating from the No. 3 Cement Kiln at their Whitehall Plant in Whitehall Township, **Lehigh County**. The facility currently has a Title V Operating Permit No. 39-00011. This Plan Approval No. 39-309-046D will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

The cement kiln can be fired by either a combination of coke and bituminous coal; or a combination of coke, bituminous coal and tire-derived fuel (TDF). The emissions shall not exceed the following emission limits (unchanged from the current permit) listed:

compounds. The plan approval and operating permit will contain additional monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

44-05014A: Glenn O. Hawbaker, Inc. (P. O. Box 135, State College, PA 16804) for the addition of No. 6 and reprocessed fuel oil grades to the list of approved fuels for the existing asphalt plant located in Armagh Township, **Mifflin County**. Potential sulfur oxides emissions will increase by several tons per year. The facility will remain a synthetic minor with limits on annual emissions of criteria pollutants. The plan approval and operating permit will contain additional monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05067A: Persing Enterprises, Inc. (214 North Franklin Street, Red Lion, PA 17356) to modify the operation of an existing spray booth and the addition of a new spray booth at the wood furniture manufacturing facility located in Red Lion Borough, **York County**. Facility wide emissions of volatile organic compounds are limited to less than 50 tons/year. Facility wide emissions of hazardous air pollutants (HAPs) are limited to less than 10 tons/year for any single HAP and less than 25 tons/year for any combination of HAPs. The plan approval and operating permit will contain additional monitoring,

record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05068A: Highway Materials, Inc. (1750 Walton Road, P. O. Box 1667, Blue Bell, PA 19422-0465) to modify the operation of the existing propane fired hot mix asphalt plant located in Hellam Township, **York County**. The Plant will operate with alternative fuels including: recycled fuel oil, No. 2 fuel oil, No. 4 fuel oil, No. 5 fuel oil and natural gas. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities. The asphalt plant is controlled by a baghouse. Facility wide emissions are limited to less than 100 tons/year of nitrogen oxides and carbon monoxide and less than 50 tons/year of volatile organic compounds. The plan approval and operating permit will contain additional monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05092A: Starbucks Coffee Company (3000 Espresso Way, York, PA 17402) for the construction of a green coffee bean cleaning station (Station 2) controlled by a cartridge collector at the York Roasting Plant located in East Manchester Township, **York County**. This source will increase the facility's emissions of PM10 by approximately 5 tons per year. Particulate matter emissions from the cartridge collector exhaust shall not exceed 0.02 grain per dry standard cubic foot. The cartridge collector shall be equipped with instrumentation to measure and display the pressure differential across it. The plan approval and operating permit will contain additional monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

MINING ACTIVITY APPLICATIONS

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 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 certification.

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

§§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

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

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

Coal Applications Received

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

54010201. WPS Westwood Generation LLC, (1088 Springhurst Drive, Green Bay, WI 54304), commencement, operation and restoration of a coal refuse reprocessing operation in Hegins and Porter Townships, **Schuylkill County** affecting 73.6 acres, receiving stream—none. Application received May 16, 2001.

54753038R3. Lensco Corporation, (313 Pottsville Street, Minersville, PA 17954), renewal of an existing anthracite surface mine operation in Cass Township, **Schuylkill County** affecting 69.2 acres, receiving stream—none. Application received May 21, 2001.

40663023R3. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine/coal refuse reprocessing/refuse disposal operation in Hazle Township, **Luzerne County** affecting 640.0 acres, receiving stream—none. Application received May 21, 2001.

40663030R3. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine/coal refuse reprocessing/refuse disposal operation in Foster Township, **Luzerne County** affecting 225.0 acres, receiving stream—none. Application received May 21, 2001.

40663034R3. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine/coal refuse reprocessing operation in Foster Township, **Luzerne County** affecting 360.0 acres, receiving stream—none. Application received May 21, 2001.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.

32950109. Permit Renewal for reclamation only, **Britt Energies, Inc.** (2450 Philadelphia Street, Indiana, PA 15701), for continued restoration of a bituminous surface and auger mine in White Township, **Indiana County**, affecting 83.3 acres, receiving stream unnamed tributary to and, Yellow Creek. Application received May 22, 2001.

32010104. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242), commencement, operation and restoration of bituminous surface-auger mine in West Mahoning Township, **Indiana County**, affecting 66.1 acres, receiving stream unnamed tributary to Carr Run & Carr Run to Mahoning Creek to Allegheny River. Application received May 22, 2001.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality 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 Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment 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. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8 a.m. and 4 p.m. on each working day 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.

Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-630. Borough of Norristown, 235 East Airy Street, Norristown, PA 19401-5048, Norristown Borough, **Montgomery County**, ACOE Philadelphia District.

To reissue permit 46-630 for constructing and maintaining a storm sewer project in the 100-year floodplain of the Schuylkill River consisting of inlets, connectors and laterals along East Main Street and an 84 inch R. C. pipe discharge line extending to a concrete headwall and rock lined outfall channel along the left river bank located approximately 200 feet west of the Norristown Borough/Plymouth Township municipal boundary (Norristown, PA Quadrangle N: 19.25 inches; W: 10.75 inches).

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

E40-562. 21st Century Consultants, 27 Independence Road, Mountain Top, PA 18707, in City of Nanticoke, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To authorize previously placed fill in approximately 0.45 acre of PEM wetlands for the purpose of constructing a 10,000 square foot health center and a 1,200 square foot restaurant along associated parking areas. The project is located northwest of the intersection of Middle Road and Kosciuszko Street. (Wilkes-Barre West, PA, Quadrangle N: 12.2 inches; W: 15.0 inches).

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

E06-550. Robert Jones, Leesport Borough Authority, 10 East Wall Street, P. O. Box 201, Leesport, PA 19533 in Leesport Borough, **Berks County**, ACOE Philadelphia District.

To remove the existing control building and to construct and maintain a new control and equipment building and treatment facilities within the left bank's 100-year floodway of the Schuylkill River (WWF) located downstream of East Wall Street bridge (Temple, PA Quadrangle N: 12.65 inches; W: 12.6 inches).

E21-322. David Schwartz, Olympic Realty & Development Corp., 424 East 52nd Street, Suite 1B New York, NY 10022 in the Borough of Carlisle, **Cumberland County**, ACOE Baltimore District.

To relocate about 700 feet of a surface water conveyance to Letort Spring Run (EV) and to construct and maintain (1) three R-6 rocklined trapezoidal channels, 203 feet, 238 feet and 98 feet in length; (2) construct and maintain three reinforced concrete box culvert crossings in the rocklined trapezoidal channels; one 68 foot long culvert having a span of 8.0 foot and a rise of 4.0 foot, one 100 foot long stream enclosure having a span of 8.0 foot and a rise of 4.0 foot, one 133 foot long stream enclosure having a span of 8.0 foot and a rise of 4.0 foot and to provide rock armor at the outlet for channel scour protection all for the purpose of developing a commercial

site that will include a one story 116,000 square foot Home Depot retail outlet and two other commercial buildings located on the east side of South Hanover Street (SR 0034) about 0.25 mile south of interstate Route 82 interchange 14 (Carlisle, PA Quadrangle N: 10.8 inches; W: 8.8 inches).

E36-712. Karen Konice, East Cocalico Township, 100 Hill Road, Denver, PA 17567 in East Cocalico Township, **Lancaster County**, ACOE Baltimore District.

To remove the existing corrugated metal pipe culvert and to construct and maintain a concrete box culvert having a span of 12-foot by 4-foot with a length of 140-foot stream enclosure at the channel of an unnamed tributary to Little Muddy Creek (WWF) located right at the Gehman School Road and Stone Hill Road intersection (Terre Hill, PA Quadrangle N: 16.8 inches; W: 10.1 inches).

E36-713. Stephen Aumen, City of Lancaster, Bureau of Parks & Public Safety, 120 N. Duke Street, P. O. Box 1599, Lancaster, PA 17608 in Lancaster Township and Lancaster City, **Lancaster County**, ACOE Baltimore District.

To construct and maintain parking lots and associated trail along the right bank's 100-year floodway and floodplain of the Conestoga River starting immediately upstream of Duke Street bridge (Lancaster, PA Quadrangle N: 4.3 inches; W: 4.9 inches).

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

E18-313. George M. Khoury, Pennsylvania Department of Transportation, Engineering District 2-0, P. O. Box 342, Clearfield, PA 16830. Bridge on SR 2004—Fishing Creek in Lamar Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 10.5 inches; W: 13.0 inches).

To remove the existing two span, spandrel arch bridge with a 90 degree skew to roadway center line, a 44 foot span with an 840 square foot waterway opening and to construct and maintain a two span continuous composite prestressed concrete adjacent box beam bridge with two 55 foot spans and a 2.5 foot wide pier and a waterway opening of 1,114 square feet and to construct a temporary cofferdam to isolate the existing pier during demolition and construct the new pier on SR 2004 over Fishing Creek approximately 1,500 feet northwest of Mackeyville in Clinton County. The project will impact less than 0.5 acre of wetlands while impacting approximately 100 feet of waterway. Fishing Creek is a High Quality—Cold Water fisheries stream.

E18-314. PA DCNR—Bureau of Facility Design and Construction, P. O. Box 8451, Harrisburg, PA 17105-8451. Forestry Bridge No. 10-0016R Replacement, in Chapman Township, **Clinton County**, ACOE Baltimore River Basin District (Slate Run, PA Quadrangle N: 0.6 inch; W: 14.8 inches).

To remove an existing structure and construct, operate and maintain a single span prestressed concrete box beam bridge to carry Hyner Run Road across Left Branch, Hyner Run (High Quality-Cold Water Fishery). The single span bridge shall be constructed with a minimum clear span of 36.1-feet, underclearance of 2.5-feet and skew of 65-degrees. Bridge construction shall be completed in dry work conditions through the use of dams and pumping or fluming stream flow around work area. Bridge construction shall be conducted during stream low

flow conditions. The project will permanently impact 511-square feet of wetland and 153-feet of waterway. The project is located along the northern right-of-way of SR 0120 approximately 1,000-feet north of Left Branch, Hyner Run Road and Right Branch, Hyner Run Road. This permit also seeks authorization for temporary wetland impacts of 2,431.76-square feet and waterway impacts of 11-feet. Temporary impacts are associated with construction of a temporary road crossing. All temporary wetlands and waterway impacts shall be fully restored. The permanent wetland impacts of 511-square feet are de minus and replacement wetlands will not be required.

E55-175. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218 Montoursville, PA 17754-0218. Water Obstruction and Encroachment Permit Application, in Spring Township, **Snyder County**, ACOE Susquehanna River Basin District (Beavertown, PA Quadrangle N: 4.0 inches; W: 11.9 inches).

To perform streambed paving in Stony Run located on S. R. 4010, Segment 0050, Offset 2416. This project proposes to permanently impact 34 linear feet of Stony Run, which is designated a Cold Water Fishery and does not propose to impact any jurisdictional wetlands.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E20-500. PA Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA. SR 0079, Segment 1394, Offset 2010 Across tributary to Conneaut Outlet, in Greenwood Township, **Crawford County**, ACOE Pittsburgh District (Geneva, PA Quadrangle N: 5.3 inches; W: 6.7 inches).

To install concrete streambed paving and maintain the 414.5-foot long reinforced concrete arch stream enclosure having a span of 16 feet and a maximum rise of 12 feet across a tributary to Conneaut Outlet (Turkey Hollow Creek) on S. R. 0079, Segment 1395, Offset 2010 approximately 0.8 mile south of the Geneva exit.

E20-501. PA Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA. SR 0079, Segment 1394, Offset 2010 Across tributary to Conneaut Outlet, in Greenwood Township, **Crawford County**, ACOE Pittsburgh District (Geneva, PA Quadrangle N: 4.2 inches; W: 6.1 inches).

To install concrete streambed paving and maintain the 253.5-foot long reinforced concrete arch stream enclosure having a span of 20.83 feet and a maximum rise of 13.5 feet across Rock Creek on S. R. 0079, Segment 1390, Offset 2241 approximately 1.5 mile south of the Geneva exit.

E37-138. North Beaver Township Municipal Authority, 861 Mt. Jackson Road, New Castle, PA 16102. Mt. Jackson/Jackson Knolls (Phase II) Sewage Facilities, in North Beaver Township, **Lawrence County**, ACOE Pittsburgh District (Bessemer, PA Quadrangle N: 15.8 inches; W: 8.0 inches).

To conduct the following activities associated with the expansion of wastewater services for the Mount Jackson/Jackson Knolls (Phase II) and Sunnyside (Phase III) service areas:

1) The construction of two 40-foot crossings under Hickory Run and one 10-foot crossing under an unnamed tributary to Hickory Run associated with the construction of approximately 78,000 linear feet of sanitary sewer piping.

2) The encroachment of approximately 0.16 acre of wetland (PSS/PFO) associated with construction of the Andrew Trace Pump Station.

3) The temporary disturbance of approximately 0.05 acre of wetland (PSS) associated with the expansion of the Mount Jackson/Jackson Knolls sanitary sewage facilities.

WATER QUALITY CERTIFICATIONS REQUESTS

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

Requests for Certification under Section 401 of the Federal Water Pollution Control Act

The following requests have been made to the Department of Environmental Protection (Department) for certification under § 401(a) of the 1972 amendments to the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), that there is reasonable assurance that the construction herein described will not violate applicable Federal and State water quality standards.

Prior to final approval of the proposed certification, consideration will be given to any comments, suggestions or objection which are submitted in writing 30 days of the date of this notice. Comments should be submitted to the Department at the address indicated above each of the following requests for certification. All comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions in sufficient detail to inform the Department of the exact basis of the proposal 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 comments if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated above each request for certification between the hours of 8 a.m. and 4 p.m. on each working day.

Certification Request Initiated By: United States Coast Guard, Civil Engineering Unit, 1240 East 9th Street, Room 2179, Cleveland, Ohio 44199-2060.

Project Description/Location: This activity involves the discharge of supernatant from the U. S. Army Corps of Engineers Fort Mifflin dredge disposal basin into the Delaware Estuary-Zone 4. The supernatant will be generated through the disposal of 42,500 cubic yards of sediment from the boat basin at the U. S. Coast Guard Base in Philadelphia, PA. Dredging will be accomplished by hydraulic means and material will be placed on barges for transport to Fort Mifflin CDF, where it will be pumped from the barges to the CDF.

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D65-187. Scott M. and Karen T. Lavery, 100 Laspina Lane, Irwin, PA 15642. To operate and maintain Laspina Lane Dam across a tributary to Brush Creek (Byers Run) (TSF), for the purpose of maintaining a recreational lake

(Irwin, PA Quadrangle N: 21.1 inches; W: 10.9 inches) in Penn Township **Westmoreland County**.

ACTIONS

FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT—NPDES AND WQM PART II PERMITS

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications and requests for plan approval. The actions are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permits.

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

I. Municipal and Industrial Permit Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

NPDES Permit No. PA-0061816, Sewage, **Nemanie Village, Inc.**, P. O. Box 77, Hawley, PA 18428.

This proposed facility is located in Palmyra Township, **Pike County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit.

NPDES Permit No. PA-0064084, Sewage, **Delano Township Board of Supervisors**, P. O. Box 103, Delano, PA 18220.

This proposed facility is located in Delano Township, **Schuylkill County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit.

WQM Permit No. 4501402, Sewerage **Arrowhead Sewer Company, Inc.**, HC 88, Box 305, Pocono Lake, PA 18347.

This proposed facility is located in Coolbaugh Township, **Monroe County**.

Description of Proposed Action/Activity: Construction of a 113,000 gallon flow equalization tank.

WQM Permit No. 5201401, Sewerage, **Harry F. Lee, et al.**, 22 North 7th Street, Stroudsburg, PA 18380.

This proposed facility is located in Lehman Township, **Pike County**.

Description of Proposed Action/Activity: Construction of a low pressure sewer extension from the Harry Lee Subdivision to an existing sewage treatment facility.

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

NPDES Permit No. PA0088455, Industrial Waste, **Rice Fruit Co., Inc.**, 2760 Carlisle Road, Gardners, PA 17324-0066.

This proposed facility is located in Menallen Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of Opossum Creek in Watershed 7-F.

NPDES Permit No. PA0025399, Sewage, **Christiana Borough**, 315 Newport Avenue, Christiana, PA 17509.

This proposed facility is located in West Sadsbury Township, **Chester County**.

Description of Proposed Action/Activity: Authorization to discharge to Buck Run in Watershed 7-K.

NPDES Permit No. PA0084247, Sewage, **Berk Tek, Inc.**, 132 White Oak Road, New Holland, PA 17557.

This proposed facility is located in Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of the Conestoga River in Watershed 7-J.

NPDES Permit No. PA0083593, Sewage, **Silver Spring Township Authority**, 6475 Carlisle Pike, Mechanicsburg, PA 17055-2391.

This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0038733, Sewage, **East Providence Township Municipal Authority**, P. O. Box 83, Breezewood, PA 15533.

This proposed facility is located in East Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Tub Mill Run in Watershed 11-D.

NPDES Permit No. PA0034011, Sewage, **Bedford Materials Company, Inc.**, Napier Plant, P. O. Box 657, Bedford, PA 15522-0657.

This proposed facility is located in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Raystown Branch Juniata River in Watershed 11-C.

NPDES Permit No. PA0088650, Sewage, **Capital Area Christian Church**, 1775 Lambs Gap Road, Mechanicsburg, PA 17055.

This proposed facility is located in Silver Spring and Hampden Townships, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Conodoguinet Creek in Watershed 7-B.

WQM Permit No. 3601403, Sewerage, **Suburban Lancaster Sewer Authority**, P. O. Box 458, Lancaster, PA 17608-0458.

This proposed facility is located in Lancaster Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction/ operation of Sewers and Appurtenances and a Pump Station.

WQM Permit No. 6701403, Sewerage, **Red Lion Municipal Authority**, P. O. Box 190, Red Lion, PA 17356-0190.

This proposed facility is located in Red Lion Borough, **York County**.

Description of Proposed Action/Activity: Authorization for the construction/ operation of a Pump Station.

WQM Permit No. 2101403, Sewerage, **Capital Area Christian Church**, 1775 Lambs Gap Road, Mechanicsburg, PA 17055.

This proposed facility is located in Silver Spring and Hampden Townships, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for the construction/ operation of Sewage Treatment Facilities.

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

NPDES Permit No. PA0000566, Industrial, **Hussey Copper Ltd.**, 100 Washington Street, Leetsdale, PA 15056 is authorized to discharge from a facility located at Hussey Copper Ltd., Leetsdale Borough, **Allegheny County** to receiving waters named Ohio River (001 and 002) and Big Sewickley Creek (003, 004 & 005).

NPDES Permit No. PA0218740, Sewage, **Mount Pleasant Township Supervisors**, Box 158, Mammoth, PA 15664 is authorized to discharge from a facility located at Mountain Shadows STP, Mount Pleasant Township, **Westmoreland County** to receiving waters named Drainage Swale to Boyer Run.

Permit No. 1101401, Sewerage, **Cambria County Commissioners**, Cambria County Courthouse, Ebensburg, PA 15931. Construction of sewage treatment plant, pump station and force main and gravity sewer system located in Barr Township, **Cambria County** to serve Duman Lake Park.

Permit No. 6501402, Sewerage, **Charles Chapman**, R. D. # 1, Box 1136, Ruffsdale, PA 15679. Construction of Sewage Treatment Plant and Sewer System located in East Huntingdon Township, **Westmoreland County** to serve Wen-Dell Mobile Home Park.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQM Permit No. 2501409, Sewerage, **Gregory G. and Tammy A. Kimmy**, 113 Hill Road, Erie, PA 16508.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

WQM Permit No. 4301410, Sewerage, **Steven P. Roman**, P. O. Box 86, Harrisville, PA 16038.

This proposed facility is located in Wolf Creek Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

The following NPDES Individual Permits for Discharges of Stormwater Associated with 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.

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

NPDES No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAS10Q200-1	Scott D. Davis & David S. Mushko 544 Jubilee St. Emmaus, PA 18049	Lehigh County	Upper Milford & Lower Macungie Townships	Unnamed Tributary to Little Lehigh Creek HQ-CWF

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent (NOIs) for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in This Commonwealth; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
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 (CSO)
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-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contract Office and Telephone No.</i>
Northampton County Freemansburg Borough	PAR10U156	Ashley Development Corp. 559 Main St., Suite 300 Bethlehem, PA 18018	Lehigh River CWF	Northampton County Con- servation District (610) 746-1971
Northampton County Lower Saucon Township	PAR10U161	Thomas Macarro 3633 Drifting Dr. Hellertown, PA 18055	Saucon Creek CWF	Northampton County Con- servation District (610) 746-1971
Schuylkill County Washington Township	PAR105814	Flying Dutchman Motorcycle Club Inc. (Parking Lot) Luke Zechman R. D. 3, Box 139F Pine Grove, PA 17963	Lower Little Swatara Creek CWF	Schuylkill County Conser- vation District (570) 622-3742
Schuylkill County Kline Township	PAR105819	Van Hockelen Greenhouse Land Dev. Lori Van Hockelen Co. A & A Real Estate Assoc. 34 N. Greco Dr. Drums, PA 18222	Little Schuylkill River CWF	Schuylkill County Conser- vation District (570) 622-3742
Schuylkill County Mahanoy Township	PAR105817	Yudacot Dev./Inter Bedding Corp. Steven Colter 300 Ind. Park St. Clair, PA 17978	Mahanoy Creek CWF	Schuylkill County Conser- vation District (570) 622-3742
East Donegal Township Lancaster County	PAR100485	Donegal School District 366 S. Market Ave Mount Joy, PA 17552	Little Chickies Creek TSF	Lancaster County Conser- vation District 1383 Arcadia Rd. Rm. 6 Lancaster, PA 17601
Mount Joy Borough Lancaster County	PAR100486	The Charlan Group 1085 Manheim Pike Lancaster, PA 17601	UNT Donegal Creek CWF	Lancaster County Conser- vation District 1383 Arcadia Rd. Rm. 6 Lancaster, PA 17601
Rapho Township Lancaster County	PAR100499	J B Hostetter & Sons Part- nership P. O. Box 218 Mount Joy, PA 17552	Little Chickies Creek TSF	Lancaster County Conser- vation District 1383 Arcadia Rd. Rm. 6 Lancaster, PA 17601
Cumru Township Berks County	PAR10C366	Harry O'Neill, III Empire Wrecking Co. 1420 Clarion Street Reading, PA 19601	Schuylkill River	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Harrisburg City Dauphin County	PAR10I265	The Harrisburg Authority One Keystone Plaza Front & Market Streets Harrisburg, PA 17101	Paxton Creek	Dauphin County Conserva- tion District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Spring Township Centre County	PAR10F134	Pleasant Hills Apartments Richard Fortney Pleasant Hills Housing LP 501 Rolling Ridge Dr. State College, PA 16801	UNT Logan Branch CWF	Centre County Conserva- tion District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Ferguson Township Centre County	PAR10F136	Hillside Farm Estates Armen Sahakian Banyan Homes Inc 200 Haymaker Circle State College, PA 16801	Slab Cabin Run & UNT Slab Cabin Run CWF	Centre County Conserva- tion District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contract Office and Telephone No.</i>
Muncy Creek Township Lycoming County	PAR103945	Weis Markets Inc. 1000 Second St. Sunbury, PA 17801	Muncy Creek TSF	Lycoming County Conserva- tion District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Roulette Township Potter County	PAR105508	Londes Meadows Christopher Landes 24 Red Road Ave. Roulette, PA 16746	Allegheny River CWF	Potter County Conservation District 107 Market St. Coudersport, PA 16915 (814) 274-8411
Ward Township Tioga County	PAR106639	Sylvan Glen Inc. P. O. Box 61 Gaines, PA 16921	Fallbrook Creek Morris Run Tioga River CWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801

Southwest Region: Regional Water Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contract Office and Telephone No.</i>
Armstrong County Burrell Township South Bend Township Plumcreek Township Kittanning Township Cowanshannock Township Valley Township	PAR10B036	Dominion Transmission 445 West Main Street P. O. Box 2450 Clarksburg, WV 26302- 2450	Crooked Creek and unnamed tributary/ WWF & CWF; Fagley Run/WWF; Long Run and unnamed tributaries/CWF; Cherry Run and unnamed tributaries/CWF; Spra Run/WWF and unnamed tributaries to Huskins Run/ WWF; and Cowanshannock Creek/TSF	Armstrong County Conservation District (724) 548-3425
Washington County Donegal Township	PAR10W180	Bob Cossell 202 Oglevee Lane Connellsville, PA 15425	Wheeling Creek/ WWF	Washington County Conservation District (724) 228-6774
Jefferson County Washington Township	PAR103339	DuBois-Jefferson County Airport P. O. Box 299 Falls Creek, PA 15840	Unnamed Tribu- tary to Keys Run, Keys Run and Horn Run (CWF)	Jefferson Conservation District (814) 849-7463
Mercer County Findley Township	PAR104359	General Services Dept. of Corrections State Correctional Facility Mercer 801 Butler Pike Mercer, PA 16137	Neshannock Creek (TSF)	Mercer Conservation District (724) 662-2242
Mercer County Pine Township	PAR106363	Howard Christner 235 Alpha Drive Pittsburgh, PA 15238	Unnamed Tribu- tary to Swamp Run (CWF)	Mercer Conservation District (724) 662-2242

General Permit Type—PAG-3

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contract Office and Telephone No.</i>
Lebanon County Lebanon City	PAR123518	Murry's Inc. 8300 Pennsylvania Avenue Upper Marlboro, MD 20772-2673	Brandywine Creek/TSF	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contract Office and Telephone No.</i>
Vanport Township Beaver County	PAR806113	Interstate Chemical Co. 2797 Freedland Road Hermitage, PA 16148	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contract Office and Telephone No.</i>
Waterford Township Erie County	PAG048726	Gregory G. and Tammy A. Kimmy 113 Hill Road Erie, PA 16508	Unnamed tributary to Wheeler Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Wolf Creek Township Mercer County	PAG048731	Steven P. Roman P. O. Box 86 Harrisville, PA 16038	Unnamed tributary to East Branch Wolf Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contract Office and Telephone No.</i>
Monessen Westmoreland County	PAG056164	R L Smeltz Oil Company Inc. 725 South Main Street Box 100 Greensburg, PA 15601	UNT of the Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Site Name & Location</i>	<i>Contract Office and Telephone No.</i>
Howe Township Perry County	PAG083558	Newport Borough STP 231 Market Street Newport, PA 17074	John Deloncey Farm Howe Township Perry County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

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

Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. 4500507, Public Water Supply.

Applicant	First National Bank of Palmerton P. O. Box 217 Palmerton, PA 18071
Borough or Township	Tobyhanna Township
County	Monroe
Type of Facility	Public Water Supply
Consulting Engineer	Jeffrey S. Culton, P.E. Buchart-Horn, Inc. P. O. Box 15040 York, PA 17405
Permit to Construct Issued	May 22, 2001

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. Minor Amendment. Public Water Supply.

Applicant **Borough of Hughesville**
147 S. 5th Street
Hughesville, PA 17737-0020

Borough Hughesville Borough

County **Lycoming**

Type of Facility Public Water Supply

Consulting Engineer Borton-Lawson Engineering, Inc.
613 Baltimore Drive
Suite 300
Wilkes-Barre, PA 18702-7903

Permit to Construct Issued May 25, 2001

Permit No. Minor Amendment. Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 W. Hersheypark Drive
Hershey, PA 17033

Township White Deer & Gregg Townships

County **Union**

Type of Facility Public Water Supply

Consulting Engineer

Permit to Operate Issued May 25, 2001

Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 361W2-T2-MA2, Minor Amendment. Public Water Supply.

Applicant **Millcreek Township Water Authority**
3608 West 26th St.
Erie, PA 16505

Borough or Township Millcreek Township

County **Erie**

Type of Facility Public Water Supply

Consulting Engineer CTE Engineers
155 West 8th St.
Erie, PA 16501

Permit to Construct Issued May 24, 2001

Permit No. 2498502-MA3, Minor Amendment. Public Water Supply.

Applicant **St. Marys Area Water Authority**
429 Ridgway Rd.
St. Marys, PA 15857

Borough or Township St. Marys

County **Elk**

Type of Facility Public Water Supply

Consulting Engineer Dwight D. Hoare, P.E.
Allegheny Mountain Engineering, Inc.
515 East Arch St.
St. Marys, PA 15857

Permit to Construct Issued May 16, 2001

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
New Salem Borough	80 North Water Street, York, PA 17371	York

Plan Description: The approved plan provides for the installation of a conventional sanitary sewer collection system with conveyance to North Codorus Township for treatment. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
East Hanover Township	8848 Jonestown Road, Grantville, PA 17028	Dauphin

Plan Description: The approved plan revision provides for a new 500gpd Small Flow Treatment Facility with a treated discharge to an unnamed tributary to Manada Creek. The proposed facility will serve a new residential structure on the existing Paul Henry property.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Codorus Township	R. D. 1 Box 1102, Spring Grove, PA 17362	York County

Plan Description: This Official Plan revision, Colonial Crossings (A3-67946-247-3), is for a 53-lot subdivision consisting of 400 residential units comprised of apartments, duplexes, townhouses and single-family dwellings, as well as a neighborhood commercial center, swimming pool and clubhouse. The project site is on 115 acres and is located along the south and east sides of Noss Road, approximately 500 feet east of Joseph Road in North Codorus Township, York County. Total estimated sewage flows are 144,350 gpd to be served by an existing, privately owned sewage treatment plant. Ultimately, the sewage is to be treated at a proposed municipal sewage treatment plant that has not yet received planning approval.

Since the existing treatment plant has a capacity of only 100,000 gpd, the plan was disapproved because the proposed municipal treatment plant has not received planning approval and is not a viable ultimate means of sewage disposal at this moment. In addition, the operation and maintenance responsibilities of the existing treatment plant have not been addressed.

**Notice of Prompt Interim Response
Conneaut Creek Drum Site
Conneautville Borough, Crawford County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), has completed a prompt interim response at the Conneaut Creek Drum Site (site). The site is located in Conneautville Borough, Crawford County, PA. The site consists of a parcel of property with a dwelling used for residential housing. Specifically, the site is oriented in the backyard of the property and covers an area of about 60 square feet. The site is on the northeast bank of the active stream channel of Conneaut Creek. Two barrels and their contents were partially exposed on the stream bank, approximately four feet above the mean stream level.

The Department became aware of the site as the result of a public complaint on August 31, 1999. The Department completed an initial investigation and preliminary sampling on September 9, 1999. The results of the initial investigation verified the complaint and the presence of a hazardous substance. Further investigation and sampling

was completed February 29, 2000, which indicated that the drums contained hazardous substances, namely lead and volatile organic compounds. The material in the drums and nearby soils may have been dried lead-based paint.

The origin of the waste and drums and how they came to be located at the site, are unknown. The current and past owners of the site have stated that they were not aware of the waste and drums, prior to the beginning of the Department's investigation.

The main objectives for the prompt interim response at the site were:

- 1) protect the public and environmental receptors from direct contact, ingestion and inhalation risks associated with the hazardous substances in contaminated soils and wastes; and
- 2) eliminate the ongoing release and threat of release of hazardous substances into the environment from the wastes and contaminated soils at the site.

The Department considered two alternatives for the prompt interim response at the site:

Alternative 1

A "No Action" alternative provided a baseline for comparison to other alternatives. Because no action would be implemented, any present or future risks to human health, safety or the environment would remain unchanged.

Alternative 2

This Alternative involved the excavation and disposal of drums containing waste, wastes outside of drums and contaminated soils at an off-site facility. Following the excavation and removal of the drums, waste and contaminated soils, the site was restored to pre-response conditions.

The Department chose to implement Alternative 2 as the prompt interim response at the site. Alternative 2 was selected because it does, in the most cost effective manner, protects the public and environmental receptors from the risks associated with the hazardous substances at the site. The completed cost of this response was approximately \$15,000.

This notice is being provided under Section 506(b) of HSCA. The administrative record, which contains the information that forms the basis for and documents the selection of this response action, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 and is available for review Monday through Friday from 8 a.m. until 4 p.m.

The administrative record will be open for comment from June 9, 2001 until September 7, 2001. Persons may submit written comments into the record during this time only, by sending them to the site Project Manager, Ronald Lybrook, at the Department's Northwest Regional Office, or by delivering them to that office in person.

In addition, persons may submit oral comments, for inclusion in the administrative record, at a public hearing. The Department will schedule a hearing between July 9, 2001 and August 8, 2001, if requested by one or more members of the public. Persons wishing to present comments at a hearing must register with the Department's Community Relations Coordinator, Freda Tarbell before June 25, 2001 by telephone at (814) 332-6945 or in writing to the Northwest Regional Office. If no person requests to present oral comments by the date specified above, a hearing will not be held. Persons interested in finding out if anyone has registered and if a hearing will be held, should contact Freda Tarbell at the telephone number previously noted.

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

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 where 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 analytical results which demonstrate that remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection 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 Region: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Zenith Products Corporation, Chester Township, **Delaware County**. Henry Alexander, P.E., Conestoga-Rovers & Associates, 559 W. Uwchlan Ave., Suite 120, Exton, PA 19341, on behalf of TFC Aston 2000 Partnership, 1621 Wood St., Philadelphia, PA 19103, has submitted a Final Report concerning remediation of site soil contaminated with heavy metals and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Commonwealth Bank, Hilltown Township, **Bucks County**. J. Anthony Sauder, P.E., Pennoni Associates, Inc., One Drexel Plaza, Suite 200, 3001 Market St., Philadelphia, PA 19104-2897, has submitted a Final Report concerning remediation of site soil contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Southcentral Region: Environmental Cleanup Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110.

Banzhaf Residence, Manheim Township, **Lancaster County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522 (on behalf of Judy Kruse, 117 Victoria Road, Millersville, PA 17551) has submitted a Final Report concerning remediation of site soils contaminated with BTEX and PHCs. The report is intended to document remediation of the site to the Statewide Health standard.

General Electric Environmental Services, Inc., Parcels C & D, City of Lebanon, **Lebanon County**. Groundwater and Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 (on behalf of General Electric Environmental Services, Inc., 253 North Fourth Street, Lebanon, PA 17046) submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX, PHCs and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) 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. Plans and

reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse 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 of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

Southeast Region: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Madiro Property, Downingtown Borough, **Chester County**. Susan Ahearn, Evans Mill Environmental, Inc., 101 Fellowship Rd., P. O. Box 735, Uwchland, PA 19480, on behalf of Anthony J., Jr. and Teresa W. Madiro, 21 E. Lancaster Ave., Downingtown, PA, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with lead, BTEX and polycyclic aromatic hydrocarbons. The Final report demonstrated attainment of the Statewide Health standard and was approved by the Department on May 18, 2001.

Ashland, Inc.—Aston Chemical Distribution Facility, (SOIL), Chester Township, **Delaware County**. Cathy A Pickrel, Ashland, Inc., P. O. Box 2219, Columbus, OH 43216, on behalf of Dunlap, Mellor & Co., Inc. 100 N. Commerce Dr., I-95 Industrial Park, Aston, PA 19014, has submitted a Final Report concerning the remediation of site soil contaminated with solvents and BTEX. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 23, 2001.

Penlyn Lands, Lower Gwynedd Township, **Montgomery County**. Mark J. Irani, P.G., RT Environmental Services, Inc. 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Penlyn Lands, c/o Day & Zimmerman, Inc., 1818 Market St., Philadelphia, PA 19103, has submitted a Final Report concerning remediation of site soil contaminated with solvents and groundwater contaminated with lead. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 25, 2001.

Former Slonaker Millworking Company, City of Philadelphia, **Philadelphia County**. Dennis Fisher, NTH Consultants, Ltd., 860 Springdale Drive, Exton, PA 19341, on behalf of Hispanic Association of Contractors & Enterprises, 167 W. Allegheny Ave., Suite 200, Philadelphia, PA 19140, has submitted a combined Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons. The combined report was approved by the Department on May 23, 2001.

Southcentral Region: Environmental Cleanup Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110.

Former Sunoco Quentin Terminal, West Cornwall Township, **Lebanon County**. GES Environmental & Groundwater Services, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 (on behalf of Sunoco, Inc., Ten Penn Center, 20th Floor, 1801 Market Street, Philadelphia, PA 19103) submitted a remedial investigation report and a risk assessment report concerning the remediation of site soils and groundwater contaminated with BTEX, PHCs and PAHs. The reports were disapproved by the Department on May 21, 2001.

Banzhaf Residence, Manheim Township, **Lancaster County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522 (on behalf of Judy Kruse, 117 Victoria Road, Millersville, PA 17551) submitted a final report concerning remediation of site soils contaminated with BTEX and PHCs. The final report demonstrated attainment of the statewide health standard and was approved by the Department on May 22, 2001.

Kemps Foods, City of York, **York County**. Geologic NY Inc., P. O. Box 5080, Cortland, NY 13045 (on behalf of Kemps Foods, Two West Hamilton Avenue, York, PA 17407) submitted a final report concerning the remediation of site soils contaminated with PHCs. The final report demonstrated attainment of the statewide health standard and was approved by the Department on May 16, 2001.

Holy Guardian Angels Church, Muhlenberg Township, **Berks County**. Advanced GeoServices Corporation, Chadds Ford Business Campus, Brandywine One, Suite 202, Routes 202 and 1, Chadds Ford, PA 19317 (on behalf of Holy Guardian Angels Church, 3121 Kutztown Road, Reading, PA 19605) submitted a final report concerning the remediation of site soils contaminated with lead. The final report demonstrated attainment of the statewide health standard and was approved by the Department on May 22, 2001.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration Denied under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit Registration No. WMGR064. Hart Resources Technologies, 5035 Route 110, Creekside, PA 15732.

Registration to operate under General Permit No. WMGR064 for the beneficial use of natural gas brines as antiskid pre-wetting prior to roadway application and roadway and walkway surface anti-icing applications used in order to minimize the formation or development of bonded snow and ice to roadway and walkway surfaces. The registration was denied by Central Office on May 21, 2001.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits Denied under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 101670. Philadelphia Waste Services, Inc., 1620 South 49th Street, Philadelphia, PA, 19143, City of Philadelphia. Application was made to construct and operate a construction and demolition waste facility in the City of Philadelphia. The permit was denied by the Southeast Regional Office on May 18, 2001.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.

23-312-216GP: Baker Petrolite Corp. (4th and Saville, Eddystone, PA 19022) on May 22, 2001, for a storage tank in Eddystone Borough, **Delaware County.**

Operating Permit Administrative Amendments Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450 (relating to administrative operating permit amendments).

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.

15-302-084: Merck and Co., Inc. (466 Devon Park Drive, Wayne, PA 19087) on May 24, 2001, for two boilers and a generator in Tredyffrin Township, **Chester County.**

Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

28-03019: Sunnyway Foods, Inc. (P. O. Box 700, Greencastle, PA 17225) on May 23, 2001, for a Natural Minor Operating Permit in Antrim Township, **Franklin County.**

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Devendra Verma, New Source Review Chief, (814) 332-6940.

33-00108: Brookville Hospital (100 Hospital Road, Brookville, PA 15825) on April 26, 2001, for a Title V Operating Permit at the facility in Brookville Borough, **Jefferson County.**

43-00196: General Electric Transportation Systems (1503 West Main Street Extension, Grove City, PA 16127) issued a revised Title V Operating Permit on May 21, 2001, to incorporate conditions for settlement of the appeal to the original permit issuance and to incorporate newly applicable requirements from RACT Operating Permit issued on May 16, 2001, at the facility in Grove City, **Mercer County.**

Philadelphia Department of Public Health, Air Management Services: 321 University Ave., Philadelphia, PA 19104, Roger Fey, (215) 823-7584.

96-045: Temple Continuing Care Center (5301 Old York Road, Philadelphia, PA 19141) on May 21, 2001, for operation of a hospital in the City of Philadelphia, **Philadelphia County.** The Synthetic Minor facility's air emission sources include six natural gas or No. 2 oil-fired boilers each rated at 6 MMBTU/hr, eleven natural gas-fired boilers and heaters each rated at or less than 1.0 MMBTU/hr and two emergency generators.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-0035B: SmithKline Beecham Pharmaceuticals (709 Swedeland Road, King of Prussia, PA 19406) on May 21, 2001, for operation of an emergency electric generator in Upper Merion Township, **Montgomery County.**

23-0047B: Degussa Corp. (1200 West Front Street, Chester, PA 19013) for installation for a new storage silo to store amorphous silicon dioxide with a bag-house to control particulate matter (PM) emissions from the silo and packaging device. This installation will result in a maximum PM emission increase of 0.1 ton per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operation restrictions designed to keep the facility operating within all applicable air quality requirements.

46-00036: Visteon Systems, L.L.C. (2750 Morris Road, Lansdale, PA 19446) amended to include the requirements of Plan Approval 46-0036B for installation of Selective Soldering Machine No. 7. This source will result in an emission increase of 0.0035 ton of Lead (Particulate Matter) and 2.37 tons of Volatile Organic Compounds (VOCs) per 12-month rolling sum. The Selective Soldering Machine No. 7 shall only be used for soldering electronic circuit boards. The Title V Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

28-310-002G: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201) on May 23, 2001, for the modification of the limestone crushing plant at the

Chambersburg Quarry located in Guilford Township, **Franklin County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, William Charlton, New Source Review Chief, (412) 442-4174.

26-00045A: Coolspring Mining Inc. (P. O. Box 1328, Uniontown, PA 15401) on May 21, 2001, for operation of sandstone processing at Coolspring Stone Supply, Inc., Coolspring Quarry 1 in North Union Township, **Fayette County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Devendra Verma, New Source Review Chief, (814) 332-6940.

37-185B: Universal Refractories, Inc. (915 Clyde Street, Wampum, PA 16157) on May 4, 2001, for installation of a baghouse on the MgO processing line in Wampum Borough, **Lawrence County**.

Plan Approvals Extensions Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.13 (relating to extensions)

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

67-03096: FCI Interconnections (25 Grumbacher Road, York, PA 17402) on May 19, 2001, to authorize temporary operation of a hard chromium electroplating tank controlled by a composite mesh-pad system, covered under this Plan Approval until September 15, 2001, in Manchester Township, **York County**. This source is subject to 40 CFR Part 63, Subpart N—Standards of Performance for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.

18-313-019D: Croda, Inc. (P. O. Box 178, Mill Hall, PA 17751-0178) on May 18, 2001, to extend authorization to operate various batch reaction vessels used to produce quaternary ammonium compounds and associated air cleaning devices (a thermal oxidizer and a packed bed scrubber) on a temporary basis until September 15, 2001, to extend the deadline for the performance of methyl chloride stack testing to July 31, 2001 and modify a quench water flow rate requirement from 7.5 gallons per minute to 6.0 gallons per minute in Bald Eagle Township, **Clinton County**.

Plan Approval Minor Modification Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Richard Maxwell, New Source Review Chief, (570) 327-3637.

12-399-016: Micron Research Corp. (Route 120 West, P. O. Box 269, Emporium, PA 15834) on May 17, 2001, to approve the use of an air pollution system incorporating a limestone bed, a fiberglass insulation bed and a charcoal filter bed in series in place of a cartridge collector to control the air contaminant emissions from a carbon graphite products mixer in Shippen Township, **Cameron County**.

53-0003D: Dominion Transmission Corp.—Greenlick Compressor Station (625 Liberty Avenue, Pittsburgh, PA 15222) on May 14, 2001, to extend the authorization to operate a 12.8 million BTU per hour natural gas-fired regeneration heater on a temporary basis until September 11, 2001, to extend the expiration date of the approval to construct four 3200 horsepower natural gas-fired reciprocating internal combustion compressor engines, a 536 horsepower natural gas-fired emergency generator and a 3.0 million BTU per hour natural gas-fired boiler until September 11, 2001 and extend the deadline for the performance of NO_x, CO and VOC stack testing on the 12.8 million BTU per hour regeneration heater until October 31, 2001, in Stewardson Township, **Potter County**.

Philadelphia Department of Public Health, Air Management Services: 321 University Ave., Philadelphia, PA 19104, Roger Fey, (215) 823-7584.

94110: Sunoco Inc., R & M (3144 Passyunk Avenue, Philadelphia, PA 19145) on May 23, 2001, to modify Permit Condition No. 2 and to remove Permit Condition No. 3 from the previous installation permit issued on May 9, 1994, for their facility in the City of Philadelphia, **Philadelphia County**. Permit Condition No. 2 shall now read: "The operation of the Marine Vapor Collection and Control System (MVCACS) is limited to 2,500 barrels per hour." Previous language read: "The operation of the MVCACS is limited to 2,500 barrels per hour and 2,200 hours per year." The language "2,200 hours per year" has been removed from the permit. Permit Condition No. 3 has been removed from the permit which previously read "The Volatile Organic Compound emission from the operation of the MVCACS shall not exceed 12 tons per year." The 12 ton per year VOC limit and the 2,200 hours of operation per year limit were able to be removed from the installation permit because they were originally placed in the installation permit to account for 22 tons of Emission Reduction Credits (ERCs) as a result of over-control between 90% (per Pennsylvania rule) and 98% (combustion in boilers and heaters.) Since the ERCs were never officially banked, the limits can be removed.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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 applications will also address the application 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).

Coal Permits Issued

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

49910202R2. Split Vein Coal Co., Inc., (R. R. 1 Drawer 2, Paxinos, PA 17860-9637), renewal of an exist-

ing coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 191.0 acres, receiving stream—none. Renewal issued May 21, 2001.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.

11900105. Permit Revision, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for a post-mining land use change from forestland to wildlife habitat on lands of Leonard Kalinoski and Cooney Brothers Coal in Portage Township, **Cambria County**, affecting 45.0 acres, receiving stream an unnamed tributary to Beaverdam Run. Application received March 7, 2001. Application issued May 17, 2001.

32850114. Permit Renewal, **Beilchick Brothers** (P. O. Box 7, Heilwood, PA 15745), for continued operation of a bituminous surface mine in Pine Township, **Indiana County**, affecting 147.5 acres, receiving stream unnamed tributaries of Little Yellow Creek. Application received March 26, 2001. Application issued May 21, 2001.

56960107. Permit Transfer from **Godin Brothers, Inc. to PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), to continue operation of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 129.9 acres, receiving stream unnamed tributaries to/and Quemahoning Creek. Application received March 9, 2001. Application issued May 21, 2001.

32870101. Permit Revision, **Urey Coal Company** (222 Forest Ridge Road, Indiana, PA 15701), to temporarily relocate, mine through and restore to its pre-mining location, a segment of unnamed tributary "A" to Cush Creek that was affected by past surface mining and construction activities in Banks & Montgomery Townships; Glen Campbell Borough, **Indiana County**, affecting 156.4 acres, receiving stream unnamed tributaries to Cush Creek and Cush Creek. Application received December 13, 2000. Application issued May 24, 2001.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)). Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by this action may appeal, under Section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 of the Board at (717)

787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) 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: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-653. Texas Eastern Transmission Corporation, 5400 Westheimer Court, Houston, TX 77056, **Chester County**, ACOE Philadelphia District.

To perform exploratory work to facilitate an anomaly investigation of an existing gas transmission line and to install and maintain the Eagle Station fiber optic communication line which will temporarily impact various stream and wetland resources in Chester and Delaware Counties. In Chester County, the impacts will be as described on the attached table. The total impact of all activities in Chester County is 670 linear feet of stream impact and 1.18 acres of wetland impact (West Chester, PA Quadrangle N: 17.2 inches; W: 0.83 inch to Downingtown, PA Quadrangle N: 17.68 inches; W: 8.47 inches).

E23-407. Texas Eastern Transmission Corporation, 5400 Westheimer Court, Houston, TX 77056, **Delaware County**, ACOE Philadelphia District.

To perform exploratory work and to facilitate an anomaly investigation of an existing gas transmission line and to install and maintain a new gas transmission lateral, which will temporarily impact various stream and wetland resources in Delaware and Chester Counties. In Delaware County, the impacts will be as described on the attached table. The total impact of all activities in Delaware County is 278 linear feet of stream impact and 0.58 acre of wetland impact (Bridgeport, PA Quadrangle N: 12.74 inches; W: 11.47 inches to West Chester, PA Quadrangle N: 17.2 inches; W: 0.83 inch).

E15-654. 360 West Uwchlan Avenue, LLP, Suite 3, 20 Hagerty Boulevard, West Chester, PA 19382, East Caln Township, **Chester County**, ACOE Philadelphia District.

To consent to construct and maintain a driveway crossing consisting of 48 linear feet of twin 12-inch RCP culverts, retaining walls and two 12-inch RCP cross drains in and along an unnamed intermittent tributary to the East Branch of Brandywine Creek (WWF-MF) and adjacent wetlands (PEM/FO). The Total impact to wetlands as a result of the project is 0.13 acre. The project also proposes various utility line crossings to be constructed within the roadbed which qualify for General Permit No. 5 (Utility Line Stream Crossings). The facilities are associated with the proposed construction of two

office buildings at 360 West Uwchlan Avenue (Downingtown, PA Quadrangle N: 5.3 inches; W: 8.1 inches). The permittee is required to provide a minimum of 0.11 acre of replacement wetlands. The permittee has made a contribution to the wetland replacement fund to compensate for the remaining 0.02 acre of wetland impact.

E46-873. Pennsylvania Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Whitemarsh and Upper Dublin Townships, **Montgomery County**, ACOE Philadelphia District.

To place and maintain fill in and along the 100-year floodplain of sandy Run (WWF) associated with roadway widening and the construction of a stormwater management facility along the eastbound lane of the PA Turnpike for the purpose of S.R. 0309, Section 110 Road improvements. The site is located approximately 100 feet west of the PA Turnpike bridge crossing with S.R. 0309 (Ambler, PA Quadrangle; N: 1.1 inches; W: 10.8 inches).

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

E58-239. Tennessee Gas Pipeline, 100 Louisiana Street, Houston, TX 77002. Lathrop and Lenox Townships, **Susquehanna County**, Army Corps of Engineers Philadelphia District.

To construct and maintain 21 utility line stream crossings, including 11 crossings of watercourses and 10 crossings of wetlands for the purpose of constructing 3.9 miles of 30-inch natural gas pipeline (known as the Susquehanna Loop Project). The project will temporarily impact 0.25 acre of wetlands and includes a temporary road crossing at each utility line stream crossing location. The project extends from M.P. 320-2+13.7 at the intersection of S.R. 167 in Lathrop Township, Susquehanna County (Hop Bottom, PA Quadrangle N: 17.2 inches; W: 3.9 inches), continuing eastward, parallel to the existing Tennessee Gas Pipeline, to Main Valve No. 320-1A at M.P. 320-2+17.6 at the intersection of S.R. 2043 in Lenox Township, Susquehanna County (Lenoxville, PA Quadrangle N: 15.8 inches; W: 11.0 inches).

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

E06-532. Rockland Township, 41 Deysher Road, Fleetwood, PA 19522 in Rockland Township, **Berks County**, ACOE Philadelphia District.

To remove an existing structure and to reconstruct and maintain an 18.58-foot by 5.16-foot concrete arch culvert in the channel of Beiber Creek (EV) at a point at Henry Road (Manatawny, PA Quadrangle N: 14.5 inches; W: 16.25 inches).

E22-424. Yingst Homes, Incorporated, 7100 Fishing Creek Valley Road, Harrisburg, PA 17112, in West Hanover Township, **Dauphin County**, ACOE Baltimore District.

Giving its consent to (1) place fill in 0.1 acre of wetlands (2) construct a waived culvert crossing of an unnamed tributary to Beaver Creek (WWF) (3) restore about 0.91 acre of previously filled wetlands by restoring 0.64 acre and mitigating on site, at a 2:1 ratio, 0.27 acre of wetlands for the purpose of developing a residential/commercial development to be known as Bradford Estates located on the east side of Sarhelm Road at its intersection with Jonestown Road (Harrisburg East, PA Quadrangle N: 14.0 inches; W: 0.5 inch). The permittee is responsible for construction 0.64 acre of replacement wetlands on site.

E28-281. Pennsylvania Department of Conservation and Natural Resources, P. O. Box 8451, Harrisburg, PA 17105 in Greene Township, **Franklin County**, ACOE Baltimore District.

To relocate approximately 90 lineal feet of a tributary to Raccoon Creek (CWF/HQ) within a rock lined channel and place embankment fill along the southeast side of a district road at bridge 01-0017 for the purpose of stabilizing the roadway shoulder and installing guide-rail for the public safety. The Site is located in the Michaux State Forest (Caledonia Park, PA Quadrangle N: 1.4 inches; W: 15.25 inches).

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

E08-368. James A. Kendter, Pennsylvania Department of Transportation, District 3, P. O. Box 218, 715 Jordan Avenue, Montoursville, PA 17754-0218. SR 14, Section 064 Bridge, in Columbia Township, **Bradford County**, ACOE Baltimore District (Troy, PA Quadrangle N: 19.1 inches; W: 8.1 inches).

To remove the existing two span RCT-beam having two 20.8 feet normal spans, a curb-to-curb width of 38 feet, on a 61 degree skew and two normal waterway openings of 20.8 feet and to construct and maintain a single span prestressed concrete box beam bridge 48 feet by 27 feet having a normal span of 45 feet a normal waterway opening of 45 feet by 9.4 feet on a skew of 60 degrees and to construct and maintain a temporary road crossing consisting of four 5 foot diameter CMP approximately 70 feet upstream of the existing structure. The proposed bridge is located in the north branch of Sugar Creek on SR 1004 approximately 1.5 miles north of Columbia Crossroads. The project will not impact wetlands while impacting approximately 110 feet of waterway. The north branch of Sugar Creek is a trout stocked fishery stream.

E14-375. SEDA-COG Joint Rail Authority, R. R. 1, Box 372, Lewisburg, PA 17837. Buffalo Run Industrial Railroad Track, in Benner and Spring Township, **Centre County**, ACOE Baltimore River Basin District (Bellefonte, PA Quadrangle N: 4 inches; W: 10 inches).

To modify, operate and maintain two bridges and to remove two existing structures across Buffalo Run (High Quality-Cold Water Fishery); to remove three existing structures and construct, operate and maintain nine stream crossings of unnamed tributaries to Buffalo Run; to place and maintain fill in 0.36-acre of palustrine emergent wetlands for the construction of 3.6-miles of railway. The structures authorized for construction, operation and maintenance shall be as follows:

Structure Number	Number of Pipes or Spans	Diameter or Rise	Length or Span
Bridge No. 3	2	7-feet (rise)	17-feet (span)
Bridge No. 4	1	30-feet (rise)	13.5-feet (span)
Culvert No. 3	1	4-feet (rise)	12-feet (span)
Culvert No. 7	1	30-inches (diameter)	50-feet (length)
Culvert No. 9	1	30-inches (diameter)	40-feet (length)
Culvert No. 14	1	5.9-feet (rise)	3.9-feet (span)
Culvert No. 18	1	5.9-feet (rise)	3.9-feet (span)

<i>Structure Number</i>	<i>Number of Pipes or Spans</i>	<i>Diameter or Rise</i>	<i>Length or Span</i>
Culvert No. 21	1	5.9-foot (rise)	3.9-foot (span)
Culvert No. 26	1	5-foot (rise)	5-foot (span)
Culvert No. 26A	1	5-foot (rise)	5-foot (span)
Culvert No. 27	1	5.9-foot (rise)	3.9-foot (span)

All construction of in-stream structures and stream restoration shall be completed in dry work conditions through dam and pumping or fluming stream flow around work area. All rock materials used for in-stream work shall be free of fines and silts. The project will permanently impact 0.36-acre of wetland and 600-feet of waterway. The 600-feet of waterway impacted by the activities authorized by this permit shall be successfully mitigated by 0.12-acre of stream restoration. The permittee must replace 0.44-acre of wetland for the permanent impact of 0.36-acre by making a monetary contribution to the National Fish and Wildlife Foundation, Pennsylvania Wetland Replacement Project, ID Number 95-096. The permittee shall make a minimum contribution to the Pennsylvania Wetland Replacement Project of \$7,500 or the current monetary contribution required to construct 0.44-acre of wetland by the National Fish and Wildlife Foundation. The monetary contribution for wetland replacement must be submitted to the Department prior to commencement of any construction activity authorized by this permit. The stream restoration shall be completed prior to commencement of any construction activity authorized by this permit. The project is located along the western right-of-way of SR 0550 approximately 5,000-feet north of Upper Gyp Road and SR 0550 intersection in Benner and Spring Townships, Centre County. This permit also includes 401 Water Quality Certification.

E41-479. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218

Montoursville, PA 17754-0218. SR 0220 Muncy Creek bridge replacement, in Picture Rocks Borough, **Lycoming County**, ACOE Susquehanna River Basin District (Picture Rocks, PA Quadrangle N: 4.8 inches; W: 12.2 inches).

To construct and maintain a to a) remove existing structure, b) construct and maintain a prestressed concrete spread box beam structure with a clear span of 170 feet and a minimum underclearance of 3.15 feet in Bailey Run, c) temporarily construct and maintain four 4-foot diameter corrugated metal pipes and associated R-3 rock fill for a temporary road crossing, d) temporarily construct and maintain a concrete and sand bag diversion dike at the existing bridge site, all of which is located 2.8 miles west of the intersection of SR 0872 and Bailey Run Road This project proposes to impact 128 linear feet of Bullard Creek, which is, designated a Cold Water Fishery and does not propose to impact any jurisdictional wetlands. DCNR, Bureau of Forestry is proposing to a) remove existing structure, b) construct and maintain a prestressed concrete spread box beam structure with a clear span of 59.57 feet and a minimum underclearance of 3.15 feet in Bailey Run, c) temporarily construct and maintain four 4-foot diameter corrugated metal pipes and associated R-3 rock fill for a temporary road crossing, d) temporarily construct and maintain a concrete and sand bag diversion dike at the existing bridge site, all of which is located 2.8 miles west of the intersection of SR 0872 and Bailey Run Road. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E59-413. Pennsylvania Department of Transportation, P. O. Box 715, Montoursville, PA 17754 SR 6015 Section D52, in Blossburg Borough, Covington Township, Putnam Township and Richmond Township, **Tioga County**, ACOE Baltimore District (Blossburg, PA Quadrangle N: 21.08 inches; W: 10.13 inches).

To permanently impact 6,295 lineal feet of regulated Commonwealth waters and to impact 10.42 acres of wetlands associated with a limited access highway construction project. The following table outlines the impacts and their locations:

**S.R. 6015, SECTION D52, TIOGA COUNTY
REGULATED ACTIVITIES**

<i>No.</i>	<i>Environmental Feature</i>	<i>Station</i>	<i>Impact Description</i>	<i>Latitude</i>	<i>Longitude</i>
1a	Tioga River	100+540	Permanent river encroachment by 594 ft (181 m) bridge. The area of the bridge is 62754 ft ² (5830 m ²) and the width of the river at the crossing is 76 ft (23 m). <i>Temporary river encroachment of 1464 ft² (136 m²)</i>	41° 42' 58"	77° 04' 26"
1b	Tioga River Floodway**	100+540	Permanent floodway encroachment of 13067 ft ² (1214 m ²) caused by bridge and piers 409 ft ² (38 m ²). <i>Temporary floodway encroachment of 10559 ft² (981 m²)</i>	41° 42' 58"	77° 04' 26"
1c	Tioga River	100+540	<i>Temporary river encroachment of 4715 ft² (438 m²)</i>	41° 42' 58"	77° 04' 27"
2a	Wetland E1	100+820	<i>Temporary wetland encroachment of 388 ft² (36 m²)</i>	41° 41' 46"	77° 04' 23"

<i>No.</i>	<i>Environmental Feature</i>	<i>Station</i>	<i>Impact Description</i>	<i>Latitude</i>	<i>Longitude</i>
3	Wetland E51	101+100	Permanent wetland encroachment of 2443 ft ² (227 m ²) caused by permanent ditch #10 and roadway fill. <i>Temporary wetland encroachment</i> of 2799 ft ² (260 m ²)	41° 43' 07"	77° 04' 15"
4	Unnamed Intermittent Tributary to Tioga River	101+180	Permanent stream enclosure and encroachment. The impacted stream length is 541 ft (165 m), the impacted stream area is 2164 ft ² (201 m ²), the pipe length is 486 ft (148 m) and the rock apron length is 33 ft (10 m)	41° 41' 56"	77° 04' 18"
2b	Wetland E1	101+220	Permanent wetland encroachment of 108 ft ² (10 m ²) by rock apron	41° 41' 58"	77° 04' 18"
2c	Wetland E1	101+250	Permanent wetland encroachment of 538 ft ² (50 m ²) by roadway fill. <i>Temporary wetland encroachment</i> of 538 ft ² (50 m ²) by silt fence.	41° 41' 59"	77° 04' 18"
2d	Wetland E1	101+280	<i>Temporary wetland encroachment</i> of 140 ft ² (13 m ²) by rock apron	41° 42' 01"	77° 04' 18"
6	Wetland E52	101+275	Permanent wetland encroachment of 1173 ft ² (109 m ²)	41° 43' 10"	77° 04' 15"
5a	Wetland E3	101+285	Permanent wetland encroachment of 2088 ft ² (194 m ²)	41° 43' 10"	77° 04' 15"
5b	Unnamed Ephemeral Tributary	101+280	Permanent stream encroachment of 118 ft (36 m), the impacted stream area is 472 ft ² (43 m ²)	41° 41' 42"	77° 04' 22"
5c	Unnamed Ephemeral Tributary	101+260	Permanent stream encroachment of 92 ft (28 m), the impacted stream area is 368 ft ² (34 m ²)	41° 41' 41"	77° 04' 22"
5d	Unnamed Ephemeral Tributary	101+240	Permanent stream encroachment of 157 ft (48 m), the impacted stream area is 628 ft ² (58 m ²)	41° 41' 41"	77° 04' 21"
7	Limekiln Hollow	101+535	Permanent perennial stream enclosure and encroachment. The impacted stream length is 361 ft (110 m), the impacted stream area is 2888 ft ² (268 m ²), the pipe length is 348 ft (106 m) and the rock apron length is 36 ft (11 m). The impact caused by pipe along slope is 351 ft (107 m)	41° 43' 16"	77° 04' 19"
8	Wetland E6	101+600	Permanent wetland encroachment of 20516 ft ² (1906 m ²)	41° 43' 17"	77° 04' 19"
9	Wetland E7	101+710	Permanent wetland encroachment of 4230 ft ² (393 m ²)	41° 43' 19"	77° 04' 22"
10	Wetland E8	101+730	Permanent wetland encroachment of 6491 ft ² (603 m ²)	41° 43' 19"	77° 04' 23"
11	Wetland E9	102+480	<i>Temporary wetland encroachment</i> of 2551 ft ² (237 m ²)	41° 42' 34"	77° 04' 38"
12	Wetland E10	102+630	Permanent wetland encroachment of 14381 ft ² (1336 m ²)	41° 43' 35"	77° 04' 39"
13	Wetland E11	102+670	Permanent wetland encroachment of 1475 ft ² (137 m ²) caused by roadway fill. <i>Temporary wetland encroachment</i> of 452 ft ² (42 m ²)	41° 43' 36"	77° 04' 40"
14	Wetland E12	102+960	<i>Temporary wetland encroachment</i> of 4230 ft ² (393 m ²) caused by temporary ditch #17 and temporary basin #5. Permanent wetland encroachment of 1066 ft ² (99 m ²)	41° 43' 42"	77° 04' 42"

<i>No.</i>	<i>Environmental Feature</i>	<i>Station</i>	<i>Impact Description</i>	<i>Latitude</i>	<i>Longitude</i>
15	Wetland E14	103+000	Temporary wetland encroachment of 3305 ft ² (307 m ²) caused by temporary basin #5. Permanent wetland encroachment of 2476 ft ² (230 m ²)	41° 43' 42"	77° 04' 42"
16	Wetland E15	103+020	Temporary wetland encroachment of 1130 ft ² (105 m ²)	41° 43' 43"	77° 04' 43"
17	Tioga River Floodway**	103+020	Temporary floodway encroachment of 3079 ft ² (286 m ²)	41° 43' 43"	77° 04' 43"
18	Wetland E53	103+380	Permanent wetland encroachment of 6222 ft ² (578 m ²)	41° 43' 49"	77° 04' 44"
19	Wetland E54	103+400	Permanent wetland encroachment of 3434 ft ² (319 m ²)	41° 43' 50"	77° 04' 44"
20	Unnamed Intermittent Tributary	103+520	Permanent stream enclosure and encroachment. The impacted stream length is 305 ft (93 m), the impacted stream area is 1220 ft ² (113 m ²), the pipe length is 272 ft (83 m) and the rock apron length is 30 ft (9 m). The impact caused by pipe along slope is 279 ft (85 m)	41° 43' 52"	77° 04' 44"
21	Wetland E17	104+290	Permanent wetland encroachment of 2669 ft ² (248 m ²)	41° 44' 07"	77° 04' 38"
22	Wetland E16	104+435	Permanent wetland encroachment of 1636 ft ² (152 m ²)	41° 44' 10"	77° 04' 35"
23a	Wetland E50	104+480	Permanent wetland encroachment of 517 ft ² (48 m ²). Temporary wetland encroachment of 452 ft ² (42 m ²) caused by silt fence.	41° 44' 10"	77° 04' 36"
23b	Wetland E50	104+550	Temporary wetland encroachment of 441 ft ² (41 m ²)	41° 43' 41"	77° 04' 37"
23c	Wetland E50	104+680	Temporary wetland encroachment of 8084 ft ² (751 m ²)	41° 43' 45"	77° 04' 35"
24	Unnamed Intermittent Tributary	104+840	Permanent stream enclosure and encroachment. The impacted stream length is 371 ft (113 m), the impacted stream area is 1484 ft ² (138 m ²), the pipe length is 348 ft (106 m) and the rock apron length is 43 ft (13 m). The impact caused by pipe along slope is 348 ft (106 m)	41° 44' 17"	77° 04' 31"
25	Wetland E19	104+940	Permanent wetland encroachment of 5457 ft ² (507 m ²)	41° 44' 19"	77° 04' 30"
26	Wetland E20	105+000	Permanent wetland encroachment of 2960 ft ² (275 m ²)	41° 44' 20"	77° 04' 30"
27	Wetland E21	105+000	Temporary wetland encroachment of 8159 ft ² (758 m ²) caused by silt fence and temporary ditch #21. Permanent wetland encroachment of 25855 ft ² (2402 m ²)	41° 44' 20"	77° 04' 30"
28	Wetland E24	105+100	Permanent wetland encroachment of 1259 ft ² (117 m ²)	41° 44' 21"	77° 04' 29"
29	Wetland E55	105+160	Temporary wetland encroachment of 3789 ft ² (352 m ²) caused by silt fence and temporary ditch #21. Permanent wetland encroachment of 1959 ft ² (182 m ²)	41° 44' 21"	77° 04' 29"

<i>No.</i>	<i>Environmental Feature</i>	<i>Station</i>	<i>Impact Description</i>	<i>Latitude</i>	<i>Longitude</i>
30	Wetland E56	105+200	<i>Temporary wetland encroachment of 19278 ft² (1791 m²) caused by silt fence and temporary ditch #21. Permanent wetland encroachment of 9289 ft² (863 m²)</i>	41° 44' 21"	77° 04' 29"
31	Wetland E33	105+260	Permanent wetland encroachment of 1485 ft ² (138 m ²)	41° 44' 21"	77° 04' 29"
32	Wetland E23	105+220	Permanent wetland encroachment of 764 ft ² (71 m ²)	41° 44' 21"	77° 04' 29"
33	Wetland E30	105+500	Permanent wetland encroachment of 1712 ft ² (159 m ²)	41° 44' 29"	77° 04' 18"
34	Wetland E29	105+830	<i>Temporary wetland encroachment of 958 ft² (89 m²) caused by temporary ditch #22a. Permanent wetland encroachment of 4241 ft² (394 m²)</i>	41° 44' 34"	77° 04' 12"
35a, b	Unnamed Intermittent Tributary	105+890	Permanent stream enclosure and encroachment. The impacted stream lengths are 230 ft and 151 ft (70 m and 46 m), the impacted stream areas are 920 ft ² and 604 ft ² (85 m ² and 56 m ²), the pipe lengths are 223 ft and 121 ft (68 m and 37 m) and the rock apron length is 33 ft (10 m)	41° 44' 35"	77° 04' 11"
36	Wetland E25	106+000	<i>Temporary wetland encroachment of 1787 ft² (166 m²)</i>	41° 44' 37"	77° 04' 10"
38	Wetland E26	106+100	<i>Temporary wetland encroachment of 6372 ft² (592 m²) caused by construction activity. Permanent wetland encroachment of 1109 ft² (103 m²) caused by roadway fill and permanent basin #10. Impacts to Wetland E26 are covered under DEP Mining Permit #59880304.</i>	41° 44' 39"	77° 04' 08"
39	Wetland E28	106+180	Permanent wetland encroachment of 6222 ft ² (578 m ²) caused by basin #10. Impacts to Wetland E28 are covered under DEP Mining Permit #59880304.	41° 44' 39"	77° 04' 08"
40a	Wetland E58	Barber Rd. 10+100	Permanent wetland encroachment of 3897 ft ² (362 m ²)	41° 44' 36"	77° 03' 58"
40b	Wilson Creek	Barber Rd. 10+035- 10+200	Permanent floodway encroachment of 17846 ft ² (1658 m ²) caused by T-443 rock apron and floodway cut and fill.	41° 44' 23"	77° 04' 04"
40c	Wilson Creek	Barber Rd. 10+160	Permanent perennial stream encroachment of 16 ft (5 m) 128 ft ² (12 m ²)	41° 44' 22"	77° 04' 05"
41a	Wetland E59	106+320	Permanent wetland encroachment of 1787 ft ² (166 m ²)	41° 44' 33"	77° 04' 08"
41b	Wetland E59	106+380	Permanent wetland encroachment of 5726 ft ² (532 m ²)	41° 44' 35"	77° 04' 07"
41c	Wetland E59	106+480	Permanent wetland encroachment of 5716 ft ² (531 m ²)	41° 44' 38"	77° 04' 06"
41d	Wetland E59	Barber Rd. 10+880	<i>Temporary wetland encroachment of 366 ft² (34 m²)</i>	41° 44' 12"	77° 04' 19"
41e	Wetland E59	106+665	Permanent wetland encroachment of 2788 ft ² (259 m ²)	41° 44' 45"	77° 04' 05"
41f	Wetland E59	106+730	<i>Temporary wetland encroachment of 2131 ft² (198 m²)</i>	41° 44' 47"	77° 04' 06"

<i>No.</i>	<i>Environmental Feature</i>	<i>Station</i>	<i>Impact Description</i>	<i>Latitude</i>	<i>Longitude</i>
41g	Wetland E59	Barber Rd. 11+000	<i>Temporary wetland encroachment of 4542 ft² (422 m²) caused by silt fence. Permanent wetland encroachment of 6770 ft² (629 m²)</i>	41° 44' 15"	77° 04' 16"
41h	Wetland E59	Barber Rd. 11+050	<i>Temporary wetland encroachment of 1356 ft² (126 m²) caused by silt fence. Permanent wetland encroachment of 2131 ft² (198 m²)</i>	41° 44' 18"	77° 04' 14"
41i	Wetland E59	Barber Rd. 11+025	Permanent wetland encroachment of 43 ft ² (4 m ²)	41° 44' 17"	77° 04' 14"
41j	Unnamed Intermittent Tributary	Barber Rd. 11+020	Permanent stream loss. Length of stream loss is 82 ft (25 m), area of stream loss is 328 ft ² (30 m ²)	41° 44' 17"	77° 04' 15"
41k	Unnamed Intermittent Tributary	Barber Rd. 11+030	Permanent stream enclosure and encroachment. The impacted stream length is 56 ft (17 m), the impacted stream area is 224 ft ² (21 m ²), the pipe length is 56 ft (17 m) and the rock apron length is 13 ft (4 m)	41° 44' 17"	77° 04' 14"
42	Wetland E60	106+670	Permanent wetland encroachment of 258 ft ² (24 m ²) caused by roadway fill. <i>Temporary wetland encroachment of 2756 ft² (256 m²) caused by haul road</i>	41° 44' 47"	77° 04' 05"
41l	Unnamed Intermittent Tributary	106+720	Permanent stream enclosure and encroachment. The impacted length of stream is 439 ft (134 m) and the area is 1756 ft ² (100 m ²), the pipe length is 233 ft (71 m), the rock apron length is 46 ft (14 m).	41° 44' 50"	77° 04' 05"
43	Wetland E36	106+820	<i>Temporary wetland encroachment of 4435 ft² (412 m²)</i>	41° 44' 54"	77° 04' 06"
44	Unnamed Intermittent Tributaries	106+900	Permanent stream enclosure and encroachment. The impacted stream length is 650 ft (198 m), the impacted stream area is 2600 ft ² (242 m ²), the pipe length is 430 ft (131 m) and the rock apron length is 49 ft (15 m). The impact caused by pipe along slope is 430 ft (131 m)	41° 44' 55"	77° 04' 06"
45	Wetland E61	107+180	Permanent wetland encroachment of 592 ft ² (55 m ²)	41° 45' 00"	77° 04' 08"
46a	Wetland E37	107+500	<i>Temporary wetland encroachment of 1346 ft² (125 m²) caused by silt fence. Permanent wetland encroachment of 1195 ft² (111 m²)</i>	41° 45' 09"	77° 04' 14"
46b	Wetland E37	107+560	<i>Temporary wetland encroachment of 3466 ft² (322 m²) caused by silt fence. Permanent wetland encroachment of 269 ft² (25 m²)</i>	41° 45' 11"	77° 04' 15"
46c	Wetland E37	107+600	<i>Temporary wetland encroachment of 614 ft² (57 m²) caused by silt fence. Permanent wetland encroachment of 226 ft² (21 m²)</i>	41° 45' 13"	77° 04' 15"
46d	Wetland E37	107+640	<i>Temporary wetland encroachment of 1044 ft² (97 m²) caused by silt fence. Permanent wetland encroachment of 635 ft² (59 m²)</i>	41° 45' 14"	77° 04' 15"
46e	Wetland E37	107+670	Permanent wetland encroachment of 1938 ft ² (180 m ²)	41° 45' 16"	77° 04' 15"

<i>No.</i>	<i>Environmental Feature</i>	<i>Station</i>	<i>Impact Description</i>	<i>Latitude</i>	<i>Longitude</i>
46f	Wetland E37	107+900	<i>Temporary wetland encroachment of 8051 ft² (748 m²) caused by silt fence. Permanent wetland encroachment of 86036 ft² (7993 m²)</i>	41° 45' 14"	77° 04' 11"
47	Unnamed Intermittent Tributary	107+970	Permanent stream enclosure and encroachment. The impacted stream length is 535 ft (163 m), the impacted stream area is 2140 ft ² (199 m ²), the pipe length is 364 ft (111 m) and the rock apron length is 26 ft (8 m)	41° 45' 25"	77° 04' 14"
48	Wetland E62	108+080	<i>Temporary wetland encroachment of 7373 ft² (685 m²) caused by temporary ditch #36. Permanent wetland encroachment of 1981 ft² (184 m²)</i>	41° 45' 17"	77° 04' 12"
49a	Unnamed Ephemeral Tributary	108+190	Permanent stream encroachment of 312 ft (95 m) with an area of 1248 ft ² (116 m ²)	41° 45' 34"	77° 04' 07"
49b	Wetland E38	108+220	<i>Temporary wetland encroachment of 10484 ft² (974 m²) caused by construction activity. Permanent wetland encroachment of 3132 ft² (291 m²)</i>	41° 45' 20"	77° 04' 11"
50	Unnamed Perennial Tributary	108+290	Permanent perennial stream enclosure and encroachment. The impacted stream length is 302 ft (92 m), the impacted stream area is 2416 ft ² (224 m ²), the pipe length is 282 ft (86 m) and the rock apron length is 43 ft (13 m). The impact caused by pipe along slope is 282 ft (86 m)	41° 45' 21"	77° 04' 11"
51a	Wetland E39	108+880	<i>Temporary wetland encroachment of 280 ft² (26 m²)</i>	41° 45' 54"	77° 04' 09"
51b	Wetland E39	108+920	<i>Temporary wetland encroachment of 936 ft² (87 m²) caused by silt fence. Permanent wetland encroachment of 86 ft² (8 m²)</i>	41° 45' 56"	77° 04' 09"
52	Wetland E40	109+100	<i>Temporary wetland encroachment of 9397 ft² (873 m²) caused by silt fence. Permanent wetland encroachment of 29913 ft² (2779 m²)</i>	41° 45' 38"	77° 04' 07"
53	POND***	109+320	Permanent wetland encroachment of 20075 ft ² (1865 m ²)	41° 46' 08"	77° 04' 08"
54	POW***	109+500	Permanent wetland encroachment of 143763 ft ² (13356 m ²)	41° 46' 14"	77° 04' 10"
55	Unnamed Intermittent Tributary to the Tioga River	109+560	Permanent stream enclosure and encroachment. The impacted stream length is 302 ft (92 m), the impacted stream area is 1208 ft ² (112 m ²), the pipe length is 302 ft (92 m) and the rock apron length is 56 ft (17 m). The impact caused by pipe along slope is 302 ft (92 m)	41° 46' 17"	77° 04' 11"
56a	Wetland E41 and Unnamed Ephemeral Tributary to Tioga River	109+620	Permanent wetland encroachment of 54 ft ² (5 m ²) caused by rock apron. Permanent stream enclosure and encroachment. The impacted stream length is 417 ft (127 m), the impacted stream area is 1668 ft ² (155 m ²), the pipe length is 417 ft (127 m) and the rock apron length is 20 ft (6 m).	41° 45' 48"	77° 04' 12"

No.	Environmental Feature	Station	Impact Description	Latitude	Longitude
56b	Wetland E41	Ramp CD 10+320	Permanent wetland encroachment of 1098 ft ² (102 m ²) caused by roadway fill. <i>Temporary wetland encroachment of 2508 ft² (233 m²) caused by silt fence.</i>	41° 46' 23"	77° 04' 09"
56c	Wetland E41	Ramp CD 10+290	Permanent wetland encroachment of 215 ft ² (20 m ²)	41° 46' 25"	77° 04' 09"
57	Wetland E42	109+800	Permanent wetland encroachment of 4758 ft ² (442 m ²)	41° 46' 25"	77° 04' 19"
58a	Tioga River Floodway**	110+230	<i>Temporary floodway encroachment of 1281 ft² (119 m²)</i>	41° 46' 36"	77° 04' 29"
58b	Tioga River Floodway**	110+350	Temporary floodway encroachment of 4101 ft ² (381 m ²)	41° 46' 38"	77° 04' 32"
58c	Tioga River	110+300	Permanent river encroachment by 469 ft (143 m) bridge. The area of the bridge is 26006 ft ² (2416 m ²), the area of water surface contact by pier is 936 ft ² (87 m ²) and the width of the river at the crossing is 95 ft (29 m). <i>Temporary river encroachment of 5490 ft² (510 m²)</i>	41° 45' 59"	77° 04' 28"
59a	Wetland E67	Ser. Rd #3 10+060	Permanent wetland encroachment of 1335 ft ² (124 m ²)	41° 44' 54"	77° 03' 24"
59b	Unnamed Intermittent Tributary	Ser. Rd #3 10+060	Permanent stream enclosure and encroachment. The impacted stream length is 82 ft (25 m), the impacted stream area is 328 ft ² (30 m ²), the pipe lengths are 69 ft (21 m) and the rock apron length is 33 ft (10 m)	41° 44' 54"	77° 03' 24"
60	Wetland E68	Ser. Rd #3 11+830	Permanent wetland encroachment of 97 ft ² (9 m ²) <i>Temporary wetland encroachment of 75 ft² (7 m²) caused by silt fence.</i>	41° 46' 30"	77° 03' 38"
61	Wetland E71	Ser. Rd #3 11+900	Permanent wetland encroachment of 926 ft ² (86 m ²) <i>Temporary wetland encroachment of 2540 ft² (236 m²) caused by temporary ditch #50.</i>	41° 46' 31"	77° 03' 42"

This project is located on the east side of the Tioga River from the north end of Blossburg to the south end of Canoe Camp. This permit also includes 401 Water Quality Certification.

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E03-393. Ronald Kepple, 151 Cornplanter Road, Sarver, PA 16055. South Buffalo Township, **Armstrong County**, ACOE Pittsburgh District.

To construct and maintain a single span bridge having a normal span of 25.0 feet and an underclearance of 6.5 feet across Cornplanter Run (HQ-TSF) for the purpose of providing access to a proposed dwelling. The project is located off of Cornplanter Run Road (Worthington, PA Quadrangle N: 2.5 inches; W: 8.85 inches).

E56-294. Wheeler Brothers, Inc., P. O. Box 737, Somerset, PA 15501. Somerset Borough, **Somerset County**, ACOE Pittsburgh District.

To construct and maintain fill and three outfall structures with riprap aprons in a de minimis area of PEM/PSS wetlands (0.05 acre) that is associated with an unnamed tributary within the East Branch Coxes Creek Basin (TSF), for the purpose of expanding an existing warehouse facility, which is located off of Industrial Park

Road, approximately 0.5 mile northeast of the intersection with S.R. 219 (Murdock, PA Quadrangle N: 21.85 inches; W: 6.7 inches).

E56-305. Pennsylvania Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. Lower Turkeyfoot and Addison Townships, **Somerset County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a bridge having two normal clear spans of 32.30 m and an underclearance of 6.38 m across Casselman River (WWF) on S.R. 0523, Section 002, Segment 0110, Offset 0000. Also to construct and maintain two cofferdams for construction of the proposed bridge and causeway for removal of the existing bridge (Confluence, PA Quadrangle N: 8.07 inches; W: 10.35 inches).

E65-721-A1. Westmoreland County Industrial Development Corporation, 601 Courthouse Square, 2 North Main Street, Greensburg, PA 15601. South Huntingdon Township, **Westmoreland County**, ACOE Pittsburgh District.

To amend Permit No. E65-721 to include the placement and maintenance of fill in 0.45 acre of wetlands for a

roadway and utility lines, the construction and maintenance of two 36-inch CPP culverts in an unnamed tributary to Youghiogheny River (WWF) and the installation and maintenance of two 8-inch pipe sewer lines and two 1-inch pipe gas lines across an unnamed tributary to Youghiogheny River (WWF) for the purpose of expanding the existing I-70 Industrial Park located off of Township Road T-378 (Donora, PA Quadrangle N: 10.55 inches; W: 0.88 inch) in South Huntingdon Township, Westmoreland County. To compensate for wetland loss, the permittee shall construct 0.45 acre of replacement wetlands.

E02-919. Tri-State River Products, Inc., Box 218,

Beaver, PA 15009-0218. Various municipalities in **Allegheny and Beaver Counties**, ACOE Pittsburgh District.

To perform commercial sand and gravel dredging in select areas of the Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny and Beaver Counties. For a site-specific identification of the dredging locations refer to Attachments 1 (Allegheny County) and 2 (Beaver County). Note this permit incorporates previous DEP Permit No. E04-184.

Permit No. E02-919
Attachment No. 1 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>DEP Survey Approval Date</i>
Allegheny	Ohio	Emsworth	None		
		Dashields	None		
		Montgomery	13.8 to 15.38	Leetsdale Borough Crescent Township	Approval expires 5/23/02

NOTES: No dredging has been authorized in the Emsworth Pool because no mussel survey data has been submitted for any part of that pool. Mussel survey data is required as per Special Condition F.

No dredging has been authorized in the Dashields Pool because no diving mussel surveys have been submitted and no areas have been dredged within the last 5 years.

“R” refers to Right Descending Bank and “L” refers to Left Descending Bank. These indicate the areas that can be dredged.

Permit No. E02-919
Attachment No. 2 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>DEP Survey Approval Date</i>
Beaver	Ohio	Montgomery	18.2 to 18.35	City of Aliquippa Baden Borough Harmony Township Hopewell Township	A2 - 5/24/01 Approval expires 5/23/02
			18.3 to 18.45L		
			18.45 to 18.5		
			18.7 to 18.75		
			18.75 to 18.85L		
			18.85 to 18.95		
			18.95 to 19.05R		
			19.05 to 19.6	City of Aliquippa Baden Borough Economy Borough Conway Borough Hopewell Township	A1 - 1/11/01 Approval expires 5/23/02
			20.4 to 21.4		
			21.6 to 21.7		
			21.7 to 21.8L		
			21.8 to 22.0		
			22.0 to 22.1L		
			22.1 to 22.3		
			22.6 to 22.7L		
			22.7 to 22.9		
			22.9 to 23.2L		
23.2 to 23.3					
23.3 to 23.5R					
29.4 to 29.6	Industry Borough Potter Township				
29.6 to 29.7R					
29.7 to 29.8					
29.8 to 30.1L					
30.1 to 30.3					
30.3 to 30.4L					

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>DEP Survey Approval Date</i>
			30.4 to 31.4	Industry Borough Potter Township	A2 - 5/24/01 Approval expires 5/23/02
Beaver	Ohio	New Cumberland	32.2 to 32.5 32.5 to 32.6L 32.6 to 33.0 33.0 to 33.1R 33.8 to 33.9 34.1 to 34.2 34.2 to 34.3R 38.0 to 38.5 38.6 to 38.7 38.7 to 38.95L 38.95 to 39.25 39.25 to 39.35L 39.35 to 39.5	Shippingport Borough Industry Borough Raccoon Township Industry Borough Shippingport Borough Industry Borough Shippingport Borough Ohioville Borough Georgetown Borough Greene Township Ohioville Borough Georgetown Borough	A2 - 5/24/01 Approval expires 5/23/02

NOTES: "R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that can be dredged.

E02-584. Pioneer Mid-Atlantic, Inc., 400 Industrial Boulevard, New Kensington, PA 15068. Various municipalities in **Allegheny, Armstrong, Beaver and Westmoreland Counties**, ACOE Pittsburgh District.

To perform commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and the Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties. For a site-specific identification of the dredging locations refer to Attachments 1 (Allegheny County), 2 (Beaver County) and 3 (Armstrong County). Note this permit incorporates previous DEP Permits No. E03-202 and E04-103.

Permit No. E02-584
Attachment No. 1 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
Allegheny	Ohio	Emsworth Dashields Montgomery	None None 13.8 to 15.38	Leetsdale Borough Crescent Township		Expires on 5/23/02
	Allegheny	2 3	None 15.1 to 15.3 15.5 to 15.7 15.9 to 16.0 16.1 to 16.3 18.7 to 19.5	Cheswick Borough Plum Borough Cheswick Borough Springdale Borough Plum Borough Springdale Township East Deer Township City of New Kensington (Westmoreland County) City of Arnold (Westmoreland County)	Avoid right descending bank at River Mile 16.0 to 16.1	

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
		4	25.2 to 26.4 26.4 to 26.5R 26.5 to 26.6 26.6 to 26.7R 26.7 to 26.8 26.8 to 27.0L 27.0 to 27.1 27.2 to 27.9R 28.3 to 28.5R	Harrison Township City of Lower Burrell (Westmoreland County) Allegheny Township (Westmoreland County)		

NOTES: No dredging has been authorized in the Emsworth Pool because no mussel survey data has been submitted for any part of that pool. Mussel survey data is required as per Special Condition F.

No dredging has been authorized in the Dashields Pool or Allegheny River Pool 2 because no diving mussel surveys have been submitted and no areas have been dredged within the last 5 years.

"Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that *can* be dredged.

Permit No. E02-584
Attachment No. 2 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>DEP Survey Approval Date</i>
Beaver	Ohio	Montgomery	18.2 to 18.35 18.3 to 18.45L 18.45 to 18.5 18.7 to 18.75 18.75 to 18.85L 18.85 to 18.95 18.95 to 19.05R 19.05 to 19.6	City of Aliquippa Baden Borough Harmony Township Hopewell Township	A2 - 5/24/01 Approval expires 5/23/02
			20.4 to 21.4	City of Aliquippa Baden Borough Economy Borough Conway Borough Hopewell Township	A1 - 1/11/01 Approval expires 5/23/02
			21.6 to 21.7 21.7 to 21.8L 21.8 to 22.0 22.0 to 22.1L 22.1 to 22.3 22.6 to 22.7L 22.7 to 22.9 22.9 to 23.2L 23.2 to 23.3 23.3 to 23.5R	Monaca Borough Freedom Borough Conway Borough Center Township	
			29.4 to 29.6 29.6 to 29.7R 29.7 to 29.8 29.8 to 30.1L 30.1 to 30.3 30.3 to 30.4L	Industry Borough Potter Township	
			30.4 to 31.4	Industry Borough Potter Township	A2 - 5/24/01 Approval expires 5/23/02

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<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>DEP Survey Approval Date</i>
Beaver	Ohio	New Cumberland	32.2 to 32.5	Shippingport Borough Industry Borough Raccoon Township	
			32.5 to 32.6L		
			32.6 to 33.0		
			33.0 to 33.1R		
			33.8 to 33.9		
			34.1 to 34.2	Industry Borough Shippingport Borough Ohioville Borough Georgetown Borough Greene Township	
		34.2 to 34.3R			
		38.0 to 38.5			
		38.6 to 38.7			
			38.7 to 38.95L	Ohioville Borough Georgetown Borough	A2 - 5/24/01 Approval expires 5/23/02
			38.95 to 39.25		
			39.25 to 39.35L		
			39.35 to 39.5		

NOTES: "R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that can be dredged.

Permit No. E02-584
Attachment No. 3 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/Restrictions</i>	<i>DEP Survey Approval Date</i>
Armstrong	Allegheny	5	30.6 to 31.3	Gilpin Township South Buffalo Township	Avoid right descending bank at River Mile 30.9 through 31.1	A1 - 1/11/01 Approval expires 5/23/02
			31.5 to 31.6			
			31.7 to 32.2			
			1000 feet upstream of the most upstream point of Murphy's Island to 33.0R			
			33.9 to 35.5	Gilpin Township South Buffalo Township		Approval expires 5/23/02
			46.5 to 46.6			
		7	46.6 to 46.7L	Kittanning Borough East Franklin Township		
			47.1 to 47.2L			
			47.2 to 47.3	Kittanning Borough Rayburn Township	Avoid right descending bank at River Mile 47.1 and 47.4, avoid left descending bank at River Mile 47.7 and 48.4.	
			47.4 to 47.6R			
			47.6 to 48.0			
			48.0 to 48.2L			
			48.2 to 48.3			
			48.3 to 48.4L			
			48.4 to 48.5			
			48.5 to 48.6R			
			48.6 to 48.7L			
			48.7 to 48.9			
			48.9 to 49.0R			

NOTICES

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
Armstrong	Allegheny	7	49.7 to 49.8 49.8 to 50.0L 50.0 to 50.1 50.1 to 50.2L 50.3 to 50.4R 51.4 to 51.6 51.6 to 51.7L 51.7 to 52.4	East Franklin Township Rayburn Township Boggs Township Washington Township		
		8	None			
		9	None			

NOTES: "Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that *can* be dredged.

No dredging is being authorized in Pool 8 due to the presence of endangered species. It is understood that the reach from mile point 54.1 to 54.6 may be authorized for dredging pending submittal of new mussel surveys and other environmental considerations in the area.

No dredging has been authorized in Pool 9 because no mussel survey data has been supplied for any part of that pool. Mussel survey data is required as per Special Condition F.

E02-494. The Lane Construction Company, 1 Rutgers Road, Second Floor, Pittsburgh, PA 15205. Various municipalities in **Allegheny, Armstrong and Westmoreland Counties**, ACOE Pittsburgh District.

To perform commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and the Ohio River (WWF), subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong and Westmoreland Counties. For a site-specific identification of the dredging locations refer to Attachments 1 (Allegheny County) and 2 (Armstrong County). Note this permit incorporates previous DEP Permit No. E03-174.

Permit No. E02-494
Attachment No. 1 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
Allegheny	Ohio	Emsworth Dashields Montgomery	None None 13.8 to 15.38	Leetsdale Borough Crescent Township		Expires on 5/23/02
	Allegheny	2	None			
		3	15.1 to 15.3	Cheswick Borough Plum Borough		
			15.5 to 15.7 15.9 to 16.0 16.1 to 16.3	Cheswick Borough Springdale Borough Plum Borough	Avoid right descending bank at River Mile 16.0 to 16.1	

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
			18.7 to 19.5	Springdale Township East Deer Township City of New Kensington (Westmoreland County) City of Arnold (Westmoreland County)		
		4	25.2 to 26.4 26.4 to 26.5R 26.5 to 26.6 26.6 to 26.7R 26.7 to 26.8 26.8 to 27.0L 27.0 to 27.1 27.2 to 27.9R 28.3 to 28.5R	Harrison Township City of Lower Burrell (Westmoreland County) Allegheny Township (Westmoreland County)		

NOTES: No dredging has been authorized in the Emsworth Pool because no mussel survey data has been submitted for any part of that pool. Mussel survey data is required as per Special Condition F.

No dredging has been authorized in the Dashields Pool or Allegheny River Pool 2 because no diving mussel surveys have been submitted and no areas have been dredged within the last five (5) years.

“Avoid” as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

“R” refers to Right Descending Bank and “L” refers to Left Descending Bank. These indicate the areas that can be dredged.

Permit No. E02-494
Attachment No. 2 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
Armstrong	Allegheny	5	30.6 to 31.3	Gilpin Township South Buffalo Township	Avoid right descending bank at River Mile 30.9 through 31.1	A1 - 1/11/01 Approval expires 5/23/02
			31.5 to 31.6 31.7 to 32.2	Gilpin Township South Buffalo Township		
			1000 feet upstream of the most upstream point of Murphy’s Island to 33.0R 33.9 to 35.5	Gilpin Township South Buffalo Township		Approval expires 5/23/02
		7	46.5 to 46.6 46.6 to 46.7L	Gilpin Township South Buffalo Township Kittanning Borough East Franklin Township		

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
			47.1 to 47.2L 47.2 to 47.3 47.4 to 47.6R 47.6 to 48.0 48.0 to 48.2L 48.2 to 48.3 48.3 to 48.4L 48.4 to 48.5 48.5 to 48.6R 48.6 to 48.7L 48.7 to 48.9 48.9 to 49.0R	Kittanning Borough Rayburn Township	Avoid right descending bank at River Mile 47.1 and 47.4, avoid left descending bank at River Mile 47.7 and 48.4.	
Armstrong	Allegheny	7	49.7 to 49.8 49.8 to 50.0L 50.0 to 50.1 50.1 to 50.2L 50.3 to 50.4R 51.4 to 51.6 51.6 to 51.7L 51.7 to 52.4	East Franklin Township Rayburn Township Boggs Township Washington Township		
		8	None			
		9	None			

NOTES: "Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that *can* be dredged.

No dredging is being authorized in Pool 8 due to the presence of endangered species. It is understood that the reach from mile point 54.1 to 54.6 may be authorized for dredging pending submittal of new mussel surveys and other environmental considerations in the area.

No dredging has been authorized in Pool 9 because no mussel survey data has been supplied for any part of that pool. Mussel survey data is required as per Special Condition F.

E02-1326. Glacial Sand and Gravel Company, P. O. Box 1022, Kittanning, PA 16201-1022. Various municipalities in **Allegheny, Armstrong and Westmoreland Counties**, ACOE Pittsburgh District.

To perform commercial sand and gravel dredging in select areas of the Allegheny River (WWF) subject to review of mussel surveys and prescribed setbacks in Allegheny, Armstrong and Westmoreland Counties. For a site-specific identification of the dredging locations refer to Attachments 1 (Allegheny County) and 2 (Armstrong County). Note this permit incorporates previous DEP Permit No. E02-322.

Permit No. E02-1326
Attachment No. 1 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
Allegheny	Allegheny	2 3	None 15.1 to 15.3	Cheswick Borough Plum Borough		
			15.5 to 15.7 15.9 to 16.0 16.1 to 16.3	Cheswick Borough Springdale Borough Plum Borough	Avoid right descending bank at River Mile 16.0 to 16.1	

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
			18.7 to 19.5	Springdale Township East Deer Township City of New Kensington (Westmoreland County) City of Arnold (Westmoreland County)		
		4	25.2 to 26.4 26.4 to 26.5R 26.5 to 26.6 26.6 to 26.7R 26.7 to 26.8 26.8 to 27.0L 27.0 to 27.1 27.2 to 27.9R 28.3 to 28.5R	Harrison Township City of Lower Burrell (Westmoreland County) Allegheny Township (Westmoreland County)		

NOTES: No dredging has been authorized in the Emsworth Pool because no mussel survey data has been submitted for any part of that pool. Mussel survey data is required as per Special Condition F.

No dredging has been authorized in the Allegheny River Pool 2 because no diving mussel surveys have been submitted and no areas have been dredged within the last 5 years.

“Avoid” as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

“R” refers to Right Descending Bank and “L” refers to Left Descending Bank. These indicate the areas that can be dredged.

Permit No. E02-1326
Attachment No. 3 Approved Dredging Areas by River Mile

<i>County</i>	<i>River</i>	<i>Pool</i>	<i>River Miles</i>	<i>Municipalities</i>	<i>Comments/ Restrictions</i>	<i>DEP Survey Approval Date</i>
Armstrong	Allegheny	5	30.6 to 31.3	Gilpin Township South Buffalo Township	Avoid right descending bank at River Mile 30.9 through 31.1	A1 - 1/11/01 Approval expires 5/23/02
			31.5 to 31.6 31.7 to 32.2	Gilpin Township South Buffalo Township		
			1000 feet upstream of the most upstream point of Murphy's Island to 33.0R 33.9 to 35.5	Gilpin Township South Buffalo Township		Approval expires 5/23/02
		7	46.5 to 46.6 46.6 to 46.7L	Gilpin Township South Buffalo Township Kittanning Borough East Franklin Township		

County	River	Pool	River Miles	Municipalities	Comments/ Restrictions	DEP Survey Approval Date
			47.1 to 47.2L	Kittanning Borough Rayburn Township	Avoid right descending bank at River Mile 47.1 and 47.4, avoid left descending bank at River Mile 47.7 and 48.4.	
			47.2 to 47.3			
			47.4 to 47.6R			
			47.6 to 48.0			
			48.0 to 48.2L			
			48.2 to 48.3			
			48.3 to 48.4L			
			48.4 to 48.5			
			48.5 to 48.6R			
			48.6 to 48.7L			
			48.7 to 48.9			
			48.9 to 49.0R			

Permit No. E02-1326
Attachment No. 3 (Continued) Approved Dredging Areas by River Mile

County	River	Pool	River Miles	Municipalities	Comments/ Restrictions	DEP Survey Approval Date
Armstrong	Allegheny	7	49.7 to 49.8	East Franklin Township Rayburn Township Boggs Township Washington Township		
			49.8 to 50.0L			
			50.0 to 50.1			
			50.1 to 50.2L			
			50.3 to 50.4R			
			51.4 to 51.6			
			51.6 to 51.7L			
		8	51.7 to 52.4			
		8	None			
		9	None			

NOTES: "Avoid" as used in this description is defined as conducting no dredging in the rectangular area formed by the shore, near side of navigation channel and lines drawn 100 feet above and below the miles points specified in the comments/restrictions column intersecting the shore and near side of the navigation channel.

"R" refers to Right Descending Bank and "L" refers to Left Descending Bank. These indicate the areas that can be dredged.

No dredging is being authorized in Pool 8 due to the presence of endangered species. It is understood that the reach from mile point 54.1 to 54.6 may be authorized for dredging pending submittal of new mussel surveys and other environmental considerations in the area.

No dredging has been authorized in Pool 9 because no mussel survey data has been supplied for any part of that pool. Mussel survey data is required as per Special Condition F.

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E10-325, Bernard C. McKruit, 347 Edgewood Drive, Cabot, PA 16023. McKruit Bridge, in Jefferson Township, **Butler County**, ACOE Pittsburgh District (Saxonburg, PA Quadrangle N: 6.0 inches; W: 12.2 inches).

To operate and maintain a steel beam bridge having a clear span of 21.5 feet and an underclearance of approximately 7 feet across Thorn Creek on a private driveway extending east from S.R. 2010 approximately 0.5 mile north of Jefferson Center.

E10-327, Butler County, P. O. Box 1208, Butler, PA 16003-1208. Eichenauer Bridge County No. 93 Little Creek Road Across Crab Run in Lancaster Township, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 14.0 inches; W: 10.0 inches).

To replace the existing superstructure and to rehabilitate and maintain the steel beam bridge (Eichenauer Bridge, County No. 93) having a clear, normal span of approximately 29 feet and an underclearance of 8.5 feet

across Crab Run on Little Creek Road (T-339) approximately 0.2 mile east of Crab Run Road (T-240).

E16-117, Farmington Township, P. O. Box 148, Leeper, PA 16233-0148. T-612 Salsgiver Drive Across Little Coon Run, in Farmington Township, **Clarion County**, ACOE Pittsburgh District (Tylersburg, PA Quadrangle N: 5.3 inches; W: 9.05 inches).

To remove the existing bridge and to install and maintain a 112-inch wide by 75-inch high corrugated metal pipe arch culvert in Little Coon Run on T-612 (Salsgiver Drive) approximately 0.4 mile north of T-607 (Mealy Drive).

E24-216, North Central Enterprise, Inc., 201 Stackpole Street, St. Marys, PA 15857. Stackpole Industrial Complex, in City of St. Marys, **Elk County**, ACOE Pittsburgh District (Saint Marys, PA Quadrangle N: 10.2 inches; W: 7.2 inches).

To conduct the following activities in and along Elk Creek and a tributary to Elk Creek and mapped FEMA

Floodway areas at the Stackpole Industrial Complex between Curry Street and Tannery Street northwest of Stackpole Street:

1. To remove the existing structure and to construct and maintain a precast concrete box culvert having a 15-foot wide by 8-foot high waterway opening in Elk Creek on Tannery Street approximately 700 feet north of Stackpole Street.

2. To construct and maintain a trashrack in and across the channel of Elk Creek approximately 50 feet upstream of Tannery Street

3. To remove an existing trashrack and culverts in Elk Creek approximately 50 feet downstream of Tannery Street, restoring approximately 30 feet of open channel having a bottom width of 15 feet and 2:1 vegetated side slopes.

4. To replace the superstructure and maintain a pre-fabricated steel beam bridge (Bridge A) having a structure length of 33 feet, providing a clear waterway span of approximately 20 feet and an underclearance of 7 feet across Elk Creek approximately 350 feet downstream of Tannery Street.

5. To replace the superstructure and maintain a pre-fabricated steel beam bridge (Bridge B) having a structure length of 33 feet, providing a clear waterway span of approximately 20 feet and an underclearance of 7 feet across Elk Creek approximately 530 feet upstream of Stackpole Street.

6. To replace the superstructure and maintain a pre-fabricated steel beam bridge (Bridge C) having a clear span of approximately 20.5 feet and an underclearance of 5.7 feet across Elk Creek approximately 240 feet upstream of Stackpole Street.

7. To remove fencing and debris in and along approximately 100 feet of the channel of a tributary to Elk Creek approximately 400 feet upstream of its confluence with Elk Creek

8. To construct and maintain four stormwater outfalls, two to Elk Creek downstream of Tannery Street and two to a tributary to Elk Creek 70 feet and 230 feet upstream of its confluence with Elk Creek.

E25-620, Borough of Edinboro, 124 Meadville Street, Edinboro, PA 16412-2502. Edinboro Lake Municipal Docks, in Borough of Edinboro, **Erie County**, ACOE Pittsburgh District (Edinboro North, PA Quadrangle N: 1.5 inches; W: 2.2 inches).

To operate and maintain various boat docks in Edinboro Lake including seasonal installation and removal of 31 pile supported and floating docks, maintenance of three existing solid fill concrete docks and periodic maintenance dredging of six areas extending approximately 15 feet from the edge of water at normal pool and along a total length of approximately 1,750 feet of the western shoreline.

E25-631, Millcreek School District, 4105 Asbury Road, Erie, PA 16506. Asbury Woods Greenway, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 9.2 inches; W: 7.1 inches).

To construct and maintain the following structures on existing hiking trails within the Asbury Woods Greenway between Walnut Creek Middle School south of Sterrettania Road and Asbury Elementary School south of West 38th Street:

1. A pedestrian bridge having a span of approximately 120 feet and an underclearance of 11 feet across Walnut Creek (CWF, MF) approximately 3,500 feet downstream of Old Sterrettania Road.

2. A 6-foot wide pile supported boardwalk structure measuring approximately 110 feet in length across a wetland area (PFO) south of Walnut Creek approximately 3,000 feet downstream of Old Sterrettania Road.

3. A 6-foot wide pile supported boardwalk structure measuring approximately 190 feet across a wetland area (PFO) north of Walnut Creek approximately 4,500 feet downstream of Old Sterrettania Road.

E42-275, Bradford Properties, L.P., 609 Alexander Street, Pittsburgh, PA 15220-5503. Bradford Wal-Mart in Foster Township, **McKean County**, ACOE Pittsburgh District (Derrick City, PA Quadrangle N: 18.8 inches; W: 15.5 inches).

To fill 0.29 acre of wetlands (PEM and PEM/PSS) and install and maintain approximately 150 feet of bank stabilization along the north bank of Foster Brook for construction of a Wal-Mart retail center east of East Main Street approximately 1,000 feet north of its intersection with S.R. 346. This project includes on-site creation of 0.3 acre of replacement wetland adjacent to Foster Brook.

SPECIAL NOTICES

Bureau of Deep Mine Safety Approval of Request for Variance

The Department of Environmental Protection, Bureau of Deep Mine Safety (BDMS), has approved DLR Mining, Inc.'s request for a revision to its 702 variance from the requirements of Section 242(c) of the Pennsylvania Bituminous Coal Mine Act that was approved on January 29, 1999, for the Ridge Mine. This notification contains a summary of this request and the basis for the Department's approval. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

Summary of the Request: DLR Mining, Inc. requested a modification to its approved carbon monoxide (CO) alarm system. The modified CO alarm system will activate an alarm, both audible and visual, at a location on the surface where a responsible person will be on duty and at the working section loading point. The proposal accords protection to persons and property substantially equal to or greater than the requirements of Section 242(c).

The basis for the Bureau's approval is summarized in the following conclusion:

1. Ridge's plan provides early warning fire detection by the use of carbon monoxide (CO) mine wide monitoring system. The system will notify the affected mining sections with an audible and visual alarm. The system will communicate to the computer control station located on the surface. An outside employee can then notify the affected areas via the mine communication system.

2. Ridge's plan provides a separate, isolated intake escapeway that will be maintained at a higher ventilation pressure than the belt and common entries.

3. Ridge's plan provides for the belt and common entries to serve as an alternate intake escapeway.

4. There are significant health and safety benefits associated with allowing entries in common with the belt entry. Repair and maintenance work in the belt entry is

afforded safer access. Improved visual safety inspections are facilitated by open crosscuts.

This approval is limited to a variance from the requirements in Section 242(c) requiring that the belt entry is isolated from other entries. All other terms and requirements of Section 242(c) shall remain in effect. Continued authorization for operation under the approval is contingent upon compliance with the measures described in Ridge's plan.

[Pa.B. Doc. No. 01-991. Filed for public inspection June 8, 2001, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Eastern PA Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Eastern PA Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.5.D1, which states that a covered entrance for pickup of patients after surgery shall be provided.

The request is on file with the Department. Persons may receive a copy of a 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, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously 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 a request and/or provide comments to the Department and require an auxiliary aid, 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. 01-992. Filed for public inspection June 8, 2001, 9:00 a.m.]

Application of Grand View Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Grand View Hospital has requested an exception to the requirements of 28 Pa. Code § 51.6 (relating to identification of personnel).

The request is on file with the Department. Persons may receive a copy of a 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, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously 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 a request and/or provide comments to the Department and require an auxiliary aid, 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. 01-993. Filed for public inspection June 8, 2001, 9:00 a.m.]

Application of Hazleton General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Hazleton General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 7.9.D3, Table 5, regarding station outlets for oxygen vacuum.

The request is on file with the Department. Persons may receive a copy of a 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, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously 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 a request and/or provide comments to the Department and require an auxiliary aid, 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. 01-994. Filed for public inspection June 8, 2001, 9:00 a.m.]

Application of Lock Haven Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Lock Haven Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

The request is on file with the Department. Persons may receive a copy of a 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, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously 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 a request and/or provide comments to the Department and require an auxiliary aid, 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. 01-995. Filed for public inspection June 8, 2001, 9:00 a.m.]

Application of North Shore Surgi-Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that North Shore Surgi-Center has requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a 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, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously 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 a request and/or provide comments to the Department and

require an auxiliary aid, 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. 01-996. Filed for public inspection June 8, 2001, 9:00 a.m.]

Application of Sharon Regional Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Sharon Regional Health System has requested an exception to the requirements of 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a 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, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously 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 a request and/or provide comments to the Department and require an auxiliary aid, 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. 01-997. Filed for public inspection June 8, 2001, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these firms or persons, or any

firms, corporations or partnerships in which such firms or persons have an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Clifford Heist, individually, Deborah L. Heist, individually and d/b/a Heist Floors Hardwood and More	224 Water Street Titusville, PA 16354	May 9, 2001
F.A.C.E. Associates, Inc. and Francis J. Palumbo, II, a/k/a Chip Palumbo	648 Morgantown Street P. O. Box 609 Uniontown, PA 15401 14 Bailey Lane Uniontown, PA 15401 and 18 Bailey Lane Uniontown, PA 15401 648 Morgantown Street P. O. Box 609 Uniontown, PA 15401	May 15, 2001

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 01-998. Filed for public inspection June 8, 2001, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Bucks County

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

The Federal Highway Administration and the Department of Transportation plan to replace the Richboro Road Bridge which carries S.R. 0332 over Neshaminy Creek in Northampton and Newton Townships in Bucks County.

The subject project will use approximately 878.2 square meters (0.2 acre) from Tyler State Park. The subject project will use approximately 259.0 square meters (0.06 acre) from the National Register Eligible Spring Garden Mill Historic District.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effects. A Memorandum of Understanding (MOU) has been prepared and signed by all appropriate agencies for the proposed action. The MOU includes a commitment to fence the temporary construction access during construction in such a fashion as to discourage park visitors and/or the general public from inadvertently entering same. As part of the project, a pedestrian path/bikeway will be constructed on the new bridge and its approaches.

No adverse environmental effect is likely to result from the replacement of the Richboro Road Bridge and reconstruction of this section of Highway.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-999. Filed for public inspection June 8, 2001, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Lyons Borough Municipal Authority v. DEP; EHB Doc. No. 2001-111-K

The Lyons Borough Municipal Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Maxatawny Township Berks County.

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

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

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

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 01-1000. Filed for public inspection June 8, 2001, 9:00 a.m.]

FISH AND BOAT COMMISSION

Changes to the List of Class A Wild Trout Waters 2001

The Fish and Boat Commission (Commission) has approved the changes to the list of Class A Wild Trout Streams as set forth in 31 Pa. B. 1812 (March 31, 2001). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 01-1001. Filed for public inspection June 8, 2001, 9:00 a.m.]

Removal of Special Restrictions on Polluted Zone; Spring Creek, Centre County

Since 1982, a section of Spring Creek, Centre County (from the bridge at Oak Hall, located on FAS 871 immediately above Neidig Bothers Limestone Company, downstream to the mouth) has been designated as a "no-kill zone" because of mirex (a pesticide) contamination. This stretch was first listed under 58 Pa. Code § 57.9 as a water under special regulations because of harmful substances. Thereafter, the Executive Director, with the Fish and Boat Commission's (Commission) approval, determined that fishing should be prohibited in this portion of Spring Creek under 58 Pa. Code § 65.23 (relating to special restrictions on polluted zones).

Staff from the Commission and the Department of Environmental Protection (DEP) have closely monitored chemical levels in brown trout at various locations in Spring Creek since 1976. Levels of mirex have gradually declined to levels that are now below the United States Food and Drug Administration's (FDA) Action Level of 0.1 mg/kg (ppm). The Interagency Fish Tissue Contaminants Work Group (Work Group), comprised of staff from the Commission, DEP and Department of Health, met and reviewed the most recent data. The Work Group unanimously concluded that the ban on harvest is no longer necessary since the last two samples collected at the Spring Creek Park site and all other sample sites have been below the FDA Action Level for 2 separate years (1998 and 1999).

Accordingly, the Commission is removing the special restrictions on polluted zones for Spring Creek. However, it should be noted that the Commission previously adopted a miscellaneous special regulation under 58 Pa. Code § 65.24 (relating to miscellaneous special regulations) for fisheries management purposes that imposes "no harvest" regulations for trout on Spring Creek. Therefore, there will be no change in harvest of trout due to the removal of the special restrictions on polluted zones.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 01-1002. Filed for public inspection June 8, 2001, 9:00 a.m.]

**INDEPENDENT
REGULATORY REVIEW
COMMISSION**

Notice of Comments Issued

Sections 5(d) and (g) of the Regulatory Review Act (71 P. S. §§ 745.5(d) and (g)) provide that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Commission may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in sections 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulation. The agency must consider these

comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form</i>
			<i>Submission</i> <i>Deadline</i>
16A-694	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Licensure	5/24/01	04/23/03

31 Pa.B. 1571 (March 24, 2001)

**State Board of Social Workers, Marriage and Family Therapists and Professional Counselors
Regulation No. 16A-694**

**Licensure
May 24, 2001**

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 have not been met. The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) must respond to these comments when it submits the final-form regulation. If the final-form regulation is not delivered by April 23, 2003, the regulation will be deemed withdrawn.

1. House Professional Licensure Committee Comments.—Legislative intent; Reasonableness; Implementation procedures; Feasibility; Clarity.

During our review of this regulation, we identified a number of sections that did not meet the criteria of the Regulatory Review Act. These same issues were also raised in the comments submitted by the House Professional Licensure Committee (House Committee). At its meeting on May 8, 2001, the House Committee voted to submit comments on this regulation. The House Committee submitted its comments to the Commission by letter dated May 10, 2001.

The following paragraphs identify the comments of the House Committee with which we concur. The pertinent sections of the proposed regulation are listed. Because the three chapters of this regulation contain provisions with similar language, the comments of the House Committee relating to two or more of the three chapters have been combined.

Sections 48.1 and 49.1. Definitions.—Reasonableness; Clarity.

The definition of "field closely related to the practice of" marriage and family therapists (MFTs) or professional counseling may unduly restrict licensure of qualified and experienced professionals. The definition should be less restrictive and recognize the variety of academic backgrounds.

Section 48.13. Licensed marriage and family therapist.—Legislative intent; Reasonableness; Need; Clarity.

Section 48.13(b) sets forth the "supervised clinical experience" requirements and standards that applicants must meet to be licensed as MFTs. There are three concerns.

First, the list of areas that qualify as experience in services provided by MFTs in § 48.13(b)(1) should include "individual" and "group" therapies.

Second, why does § 48.13(b)(2) refer to the definition of “supervisor” in § 47.1 relating to licensed social workers and licensed clinical social workers? In addition, the definition of “supervisor” in § 48.1 relating to MFTs contains no transition period for supervision by unlicensed but otherwise qualified MFTs. To ensure an adequate supply of supervisors, the regulation should establish qualifications for unlicensed supervisors.

Third, § 48.13(b)(5) should be amended to provide for flexibility and to ensure availability of supervisors. The subsection should allow for “group supervision.”

Section 48.15. Exemption from licensure examination.—Reasonableness; Clarity.

In the continuing education requirements for applicants for licensure without examination, § 48.15(5)(v) includes “any course approved by AAMFT (American Association for Marriage and Family Therapists).” However, this organization does not formally approve courses. The Board should expand the list of programs that qualify as credit for continuing education.

Section 49.2. Educational requirements.—Reasonableness; Clarity.

Many counselor preparation programs are currently unable to meet the clinical instruction requirement for 600 hours of supervised internship experience in § 49.2(9). The regulation should include a transition period to allow programs to develop internships that match this standard.

Section 49.11. Licensure examination.—Economic impact; Reasonableness.

Section 49.11(a) lists acceptable licensure examinations. Extensive public comment was submitted advocating the addition of the Advanced Alcohol and Drug Counselor examination given by the International Certification and Reciprocity Consortium. Why wasn’t this examination included in the list?

Section 49.15. Exemption from licensure examination.—Reasonableness; Clarity.

The list of approved continuing education programs in § 49.15(5)(iv)(C) should be expanded to include courses offered by professional organizations and accredited institutions. For example, the list should include courses approved by the Pennsylvania Certification Board for Certified Addiction Counselors.

Section 47.12c. Licensed clinical social worker.

Section 48.13. Licensed marriage and family therapist.

Section 49.13. Licensed professional counselor.—Fiscal impact; Reasonableness; Need; Clarity.

Group and individual supervision

Unlike the requirements for MFTs, §§ 47.12c(b)(5) and 49.13(b)(5) do not allow for group supervision. These sections require that a supervisor “meet individually and in person with the supervisee for a minimum of 1 [one] hour for every 20 hours of supervised clinical experience” (emphasis added). In § 48.13(b)(5), MFTs are only required to meet for 1 hour of individual supervision for every 40 hours. There are three concerns.

First, commentators indicate that group supervision is a key process in the development of professional counselors and clinical social workers. They also indicate that the individual supervision requirement may reduce supervisor availability and place unnecessary burdens on facil-

ities with limited financial resources. For these reasons, §§ 47.12c(b)(5) and 49.13(b)(5) should be amended to allow for group supervision.

Second, why are the hourly requirements for individual supervision for clinical social workers and professional counselors different from those for MFTs?

Third, why should a supervisor be required to meet with each supervisee individually and in person for at least 1 hour for every 20 or 40 hours? The Board should explain the need for this requirement and the fiscal impact this will have on smaller facilities.

First 1,800 hours of supervised experience

Sections 49.13(b)(2) and (b)(4) restrict who can supervise for the first 1,800 hours of supervised clinical experience. Sections 47.12c(b) and 48.13(b) contain the same restriction. Commentators stated that supervision by professionals in related fields is the norm in rural areas and the Board allows supervision by persons in related fields in the definitions of “supervisor.” Are sufficient numbers of supervisors available in rural areas to meet these requirements for the three-licensure categories? Why is the Board restricting supervision for the first 1,800 hours?

60 days written notice

Sections 47.12c(b)(7), 48.13(b)(7) and 49.13(b)(7) require a supervisor who wishes to terminate supervision to give 60 days written notice. Won’t this requirement be impossible to meet in many circumstances? The Board should explain why a 60-day notice is necessary and reasonable.

Sections 47.13b, 48.15 and 49.15. Exemption from licensure examination.—Consistency with statute; Reasonableness; Implementation procedures.

Sections 47.13b(3), 48.15(3) and 49.15(3) require applications to be submitted by March 25, 2002. Subsections (a)(1), (b)(1) and (c)(1) of 63 P. S. § 1909 require applications to be filed no later than 3 years from the effective date of the respective paragraphs, which is no later than February 19, 2002. The regulation should be consistent with the statute and require applications to be filed no later than February 19, 2002.

Sections 48.15 and 49.15. Exemption from licensure examination.—Reasonableness; Economic impact; Implementation procedures.

The exemption from licensure examination provisions in §§ 48.15(4) and 49.15(4) require at least 10 hours per week of direct client contact. This may exclude professionals who practice in supervisory, administrative, academic or other capacities with minimal client contact, or whose contact hours are irregular. The Board should adopt a standard that does not exclude qualified individuals.

Comments on Similar Provisions in Chapters 47, 48 and 49.

2. Supervision and supervised experience.—Reasonableness; Clarity.

The requirements for supervised experience in §§ 47.1, 47.12c, 47.12d, 48.1, 48.13, 48.14, 49.1, 49.13 and 49.14 are extensive and substantial, involving as much as 3 years or 3,600 hours. Each supervisee needs this amount of supervised experience to qualify for licensure. What recourse or safeguard is there for a supervisee if the Board determines a supervisor is not qualified? Would this invalidate the supervisee’s hours accrued prior to the supervisor’s disqualification?

3. Referral.—Protection of the public health and safety.

The statutory provision in 63 P. S. § 1920.2 (relating to referral) is an important safeguard to make sure licensees only practice in their area of expertise. Why didn't the Board include this statutory provision in the amendments to Chapters 47, 48 and 49?

4. Sections 47.1, 48.1 and 49.1. Definitions.—Feasibility; Protection of the public health; Clarity.

Institution of higher education

Chapters 48 and 49 define "institution of higher education." A similar definition of this term also exists in statute (24 P. S. § 2502-2). Under this statutory definition, the institution must also be approved by the Department of Education. Is this definition intended to be the same as the statutory definition in 24 P. S. § 2502-2? If so, the Board should add a cross reference to the statutory definition. If not, the Board should explain how the definition in the regulation will be interpreted by the Board.

Supervisor

There are two issues.

First, these definitions contain substantive provisions. These substantive provisions should be moved to the body of the respective chapters.

Second, the substantive provisions for supervisors are unclear. These specific requirements are important because they form the basis of a licensure qualification for the supervisee. Specifically, the Board should respond to the following:

- What qualifies as "5 years experience" in these definitions?
- In Chapters 47 and 49, experienced persons can serve as supervisors until January 1, 2006, without the required new licenses established by this regulation. However, Chapter 48 uses the date of January 1, 2010, but still requires licensure. What is the reason for the difference?
- If a supervisor no longer qualifies as a supervisor after January 1, 2006, as provided in Chapters 47 and 49, and January 1, 2010, as provided in Chapter 48, will the Board accept the hours earned by the supervisee under that supervisor prior to the deadline?
- Why is the optional phrase "may also include" used in the last sentence regarding related fields? The regulation should provide either a definitive standard or a process to determine whether a person has the qualifications to supervise.
- What is "a related field"? We are unable to determine whether specific fields, such as psychiatry, would qualify or not.

- The definition of "supervisor" in § 47.1 includes clinical social work licensees "of another state, if, in the opinion of the Board, the requirements for licensure are substantially equivalent to the requirements of the act, and who has 5 years experience..." There are two questions. First, why is similar language not included in the definitions of "supervisor" in §§ 48.1 and 49.1? Second, what standards or process will the Board use to determine the equivalency of out-of-State licensed supervisors?

5. Sections 47.11, 48.11 and 49.11. Licensure examination.—Clarity.

Sections 47.11(f), 48.11(c) and 49.11(c) state "the applicant is responsible for directing that the testing organiza-

tion send examination results and other information requested to the Board." There are four questions.

First, 63 P. S. § 1909.1 directs the Board to contract with a professional testing organization. Does each contract require the testing organization to provide a mechanism for the applicant to direct where examination results are sent? If not, why isn't it part of the contract? How can the applicant comply with this provision if there is no reporting mechanism in place?

Second, if the Board contracts with testing organizations, why isn't this in the contract, rather than placing this responsibility on the applicant?

Third, what "other information" is the applicant responsible for? Any additional information required should be listed in the regulation.

Fourth, what passing grade will the Board require on the respective examinations?

6. Section 47.12c. Licensed clinical social worker, Section 48.13. Licensed marriage and family therapist and Section 49.13. Licensed professional counselor.—Need; Clarity.

Written permission

Subsection (b)(3) requires written permission to discuss the patient's case with the supervisor. Commentators indicated that this provision is both unnecessary and inconsistent with current practice for facilities that employ both supervisors and supervisees. The Board should explain the need for this provision when the supervisee and supervisor both work for the same agency or facility.

Qualified substitute

Sections 47.12c(b)(4)(i), 48.13(b)(4)(i) and 49.13(b)(4)(i) allow "a supervisor who is temporarily unable to provide supervision to designate a qualified substitute." What is meant by "qualified"? Must the substitute meet the same experience, education and licensure requirements as a supervisor? Who determines if the substitute is qualified?

Delegate, order and control

Sections 47.12c(b)(4), 48.13(b)(4) and 49.13(b)(4) state the supervisor "shall delegate, order and control" the professional activities of the supervisee. It is our understanding that many of these professionals currently work independently and do not have supervisors. To meet the new requirements for licensure, they will need to find experienced professionals willing to be their supervisors. In these situations, supervisors will have little control over which clients meet with supervisees. Hence, the language concerning "delegate, order and control" should be deleted or amended to indicate that it applies only when the supervisee is an employee under the direction of the supervisor.

Delegation

Sections 47.12c(b)(4)(ii), 47.12c(b)(5), 48.13(b)(4)(ii), 48.13(b)(5), 49.13(b)(4)(ii) and 49.13(b)(5) allow delegation of supervisor responsibilities. Must the delegate have the same qualifications as a supervisor? What limits are there on how much of the supervisory responsibility can be delegated?

Supervised work activity

Sections 47.12c(b)(8), 48.13(b)(8) and 49.13(b)(8) describe supervised work activity that may be counted toward fulfilling licensure requirements. The regulation limits experience to "at least 30 hours per week but not more than 40 hours per week for a period of at least 3

months" or "at least 15 hours per week for a period of at least 6 months." There are three issues.

First, the statute (63 P.S. § 1907(d), (e) and (f)) requires either a certain number of years of experience or a certain number of hours of experience. The statute does not limit hours per week or mention 3 or 6 month intervals. For example, 63 P.S. § 1907(d)(3) requires an applicant for licensure as a clinical social worker to have "completed at least three years or 3,600 hours of supervised clinical experience acceptable to the board as determined by regulation after completion of the master's degree in social work."

If an applicant has 3,600 hours of experience in an acceptable environment, the applicant would meet the statutory requirement for licensure. However, the same applicant could be denied under the regulation if the applicant worked more than 40 hours per week, or was only able to work for 2 months during a certain period. The Board should explain why these limits in the regulation are needed and the basis for them.

Second, it is not clear how the limits on hours per week relate to the respective experience requirements in §§ 47.12c(a)(5), 48.13(a)(4) and 49.13(a)(4). The regulation should clearly set a minimum limit of hours per year to count toward the 3 years experience. Likewise, regarding the alternative for 3,600 hours of supervised experience, the regulation should more clearly set forth how this criterion must be met.

Finally, why must experience be in a single setting? Would this limit a prospective licensee who holds two part-time positions?

7. Sections 47.12d, 48.14 and 49.14. Standards for supervisors.—Reasonableness; Clarity.

Subsection (3) provides for disqualification of a supervisor subject to any disciplinary action. We have four concerns.

First, does "subject to" disciplinary action mean the supervisor is found guilty or merely charged with a violation?

Second, what if the disciplinary action is not relevant to the area of supervised practice (that is, a psychiatrist is disciplined for a minor infraction)?

Third, does disqualification negate hours of experience gained by the supervisee prior to the disciplinary action?

Fourth, to protect the interests of the supervisee, the supervisor should be required to disclose to the supervisee if the supervisor is disciplined by a licensing Board.

In subsection (7), the supervisor must ensure that each patient knows the supervisee's status as supervisee and has given permission for the supervisee to discuss the patient's case. As discussed in Issue 6, a supervisor may be someone who does not control who is seen as a client or patient by the supervisee. In addition, the supervisor may be located in another building or another part of the state. In these situations, how will the supervisor "ensure" that the supervisee's status is made known to each patient or client of the supervisee?

Will the objectives established by the supervisor in subsection (8) be reviewed by the Board? Are these objectives expected to be in writing? When are the objectives given to the supervisee?

In subsection (9), where can the "issues of practice and ethics" be found? Has the Board established these stan-

dards for the respective licensees? Are there National codes of conduct that the Board can adopt?

In subsection (11), why is the supervisor required to "observe client/patient sessions of the supervisee"? When the supervisor and supervisee are in separate organizations or locations, this may be difficult to accomplish. Also, the requirement to do this "on a regular basis" is vague.

Subsection (13) requires a supervisor to provide recommendations to the supervisee. Must these recommendations be in writing?

Subsection (14) requires a supervisor and supervisee to discuss a supervisee's evaluations at least quarterly. Why is it necessary to discuss evaluations on a quarterly basis?

8. Sections 47.13b, 48.15 and 49.15. Exemption from licensure examination.—Reasonableness; Clarity.

To qualify for exemption from examination, the regulation requires that MFTs and professional counselors have at least 10 hours of direct client contact per week for the previous 5 years. However, there is no similar requirement in the exemption provision for clinical social workers. What is the reason for this difference?

In addition, §§ 47.13b(2), 48.15(2) and 49.15(2) require applicants to submit "an application provided by the Board." Are these applications available? How will potential applicants know to apply before the February 19, 2002, deadline?

9. Sections 47.13b, 48.15 and 49.15. Exemption from licensure examination, Sections 48.12 and 49.12. General qualifications for licensure.—Clarity.

The exemption from licensure sections, in subsection (2) and the general qualifications for licensure sections, in subsection (4), all require the applicant to submit "the required fee" or the "required application fee." However, there is no fee for these categories in existing § 47.4 or proposed Chapters 48 and 49. The Board needs to establish these fees and include them in the final-form regulation.

Why does § 47.13b(4) require 20 hours per week to qualify for exemption, whereas §§ 48.15(4) and 49.15(4) only require 15 hours per week?

In §§ 48.15(5)(v)(A), 48.15(vi)(A) and 49.15(5)(iv)(A), what is a continuing education course that is "masters level difficulty"? Is this type of course equivalent to a course in a master's degree program? Are courses designated and advertised in this manner? Why is other continuing education excluded?

Comments on Specific Provisions of Chapters 47, 48 and 49.

Chapter 47. Licensure of Social Workers

10. Section 47.1. Definitions.—Feasibility; Protection of the public health; Clarity.

In addition to our comments on the definition of "supervisor" in Issues 2 and 7, the language in § 47.1 also lacks clarity for two reasons. First, the four conjunctions used in the opening sentence make it unclear what specific qualification, or combination of qualifications, a supervisor must have.

Second, how and when can the opinion of the Board be acquired on equivalent qualifications?

11. Section 47.12c. Licensed clinical social worker.—Statutory authority; Clarity.

Section 47.12c(b)(1)(i) allows experience in "diagnosis." Diagnosis does not fall within the scope of practice for

clinical social workers and would violate 63 P. S. § 1920.2 (relating to referral). Would this be considered “practice” by any other professional licensing board? The Board should delete this provision or identify the statute that supports this position.

12. Section 47.13b. Exemption from licensure examination.—Clarity.

Section 47.13b(4) requires the applicant’s practice to consist of at least 20 hours per week. Does supervision count toward the 20 hours?

13. Section 47.14. Application for licensure by reciprocity.—Clarity.

This existing section in the regulation establishes the Board’s reciprocity process for social workers licensed in other states. Commentators cited the need for similar reciprocity provisions for licensed clinical social workers. Section 10 of the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act) (63 P. S. § 1910) gives the Board “the power to grant a reciprocal license to an applicant who is licensed or certified” as a social worker, clinical social worker, MFT or professional counselor in another state. The Board should develop regulatory provisions to implement this portion of the act.

Chapter 48. Licensure of Marriage and Family Therapists

14. Section 48.2. Educational requirements.—Implementation procedures; Clarity.

The requirements in § 48.2(1)—(5) state the courses “should” include certain topics. We note that the parallel requirements for Professional Counselors in § 49.2 are written in more direct language. If these are requirements, the word “should” must be replaced with “shall.”

Section 48.2(4)(i) is vague for two reasons. First, the phrase “intended to” is indirect. Second, clarity is lost because plural words are mismatched with singular words. The Board should rewrite this provision for clarity.

15. Section 48.3. Qualifications for supervisor until January 1, 2010.—Reasonableness; Implementation procedures; Clarity.

As written, § 48.3(1) is unreasonable. It requires a supervisor to be licensed either in this Commonwealth or in another state that the Board finds to be substantially equivalent to this Commonwealth. However, since licensing has not yet occurred in this Commonwealth, the only way to gain supervised experience would be to work for a person licensed in another state. All other experience gained by therapists in this Commonwealth would be excluded under the § 48.1 relating to the definition of “supervisor” and § 48.13(b)(4)(i) relating to supervised clinical experience. The Board should amend this provision to allow a transition into the new licensure requirements.

For clarity, the acronym “MFT” as used in § 48.3(2) and (3) should be defined in § 48.1.

Regarding § 48.3(2), are courses in “MFT supervision” readily available?

16. Section 48.13. Licensed marriage and family therapist.—Clarity.

Sections 48.13(a)(3)(i) and (ii) require “graduate course work which is closely related to marriage and family

therapy.” Is the intent to require “graduate course work in marriage and family therapy or a field closely related to marriage and family therapy”?

In § 48.13(a)(3)(ii)(B), how much “graduate coursework in marriage and family therapy” does the Board require?

17. Section 48.15. Exemption from licensure examination.—Clarity.

Section 48.15(6) requires “clinical membership status from AAMFT.” The act (63 P. S. § 1909(b)(5)) requires “current professional certification.” Are these the same?

In § 48.15(6), the Board will accept “an examination given by another state.” Are all of the examinations given by other states acceptable to the Board? Must other states’ examinations be equivalent to the Commonwealth’s before they are acceptable?

Chapter 49. Licensure of Professional Counselors

18. Section 49.15. Exemption from licensure examination.—Reasonableness; Clarity.

Do NBCC, CRC, CBMT and ATCB “approve” courses as required by § 49.15(5)(iv)(C)?

19. Miscellaneous clarity issues.

- The formats of the Purdon’s citations are inconsistent in § 47.1 in the definitions of Licensed clinical social worker, Licensed social worker and Provisional licensed social worker. The citation in Licensed social worker, as printed in the *Pennsylvania Bulletin*, would not cite any section of 63 Purdon’s. For clarity, these citations should be used consistently in the final-form regulation.

- Section 48.2(3)(i) uses the phrase “family systems theory,” whereas § 48.2(2) uses the phrase “systems theory.” Should the word “family” be added to subsection (2)?

- Section 48.13(a)(3)(ii)(B) uses the phrase “a national accrediting agency as defined in Section 48.1.” However, there is no definition of this phrase in § 48.1 (relating to definitions).

- Sections 48.15(5)(iii) (v) and (vi) use the phrase “in marriage and family therapy as defined in § 48.1.” However, there is no definition of this phrase in § 48.1.

- The word “calendar” close to the end of § 47.12c(b)(8) is not spelled correctly.

- The plural word “individuals” should be used in § 49.2(1).

- Section 49.13(a)(1) requires an applicant to satisfy “the general requirements for licensure of this subsection.” Did the Board intend for the applicant to meet the requirements of § 49.12?

- As printed in the *Pennsylvania Bulletin*, § 49.14 was incorrectly designated as § 47.14.

These errors should be corrected prior to final form publication of this regulation.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1003. Filed for public inspection June 8, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Highmark Inc. d/b/a Pennsylvania Blue Shield; Comprehensive Major Medical Program for Com- munity Rated Groups (2-50); Rate Filing No. 200120

Highmark Inc., d/b/a Pennsylvania Blue Shield, submitted Filing Number 200120 seeking approval of new base rates for a Community Rated Group Comprehensive Major Medical Program to be offered in the 21 counties of the Capital region in the southcentral part of this Commonwealth. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1004. Filed for public inspection June 8, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Comprehensive Major Medical Program for Ex- perience Rated Groups (50+); Rate Filing No. 200121

Highmark Inc., d/b/a Pennsylvania Blue Shield, submitted Filing Number 200121 seeking approval of new base rates for a Experience Rated Group Comprehensive Major Medical Program to be offered in the 21 counties of the Capital region in the southcentral part of this Commonwealth. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1005. Filed for public inspection June 8, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Non-Gatekeeper Preferred Provider Program for Community Rated Groups (2-50); Rate Filing No. 200112

Highmark Inc., d/b/a Pennsylvania Blue Shield, submitted Filing Number 200112 seeking approval of new base

rates for a Community Rated Group Non-Gatekeeper Preferred Provider Program to be offered in the 21 counties of the Capital region in the southcentral part of this Commonwealth. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1006. Filed for public inspection June 8, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Non-Gatekeeper Preferred Provider Program for Experience Rated Groups (51+); Rate Filing No. 200113

Highmark Inc., d/b/a Pennsylvania Blue Shield, submitted Filing Number 200113 seeking approval of new base rates for a Experience Rated Group Non-Gatekeeper Preferred Provider Program to be offered in the 21 counties of the Capital region in the southcentral part of this Commonwealth. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1007. Filed for public inspection June 8, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Prescription Drug Program for Community Rated Groups (2-50); Rate Filing No. 200118

Highmark Inc., d/b/a Pennsylvania Blue Shield, submitted Filing Number 200118 seeking approval of new base rates for a Community Rated Group Prescription Drug Program to be offered in the 21 counties of the Capital region in the southcentral part of this Commonwealth. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1008. Filed for public inspection June 8, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Prescription Drug Program for Experience Rated Groups (51+); Rate Filing No. 200119

Highmark Inc., d/b/a Pennsylvania Blue Shield, submitted Filing Number 200119 seeking approval of new base rates for a Experience Rated Group Prescription Drug Program to be offered in the 21 counties of the Capital region in the southcentral part of this Commonwealth. Approval is requested by September 1, 2001, for coverage effective January 1, 2002.

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 Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1009. Filed for public inspection June 8, 2001, 9:00 a.m.]

Liberty Mutual Fire Insurance Company; Automobile Rating Manual; Rate Filing and Rule Revision

On May 24, 2001, the Insurance Department (Department) received from Liberty Mutual Fire Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 4.5% increase amounting to \$3,784,000 annually, to be effective September 17, 2001.

Unless formal administrative action is taken prior to July 23, 2001, 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 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@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1010. Filed for public inspection June 8, 2001, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

The hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Michael T. and Robin Christman Orth; file no. 01-215-01471; Erie Insurance Exchange; doc. no. PH01-05-013; July 13, 2001, at 9 a.m.

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

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

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1011. Filed for public inspection June 8, 2001, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. This administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Brian B. Chaffee and Tracey R. Poloka; file no. 01-303-70723; Lititz Mutual Insurance Company; doc. no. PI01-05-014; August 10, 2001, at 9 a.m.

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

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1012. Filed for public inspection June 8, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Access Network Services, Inc.—Cancellation of Authority to Provide Telecommunications Services as a Reseller Competitive Local Exchange Carrier; A-310342, F0002

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Tentative Order

On February 22, 1996, the Commission entered an Order approving the application of Access Network Services, Inc. for authority to offer telecommunications services as a competitive local exchange carrier reseller within this Commonwealth. On March 24, 2001, Law

Bureau Prosecutory Staff mailed Access Network Services, Inc., whose address on file was 3625 Queen Palm Drive, Tampa, FL 33619-7558, a letter advising that as of March 23, 2001, the Commission had not received the necessary initial tariff for this service. This letter was returned to the Commission stamped "Returned to sender. Not deliverable as addressed. Unable to forward."

Section 1302 of the Public Utility Code (66 Pa.C.S. § 1302) (relating to the filing of tariffs), provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

We hold that because Access Network Services, Inc. never filed a tariff in violation of § 1302, Access Network Services, Inc.'s authority should be rescinded; *Therefore, It is Ordered that:*

1. Access Network Services, Inc.'s authority to offer services as a competitive local exchange carrier reseller within this Commonwealth under Order entered on February 22, 1996, Docket No. A-310342, F0002, is hereby cancelled.

2. This Tentative Order shall be published in the *Pennsylvania Bulletin*. In the event no exceptions or comments are filed to this Tentative Order within 30 calendar days from date of publication in the *Pennsylvania Bulletin*, the Tentative Order shall become final without further action by this Commission.

3. Upon this Order becoming final, the Secretary's Bureau shall strike the company's name from all active-utility lists maintained by the Annual Report

Section of the Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1013. Filed for public inspection June 8, 2001, 9:00 a.m.]

Momentum Telecom, Inc.—Cancellation Order of Authority to Provide Telecommunications Services as a Competitive Local Exchange Carrier; A-310674

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Tentative Cancellation Order

On December 17, 1998, the Commission approved the application of Momentum Telecom, Inc. for authority to offer telecommunications services as a competitive local exchange carrier within this Commonwealth. On March 14, 2001, Law Bureau Prosecutory Staff mailed Momentum Telecom, Inc., whose address on file was 3100 Kerner Blvd., Suite C, San Rafael, CA 94901, a letter advising that as of March 14, 2001, the Commission had not

received the proper tariff necessary to implement this service. This letter was returned to the Commission stamped "return to sender, moved left no address."

Section 1302 of the Public Utility Code (66 Pa.C.S. § 1302) (relating to the filing of tariffs), provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

We hold that because Momentum Telecom, Inc. never filed a tariff to implement the service of competitive local exchange carrier in violation of § 1302 and because the company has moved without notifying the Commission as to a change in address, Momentum Telecom, Inc.'s authority should be rescinded; *Therefore*,

It is Ordered that:

1. Momentum Telecom, Inc.'s authority to offer services as a competitive local exchange carrier within this Commonwealth under Docket No. A-310674, is hereby cancelled.

2. The Secretary shall strike the company's name from all active-utility lists maintained by the Annual Report Section of the Secretary's Bureau and the Assessment Section of the Bureau of Administrative Services.

3. This Tentative Order shall be published in the *Pennsylvania Bulletin*. In the event no exceptions or comments are filed to this Tentative Order within 30 calendar days from date of publication in the *Pennsylvania Bulletin*, the Tentative Order shall become final without further action by this Commission.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1014. Filed for public inspection June 8, 2001, 9:00 a.m.]

Purchases of Stock Without Hearing

A-312000 F5001 and A-310514 F0002. MJD Ventures, Inc., Marianna and Scenery Hill Telephone Company and Marianna Tel, Inc. Application of MJD Ventures, Inc., Marianna and Scenery Hill Telephone Company and Marianna Tel, Inc., for approval of the purchase of stock of Marianna and Scenery Hill Telephone Company by MJD Ventures, Inc., and for the transfer of ownership of Marianna Tel, Inc. to MJD Ventures, Inc.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before June 25, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: MJD Ventures, Inc, Marianna and Scenery Hill Telephone Company and Marianna Tel, Inc.

Through and By Counsel: William T. Hawke, David P. Zambito, Malatesta Hawke and McKeon LLP, Harrisburg Energy Center, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1015. Filed for public inspection June 8, 2001, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (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 July 2, 2001, 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 to *begin* operating as *common carriers* for transportation of *persons* as described under each application.

A-00117832. Latrobe Area Hospital, Inc. (121 West Second Avenue, Latrobe, Westmoreland County, PA 15650), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the city of Latrobe, Ligonier Township, the boroughs of Ligonier and Laurel Mountain, and other points in Westmoreland County located within an airline distance of 20 statute miles of the limits of said territory, and from points in said territory, to points in Pennsylvania, and return; subject to the following condition: That all service shall be limited to the transportation of persons receiving or requiring health care, to or from health care providers, including, but not limited to hospitals, nursing homes, personal care homes and physician and dentist offices. *Attorney:* Gerald J. Yanity, 1870 Ligonier Street, Latrobe, PA 15650.

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

A-00114036, Folder 1, Am-B. 7th Ward Civic Association (404 Cedar Street, Johnstown, Cambria County, PA 15902), a corporation of the Commonwealth of Pennsylvania, inter alia—persons in paratransit service, between points in the county of Cambria, and from points in said county, to points within an airline distance of 70 statute miles of the limits of the city of Johnstown, Cambria County; subject to the following conditions: (1) That service is limited to the use of vehicles equipped with side opening doors, ramps or lifts, wheelchairs, oxygen tanks and first-out bags; and (2) That the service is limited to equipment operated only by State certified emergency medical technicians: *So as to permit* the transportation of persons in paratransit service, between points in the county of Somerset, and from points in said

county, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219.

**Notice of Motor Carrier Applications—
Persons in Limousine Service**

The following applications for authority to transport persons in *limousine service between points in Pennsylvania* have been filed with the Pennsylvania Public Utility Commission. The applications will be considered without hearing in the absence of substantive protests limited to the issue of applicant fitness. Protests to these applications are due on or before June 18, 2001.

A-00117849. Barry J. Grife, t/d/b/a Park Place Limousine Service, P. O. Box 480, Doylestown, PA 18901.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1016. Filed for public inspection June 8, 2001, 9:00 a.m.]

**Spartan Debt Services Corporation—Cancellation
Order of Authority to Provide Telecommunica-
tions Services as a Competitive Local Exchange
Carrier; A-310637**

Public Meeting held
May 24, 2001

Commissioners Present: John M. Quain, Chairperson;
Robert K. Bloom, Vice Chairperson; Nora Mead
Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Tentative Cancellation Order

On December 17, 1998, the Commission approved the application of Spartan Debt Services Corporation for authority to offer telecommunications services as a competitive local exchange carrier within this Commonwealth. On March 14, 2001, Law Bureau Prosecutory Staff mailed Spartan Debt Services Corporation, whose address on file was 2920 Lake Colony Drive, Suite 8, Norcross, GA 30071, a letter advising that as of March 14, 2001, the Commission had not received the proper tariff necessary to implement this service. This letter was returned to the Commission stamped "return to sender, attempted not known."

Section 1302 of the Public Utility Code (66 Pa.C.S. § 1302) (relating to the filing of tariffs), provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

We hold that because Spartan Debt Services Corporation never filed a tariff to implement the service of competitive local exchange carrier in violation of § 1302 and because the company has moved without notifying the Commission as to a change in address, Spartan Debt

Services Corporation's authority should be rescinded; *Therefore,*

It is Ordered that:

1. Spartan Debt Services Corporation's authority to offer services as a competitive local exchange carrier within this Commonwealth under Docket No. A-310637 is hereby cancelled.

2. The Secretary shall strike the company's name from all active-utility lists maintained by the Annual Report Section of the Secretary's Bureau and the Assessment Section of the Bureau of Administrative Services.

3. This Tentative Order shall be published in the *Pennsylvania Bulletin*. In the event no exceptions or comments are filed to this Tentative Order within 30 calendar days from date of publication in the *Pennsylvania Bulletin*, the Tentative Order shall become final without further action by this Commission.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1017. Filed for public inspection June 8, 2001, 9:00 a.m.]

Telecommunications

A-310751F0002. The United Telephone Company of Pennsylvania d/b/a Sprint and Allegiance Telecom of Pennsylvania, Inc. Joint Petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Allegiance Telecom of Pennsylvania, Inc. for approval of a master interconnection agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Allegiance Telecom of Pennsylvania, Inc. filed on May 22, 2001, at the Pennsylvania Public Utility 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 United Telephone Company of Pennsylvania d/b/a Sprint and Allegiance Telecom of Pennsylvania, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1018. Filed for public inspection June 8, 2001, 9:00 a.m.]

Telecommunications

A-311080. The United Telephone Company of Pennsylvania d/b/a Sprint and Cricket Communications, Inc. d/b/a Cricket Wireless, Inc. Joint Application of The United Telephone Company of Pennsylvania

d/b/a Sprint and Cricket Communications, Inc. d/b/a Cricket Wireless, Inc. for approval of a master interconnection agreement under section 252(a)(1) and (e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Cricket Communications, Inc. d/b/a Cricket Wireless, Inc. filed on May 22, 2001, at the Pennsylvania Public Utility 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 United Telephone Company of Pennsylvania d/b/a Sprint and Cricket Communications, Inc. d/b/a Cricket Wireless, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1019. Filed for public inspection June 8, 2001, 9:00 a.m.]

Telecommunications

A-310751F0002. Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. Joint Petition of Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. for approval of Amendment No. 2 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. filed on May 24, 2001, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an amendment to 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 Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1020. Filed for public inspection June 8, 2001, 9:00 a.m.]

Telecommunications

A-310877. Verizon Pennsylvania Inc. and Arbros Communications Licensing Company, N.E. Joint Petition of Verizon Pennsylvania Inc. and Arbros Communications Licensing Company, N.E. for approval of Amendment No. 1 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Arbros Communications Licensing Company, N.E. filed on May 23, 2001, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an Amendment to 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 Verizon Pennsylvania Inc. and Arbros Communications Licensing Company, N.E. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1021. Filed for public inspection June 8, 2001, 9:00 a.m.]

Telecommunications

A-310183F0002. Verizon Pennsylvania Inc. and Sprint Communications Company L.P. Joint Petition of Verizon Pennsylvania Inc. and Sprint Communications Company L.P. for approval of Amendment No. 2 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Sprint Communications Company L.P. filed on May 24, 2001, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an Amendment to 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 Verizon Pennsylvania Inc. and Sprint Communications Company L.P. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1022. Filed for public inspection June 8, 2001, 9:00 a.m.]

Unlicensed Independent Entities Offering Billing Services Affecting Electric Retail Choice; Doc. No. M-00011466

Public Meeting held
May 4, 2001

Commissioners Present: Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrence J. Fitzpatrick

Tentative Order

By the Commission:

The purpose of this Tentative Order is to solicit comments from interested parties with respect to the provision of certain billing services being offered by unlicensed entities to electric utility consumers. Over the past several months, the Commission has become aware of several unlicensed entities offering to provide services to consumers in the processing and issuance of monthly electric utility bills. Specifically, these entities request consumers to change their billing address with their electric distribution company (EDC) to that of the unlicensed entity. As a result of this change, all correspondence from the EDC, including the consumer's monthly bill, is forwarded to the unlicensed entity. Commission staff has identified several potential issues with respect to the provision of such services, which we will discuss more fully herein, and we invite other parties to aid in resolving these issues.

Description of Services

By way of background, the provision of this type of service has evolved mostly as an Internet, fee-based billing aggregator or consolidator service offered to consumers. Typically, the consumer enrolls with the service provider and contacts billers to arrange to have their monthly invoices for services sent to the billing entity. In turn, upon receipt of the invoices, the billing entity gathers all billing data, including transaction details, from billers and then processes the information for electronic presentation to the customers, typically by way of electronic mail.¹ The consumer is given an opportunity to review the aggregated billing information and to make an electronic payment to the billing agent. Upon receipt of payment, the billing entity disburses the monies to the respective billers, keeping a portion of the payment as a fee for its services.² By provision of this service, the billing entity is offering consumers a convenient and efficient one-stop method of bill payment.

Until recently, the provision of electronic bill presentation and payment (EBPP) services had been limited to certain revolving monthly bills, such as credit cards. However, within the past year, an increasing number of billing entities have offered to include monthly utility payments in their service offerings. Moreover, in the new era of deregulation, the prospect of enhanced customer care and cost reduction is especially appealing to utilities, resulting in more utility companies seeking EBPP solu-

¹ Alternatively, the bill aggregator may simply collect the bill summary information for presentation to the consumer. In this situation, the consumer only sees the bill payment amount and the due date. The actual bill or bill details remain with the biller and the consumer must contact the biller for transaction details. This arrangement is usually seen in those cases where a biller has made previous arrangements with the consolidator to present consumers bills through an EDI transaction in an effort to reduce customer service costs for the biller.

² This is only meant merely as a simple illustration of a typical billing consolidator's service. In many cases, there may be other services attached to the provision of bill consolidation services such as the provision of long distance or other telecommunications services.

tions.³ However, such a wealth of benefits does not come unhindered with costs and concerns as leading edge technology bumps up against the existing regulatory regime.

The concept of bill aggregators is of unique concern to the utility industry as new unlicensed entities begin offering a service that was once the sole province of the utility, subject to Commission rules and regulations regarding customer service. Even since the implementation of Electric Retail Choice, the concept of third-party billing entities has evolved to include only licensed electric generation suppliers (EGS) who would provide billing services (that is, compile "raw" billing data for processing and issuance to the customer) directly to the consumer on behalf of an EDC and/or the EGS providing generation supply to the consumer.⁴ In the present instance, however, the entity is not providing a service on behalf of the EDC and/or EGS or assembling bills on the basis of usage and rate information. Rather, it is merely receiving and replicating the EDC/EGS actual bill and thereafter presenting it to the customer in a different format.

Commission's Preliminary Views

Prefatorily, we wish to emphasize that we do not seek to discourage the practice of EDCs employing EBPP services, nor do we wish to preclude the ability of customers to designate independent entities as their bill aggregator or processor. We recognize that consumers may wish to utilize such services in an effort to ease their monthly bill paying obligations and these entities may offer consumers a valuable service. However, we have concerns that these services may have unintended but serious implications with respect to application of our Chapter 56 customer service rules.

As an example, the Commission is aware that generally, EDCs are not equipped with data systems allowing customers to have dual mailing addresses. As a result, when the mailing address is changed to allow monthly bills to be sent to the independent billing entities, all correspondence, such as notices of temporary service interruptions to effect repairs, utility dispute reports or notices of termination, is likewise forwarded to the independent billing entity. It is not clear whether this important information would be timely passed along to consumers, or whether consumers realize that a change in their billing address affects the mailing of all utility correspondence. Given the host of consumer-related issues these services present, we solicit comments from interested parties with respect to the policies the Commission should adopt regarding unlicensed independent billing entities. Initially, although we do not believe that it would be in the public interest to preclude these activities or to unnecessarily restrict their availability to consumers, we welcome comments from interested parties regarding this and all other issues identified by this Tentative Order or that are otherwise raised by the services being offered by these unlicensed entities.

Licensing of Billing Entities

Rather than precluding these entities from offering billing services to consumers, we question whether these entities should properly be characterized as providing "third party billing" services under the Electric Retail Choice program. If the independent billing entities are viewed as third-party billing entities, it would be neces-

³ By way of example, on November 1, 2000, GPU Energy introduced internet billing in association with CheckFree, a leading internet billing consolidator.

⁴ A third-party billing entity is a licensed EGS who is not providing generation supply to the customer. See *Order Implementing Competitive Metering and Billing Arrangements* adopted on June 26, 1998 at Docket No. R-00973953.

sary under our existing rules for such entities to become licensed EGSs. See Secretarial Letter issued on September 1, 1999 at Docket No. M-00991230, F.0002, at page 4. Additionally, such entities would be required to follow Commission regulations concerning the issuance and payment of utility bills and dispute resolution, such as those directing the bill format, detail and dispute resolution procedures that must be used by EDCs and EGSs. See 52 Pa. Code § 54.4 and Chapter 56.

We recognize that the bill aggregators are not performing the basic bill compilation in the way that EDC or EGS consolidated billing or third-party billing would be handled. Rather, the bill aggregators are acting on behalf of consumers in receiving and paying the utility bill. However, we note that these bill aggregation services might be viewed as a means of circumventing the Commission's consolidated billing and third-party billing rules. For instance, the Commission has found that third-party billing entities have the same obligation as EDCs and EGSs providing consolidated billing services to make other providers whole even when the customer fails to pay the third-party billing entity. *Electric Choice Issues*, Docket No. M-00991230, F.0002, Order on Reconsideration adopted on November 18, 1999. It is not clear what the policies and practices are of unlicensed entities with respect to forwarding payments to the service providers.

Additionally, under the Electric Retail Choice program, payment to a third-party billing entity is the equivalent of payment to the service provider. That would not be the case with unlicensed billing parties. For instance, a customer who makes full payment to the unlicensed entity would not be credited with payment to the EDC unless and until the unlicensed entity forwards that payment to the EDC. A lapse in the remittance of that payment might result in the imposition of late payment charges or the initiation of service termination proceedings.

While we have some concerns about allowing these bill aggregation entities to provide services without an EGS license, we note that requiring licensure would most likely limit or eliminate the availability of these valuable services to consumers. Alternatively, it might be feasible to utilize less stringent licensing criteria, resulting in a limited license. However, even a more streamlined and less burdensome licensing process might unnecessarily restrict entities from offering this service to consumers.

Customer Service Issues

Assuming that it is preferable to allow these billing activities to continue, with or without any licensure requirement, it is necessary to address various issues likely affecting customer service. For instance, as previously mentioned, generally EDCs are not presently equipped with data systems that allow a customer to have dual mailing addresses, thus requiring that all correspondence be sent to the billing address. As a result of a change in the billing address to that of an independent billing entity, customers may not receive important, nonbilling correspondence from the EDC, such as termination notices, notices of temporary service interruptions and notices of special programs being offered by the utility.

Perhaps the most obvious solution to this dilemma is to require EDCs to enable customers to simultaneously maintain dual mailing addresses so that they receive all nonbilling correspondence from the utility while utilizing independent billing services. Yet, we recognize that the

immediate implementation of new data systems that would allow such a change in practice may prove to be unduly burdensome for the EDCs. In the alternative, we question whether it would be feasible for the EDCs to arrange with independent billing entities to send billing information, upon customer authorization, through a means other than regular mail, such as electronic mail or by facsimile transmission. In that manner, the customer could continue receiving all other mail from the EDC while receiving its billing information from the independent billing entity.

Another option, short of imposing burdens on the EDCs to change their systems or to send billing information through alternative means, would be to require EDCs to provide certain consequential information in connection with a customer's request to change their billing address to that of an unlicensed entity. For example, the EDC could be directed to inform the consumer that a change in their billing address would effect a change in their mailing address, thus resulting in the forwarding of all correspondence to the unlicensed entity. Additionally, the EDC could inform the customer that despite their timely payment to the unlicensed entity, the failure of the entity to forward that payment to the EDC in a timely fashion could subject the customer to late payment charges and/or service termination. As an alternative to providing specific information to customers requesting a billing address change, perhaps the EDCs could use periodic bill inserts or other limited consumer education campaign to generally advise consumers of the potential consequences of changing their billing address for the purpose of utilizing the services of independent billing entities.

Possibly, an acceptable solution could be implemented in connection with requiring these independent billing entities to receive a form of limited license from the Commission. As part of this licensure, the entity would be obligated to provide the applicable notifications to the consumers. In this regard, however, we again caution that any licensure requirement may serve to quell the provision of this service to consumers, thus eliminating any potential benefit to customers and industry alike.

Conclusion

In addition to encouraging comments from interested parties on all of the questions we have raised in this Tentative Order, we recognize that a host of issues with respect to unlicensed independent billing entities may exist that we have not touched upon. We leave it to those parties who are most affected by these services to identify and propose resolutions of these issues. To ensure that all parties have sufficient time to formulate their positions and to respond to proposals advanced by other parties, we will provide a comment period expiring on June 22, 2001, and a reply comment period ending July 20, 2001; *Therefore,*

It is Ordered that:

1. This Tentative Order soliciting comments regarding the provision of billing service by third-party billing agents is issued to the public for comment.
2. A comment period ending June 22, 2001, is hereby established.
3. A reply comment period ending July 20, 2001, is hereby established.
4. Written comments, an original and three copies, shall be submitted to the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Additionally, a diskette containing the com-

ments in electronic format shall also be submitted. Comments should specifically reference the previously-referenced docket number.

5. A copy of this Tentative Order and any accompanying statements of the Commissioners be served upon all Electric Stakeholders, including EDCs, licensed EGSs, the Office of Consumer Advocate, the Office of Small Business Advocate, Office of Trial Staff and shall be made available to interested parties. Additionally, a copy of this Order and all comments and reply-comments shall be posted on the Commission's website.

6. The contact person for this matter is Robert V. Eckenrod, Law Bureau, (717) 787-7904.

7. A Final Order shall be issued subsequent to the receipt and evaluation of any comments and reply comments filed in accordance with this Tentative Order.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1023. Filed for public inspection June 8, 2001, 9:00 a.m.]

Water Service Without Hearing

A-211070 F0012 and A-212285 F0088. Citizens Utilities Water Company of Pennsylvania and Pennsylvania-American Water Company. Joint Application of Citizens Utilities Water Company of Pennsylvania and Pennsylvania-American Water Company for approval to offer, render, furnish or supply water service to the public in an additional portion of East Coventry Township, Chester County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before June 25, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Citizens Utilities Water Company of Pennsylvania, Pennsylvania-American Water Company.

Through and By Counsel: Michael W. Gang, Esquire, John H. Isom, Esquire, Morgan, Lewis and Bockius, LLP, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904, and Thomas P. Gadsden, Esquire, Anthony C. DeCusatis, Esquire, Morgan, Lewis and Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1024. Filed for public inspection June 8, 2001, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0130.4, Electrical Capacitors, Tioga Marine Terminal, Sheds #1, #2, #3 and Reefer Bank, until 2 p.m. on Thursday, June 28, 2001. The bid

documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available June 12, 2001. The cost of the bid document is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid job site meeting will be held Thursday, June 21, 2001, at 10 a.m. at the job site, Delaware Ave. and Tioga St., Philadelphia, PA 19134.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 01-1025. Filed for public inspection June 8, 2001, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0131.4, Furnish and Install Electric Truck Dock Plates, Tioga Marine Terminal, until 2 p.m. on Thursday, June 28, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available June 12, 2001. The cost of the bid document is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid job site meeting will be held Thursday, June 21, 2001, at 11 a.m. at the job site, Delaware Ave. and Tioga St., Philadelphia, PA 19134.

JAMES T. MCDERMOTT,
Executive Director

[Pa.B. Doc. No. 01-1026. Filed for public inspection June 8, 2001, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Dirt and Gravel Road Pollution Prevention Maintenance Program

As required by 25 Pa. Code § 83.604(f), the State Conservation Commission (Commission) is providing public notice of the apportionment of FY2001 Dirt and Gravel Road Pollution Prevention Maintenance Program funds to participating County Conservation Districts. This apportionment is authorized under 75 Pa.C.S. § 9106.

A. Effective Date

This apportionment is effective upon publication in the *Pennsylvania Bulletin*. Allocations will be disbursed when funds are released from the Treasury after July 1, 2001.

B. Background

The Commission, at their public meeting on May 24, 2001, approved allocation of \$3,528,000 of FY01 funds and \$ 171.62 of residual FY00 funds. These funds were lumped together and apportioned according to stipula-

tions in 75 Pa.C.S. § 9106(c). Not all counties receive an allocation as provided for in 25 Pa. Code § 83.613.(a) of the Statement of Policy.

Copies of the referenced Statement of Policy contained in 25 Pa. Code § 83.604, as published in 28 Pa.B. 4634 (September 12, 1998) and 75 Pa.C.S. § 9106(c), are available from the Commission's website at www.pascc.org, or by contacting Woodrow J. Colbert at the State Conservation Commission Office, Rm. 407 Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-8821.

The following FY2001 Dirt and Gravel Road Pollution Prevention Maintenance Program Allocations are being made to County Conservation Districts: Adams \$15,000; Allegheny \$15,000; Armstrong \$109,745; Beaver \$15,000; Bedford \$40,867; Berks \$15,000; Blair \$23,250; Bradford \$305,795; Bucks \$0; Butler \$30,414; Cambria \$15,158; Cameron \$43,727; Carbon \$26,158; Centre \$34,701; Chester \$19,170; Clarion \$63,092; Clearfield \$71,938; Clinton \$24,364; Columbia \$75,641; Crawford \$140,457;

Cumberland \$15,000; Dauphin \$25,272; Elk \$26,008; Erie \$54,526; Fayette \$33,756; Forest \$24,026; Franklin \$17,854; Fulton \$30,447; Greene \$26,578; Huntingdon \$70,768; Indiana \$88,412; Jefferson \$43,584; Juniata \$39,091; Lackawanna \$29,915; Lancaster \$17,843; Lawrence \$15,000; Lebanon \$15,000; Lehigh \$15,000; Luzerne \$28,310; Lycoming \$79,809; McKean \$22,046; Mercer \$48,121; Mifflin \$25,520; Monroe \$16,826; Montgomery \$15,000; Montour \$17,060; Northampton \$15,000; Northumberland \$45,176; Perry \$0; Pike \$74,533; Potter \$152,610; Schuylkill \$50,365; Snyder \$27,440; Somerset \$32,633; Sullivan \$73,293; Susquehanna \$120,165; Tioga \$305,419; Union \$30,959; Venango \$77,259; Warren \$207,115; Washington \$77,336; Wayne \$124,135; Westmoreland \$26,915; Wyoming \$62,657; York \$99,911.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1027. Filed for public inspection June 8, 2001, 9:00 a.m.]