

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 27, 2001.

BANKING INSTITUTIONS

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-21-01	Counsel Trust Company York York County <i>Correspondent:</i> Laura H. Williams, Esq. McNees, Wallace & Nurick, LLC 100 Pine Street Harrisburg, PA 17101	York	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-19-01	Northwest Savings Bank Warren Warren County Purchase of assets/assumption of liabilities of one branch of Reliance Savings Bank, Altoona, located at: 873 Lovell Avenue Ebensburg Cambria County	Warren	Effective
11-26-01	Earthstar Bank Southampton Bucks County Purchase of assets/assumption of liabilities of Cornerstone Savings Association, Glenside <i>Branch Acquired:</i> 4800 Richmond Street Philadelphia Philadelphia County <i>Note:</i> The main office of Cornerstone Savings Association located at 219 South Easton Road will be discontinued upon the effective date of the transaction.	Southampton	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-15-01	Peoples Home Savings Bank Beaver Falls Beaver County	101 Golfview Drive Centre Township Beaver County	Opened
11-19-01	AmeriServ Financial Bank Johnstown Cambria County	5 Gateway Center Pittsburgh Allegheny County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-19-01	Fulton Bank Lancaster Lancaster County	The Shoppes at Jenner's Village Old Baltimore Pike and Route 796 Jennersville Penn Township Chester County	Filed
11-20-01	Northwest Savings Bank Warren Warren County	950 E. Main Street Bradford McKean County	Approved
11-20-01	Jersey Shore State Bank Jersey Shore Lycoming County	1665 N. Atherton Plc. State College Patton Township Centre County	Approved
11-20-01	Reliance Savings Bank Altoona Blair County	904 Blair Street Hollidaysburg Blair County	Approved
11-26-01	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	Rosemont Presbyterian Village 404 Cheswick Place Rosemont Radnor Township Delaware County (Limited Service Facility)	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-3-01	Commonwealth Bank Norristown Montgomery County	350 W. Main Street Birdsboro Berks County	Effective
11-21-01	Wilmington Trust of Pennsylvania Villanova Delaware County	402 Lancaster Ave. Haverford Montgomery County	Filed
11-26-01	First Commonwealth Bank Indiana Indiana County	100 Plaza South New Castle Lawrence County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-2185. Filed for public inspection December 7, 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 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. 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 before 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 before 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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0020851	Hyndman Borough Municipal Authority P. O. Box 346 Hyndman, PA 15545-0346	Bedford County Hyndman Borough	Wills Creek/13-A	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0111058 Sewerage	TravelCenters of America 5600 Nittany Valley Drive P. O. Box 278 Lamar, PA 16848-0278	Porter Township Clinton County	UNT Fishing Creek 9-C	Y

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

PA0046418, Sewage. **Municipal Authority of Middleboro**, Municipal Building, P. O. Box 189, McKean, PA 16426. This proposed facility is located in McKean Borough, **Erie County**.

Description of Proposed Activity: Treatment of sanitary waste from a municipality.

The receiving stream, Elk Creek, is in watershed 15 (Lake Erie) and classified for: WWF; MF.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, there is no existing/proposed downstream potable water supply (stream and public water supplier) to consider for this evaluation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.10 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅ (5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15
Phosphorus as "P"	1.0		
Dissolved Oxygen		minimum of 4.0 mg/l at all times	
Total Residual Chlorine	0.5		1.6

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a geometric average 34,500/100 ml as a geometric average
pH			6.0 to 9.0 standard units at all times

The EPA Waiver is in effect.

PA0001449, Industrial Waste. **Barnsteel Abrasives**, 681 East Butler Road, Butler, PA 16001. This proposed facility is located in the City of Butler, **Butler County**.

Description of Proposed discharge of contact cooling water and stormwater, is in watershed 20-C and classified for: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Zelienople Water Works on Connoquenessing Creek located at Zelienople, approximately 22 miles below point of discharge.

The proposed effluent limits for Outfall 002 are based on a design flow of 0.03 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>
Flow	XX				
Total Suspended Solids	5	11.2	20	45	
Iron (Total)	0.8	1.6	3.2	6.4	8.0
Aluminum	0.2	0.4	0.8	1.6	2.0
Manganese	0.05	0.1	0.2	0.4	0.5
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 004 are based on a design flow of 0.03 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>
Flow	XX				
Total Suspended Solids	5	11.2	20	45	
Iron (Total)	0.8	1.6	3.2	6.4	8.0
Aluminum	0.2	0.4	0.8	1.6	2.0
Manganese	0.05	0.1	0.2	0.4	0.5
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 001 are based on a design flow of n/a 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>
All discharges shall consist of uncontaminated stormwater runoff only.					

The proposed effluent limits for Outfall 003 are based on a design flow of n/a 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>
All discharges shall consist of uncontaminated stormwater runoff only.					

XX—Monitor and report.

The EPA Waiver is in effect.

PA0104353, Sewage. **Lemick, Inc. Oakleaf Estates Manufactured Home Park**, 88 Mitchell Road, West Middlesex, PA 16159. This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Activity: renewal of a treated sewage discharge from a privately owned treatment works.

The receiving stream, unnamed tributary to the Shenango River, is in watershed 20-A and classified for: warm water fishery, 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 New Castle District Pennsylvania-American Water Company on the Shenango River located at river mile 4.7 and is located 17.3 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.035 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			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.2
Dissolved Oxygen		minimum of 3 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

No. PA0057126, Industrial Waste, **Amerada Hess Corporation**, 1 Hess Plaza, Woodbridge, NJ 07095.

This application is for renewal of an NPDES permit to discharge treated groundwater from a former Amerada Hess Gas Service Station located at 602 East Lincoln Highway in City of Coatesville, **Chester County**. This is an existing discharge to West Branch of Brandywine Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 7,200 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Benzene	0.001	0.002	0.0025
Total BETX	0.1	0.2	0.25
Ethylbenzene	Monitor/Report	Monitor/Report	
Toluene	Monitor/Report	Monitor/Report	
Xylenes, Total	Monitor/Report	Monitor/Report	
MTBE	Monitor/Report	Monitor/Report	
pH	Within limits of 6.0—9.0 standard units at all times		

Other Conditions:

The EPA Waiver is in effect.

Conditions for future permit modification.

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

PA-0064157, Sewage, **New Ringgold Borough**. This proposed facility is located in New Ringgold Borough, **Schuylkill County**.

Description of Proposed Activity: Application is for a new NPDES permit to discharge treated wastewater from proposed new treatment facility.

The receiving stream, Little Schuylkill, is in the State Water Plan watershed #03A and is classified for: cold water fishery. The nearest downstream public water supply intake for Pottstown Borough Water Authority is located on Schuylkill River is 45 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.04 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	1.2		2.8

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

PAG# 123525. CAFO, **Joe Sweeney**, Rocky Knoll Farm, 1266 Gypsy Hill Road, Lancaster, PA 17602. This proposed facility is located in West Lampeter Township, **Lancaster County**.

Description of Proposed Activity: The Rocky Knoll Farm is an existing swine operation with a total AEU of 505.3. The farm currently contains two 2,200 head finishing swine barns. The manure from these buildings runs through a methane digester located on the property and is then stored in a 134' diameter x 12' deep concrete manure storage facility. These two storages allow for approximately 1,475,000 gallons of manure storage. Approximately 11,969.7 tons of swine manure is produced a year.

The receiving stream, tributary to Mill Creek, is in the State Water Plan watershed 7-J 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.

PAG# 123526. CAFO, **Tom Bross**, Honey Locust Swine Farm (Huntington Farms), 2454 Stoney Point Road, East Berlin, PA 17316-9710. This proposed facility is located in Huntington Township, **Adams County**.

Description of Proposed Activity: The Honey Locust Swine Farm—Huntington Farms is a new operation with a total AEU of 652.4. The proposed activity is construction of a 1,400 head sow farrow to wean unit. This will include the construction of two new buildings each with adjoined underground deep pit manure storage structures. Two wells will supply the facility with water. The facility will contain an onsite septic system or sand mound system. All manure produced on site will be utilized on the farm will be injected into the soil.

The receiving stream, unnamed tributary to Bermudian Creek, is in the State Water Plan watershed 7-F 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.

Application No. PA 0021067, SIC Code 4952, Sewage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Little Chickies Creek, in Watershed 7-G, in East Donegal Township, **Lancaster County**.

The receiving stream is classified for trout stocking fishery, 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 the Columbia Water Company located in Columbia Borough, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.53 MGD are:

<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			
(5-1 to 10-31)	4.5	-	9
(11-1 to 4-30)	13.5	-	27
Total Phosphorus	2	-	4
Total Residual Chlorine	0.43	-	1.4
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		6.0 to 9.0 inclusive	
Fecal Coliforms			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,100/100 ml as a geometric average	
Total Nitrogen		Monitor Only	

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

The EPA waiver is not in effect.

Application No. PA 0042269, SIC Code 4952, Sewage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Dry Run in Watershed 7-J, in Manor Township, **Lancaster County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Safe Harbor Power Plant located in Manor Township, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 15.0 MGD are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	8.5	-	17
Total Phosphorus	2	-	4
Total Residual Chlorine	0.5	-	1.6
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)	2,000/100 ml as a geometric average		
Total Nitrogen	Monitor		

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

The EPA waiver is not in effect.

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

PA0001287, Industrial Waste, SIC 3296, **Armstrong World Industries, Inc.**, 1018 11th Street, Beaver Falls, PA 15010. This application is for renewal of an NPDES permit to discharge untreated cooling water and stormwater from the Beaver Falls Plant in Beaver Falls, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Walnut Bottom Run and Brighton Alley Run, classified as warm water fisheries with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) considered during the evaluation is Beaver Falls Municipal Authority, New Brighton Plant, located 2 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.242 mgd (from permit issuance through 3 years).

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Temperature					81°F
pH	not less than 6.0 nor greater than 9.0				

Outfalls 002—010, 012: existing discharges of stormwater runoff.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Ammonia Nitrogen			Monitor and Report		
BOD			Monitor and Report		
Bromide			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
Oil and Grease			Monitor and Report		
Phosphate			Monitor and Report		
TKN			Monitor and Report		
Zinc			Monitor and Report		
Triethylamine			Monitor and Report		
Formaldehyde			Monitor and Report		
Iron			Monitor and Report		
Total Suspended Solids			Monitor and Report		
pH			Monitor and Report		

Outfalls 011: existing

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Ammonia Nitrogen			Monitor and Report		
BOD			Monitor and Report		
Bromide			Monitor and Report		
Nitrate-Nitrite			Monitor and Report		
Oil and Grease			Monitor and Report		
Phosphate			Monitor and Report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
TKN			Monitor and Report		
Zinc			Monitor and Report		
Triethylamine			Monitor and Report		
Formaldehyde			Monitor and Report		
Iron			Monitor and Report		
Total Suspended Solids			Monitor and Report		
pH			Monitor and Report		

The EPA waiver is in effect.

PA0217298, Industrial Waste, SIC 4449, **Mon River Towing, Inc.**, 200 Speers Street, Belle Vernon, PA 15012. This application is for renewal of an NPDES permit to discharge treated process water from a bilge water plant in Speers Borough, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, the 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 the Charleroi Borough Water Plant, located at Charleroi, 5 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0024 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
TSS			30		60
Oil and Grease		15		30	
Dissolved Iron					7
Benzene			0.001		0.0025
BTEX			0.1		0.25
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0026751, Sewage, **Indiana Borough**, 80 North Eighth Street, Indiana, PA 15701. This application is for renewal of an NPDES permit to discharge treated sewage from the Borough of Indiana Water Pollution Control Plant in Center Township, **Indiana County**.

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

Outfall 001: existing discharge, design flow of 6.0 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	10	15	Monitor and Report	
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			
Total Residual Chlorine	Monitor and Report			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The Indiana Borough WPCP is undergoing an expansion and upgrade. The previous limitations are interim and apply from issue date through July 1, 2003.

The following effluent limitations are proposed for discharge to the receiving waters, known as Two Lick Creek, 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: PA-American Water Company.

Outfall 001: relocated discharge, design flow of 8.2 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	4.0	6.0		8.0
(11-1 to 4-30)	11.0	16.5		22.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The previous limitations are final and become effective July 2, 2003 which is the date the expansion and upgrade is to be completed.

The EPA waiver is not in effect.

PA0090824, Sewage, **New Plan of Laurel Mall, Inc.**, c/o NPXL, 1120 Avenue of the Americas, New York, NY 10036. This application is for Renewal of an NPDES permit to discharge treated sewage from Laurel Mall Sewage Treatment Plant in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Gist Run, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Westmoreland County Municipal Authority—McKeesport.

Outfall 001: existing discharge, design flow of 0.032 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0205338, Sewage, **Donald W. Walch**, 48 Brallier Drive, Ligonier, PA 15658. This application is for renewal of an NPDES permit to discharge treated sewage from Donald W. Walch Single Residence STP in Ligonier Township, **Westmoreland County**.

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

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**WATER QUALITY MANAGEMENT
PERMITS
CONTROLLED INDUSTRIAL WASTE
AND SEWAGE WASTEWATER
APPLICATIONS UNDER THE 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).

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before 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. 2101410, Sewerage, **Monroe Township Municipal Authority**, 1220 Boiling Springs Road, Mechanicsburg, PA 17055. This proposed facility is located in Monroe Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of a sewer extension and pump station to serve portions of the following roads: Creek Road, York Road, West Lisburn Road, Simmons Road, North Loop Road, Pin Oak Drive, Maple Lane and Boiling Springs Road.

WQM Permit No. 2295403, Amendment 01-1, Sewerage, **East Hanover Township**, 8848 Jonestown Road, Grantville, PA 17028-8650. This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Renovations at the existing treatment plant to enable them to meet their NPDES effluent limits for ammonia-nitrogen.

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

WQM Permit No. 5901404, Sewerage, **Elkland Borough Authority**, 105 Parkhurst Street, Elkland, PA 16920. This proposed facility is located in Elkland Borough, **Tioga County**.

Description of Proposed Action/Activity: The Elkland Borough Authority requests a permit modification which would reroute the facility for a maximum average hydraulic design flow of 0.7 MGD and allow for the installation of an overflow pipe to retain excessive flows in a lagoon.

WQM Permit No. 4901201, Industrial Waste SIC 2833, **Merck & Company Inc.**, P. O. Box 600, Danville, PA 17821-0600. This proposed facility is located in Riverside Borough, **Northumberland County**.

Description of Proposed Action/Activity: Replacement of primary clarifiers and biofilters with activated sludge units.

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

WQM Permit No. 1001413, Sewerage, **Brandy One LLC**, Brandywine Village, P. O. Box 449, Mars, PA 16046. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment facility to serve a proposed light commercial building and a multi-family residential lot.

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 before 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.

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

NPDES Permit PAS10 G496, Stormwater. **Stephen E. Cushman**, P. O. Box 294, Thorndale, PA 19372, has applied to discharge stormwater associated with a construction activity located in West Caln Township, **Chester County** to Birch Run (HQ).

NPDES Permit PAS10 G497, Stormwater. **Roger Evans**, 135 Watson Mill Road, Landenberg, PA 19350 has applied to discharge stormwater associated with a construction activity located in New London Township, **Chester County** to tributary to Hodgson Run (HQ-TSF-MF).

NPDES Permit PAS10 J054, Stormwater. **Fieldstone Partners**, 347 East Conestoga Road, Wayne, PA 19087, has applied to discharge stormwater associated with a construction activity located in Edgmont and Thornbury Townships, **Delaware County** to Chester Creek (TSF).

NPDES Permit PAS10 5313, Stormwater. **AT&T Corporation**, 1200 Peach Street, Atlanta, GA 30309 and **PF.NET Network Services Corporation**, 600 Kenrick Street, Suite A5. Houston, TX 77060, has applied to discharge stormwater associated with a construction activity located in Chadds Ford, Concord, Haverford, Marple, Middletown, Nether Providence, Upper Providence, Springfield and Upper Darby Townships and Chester Heights, Lansdowne, Media, Milbourne and Swarthmore Boroughs, **Delaware County** and Kennett and Pennsylvania Townships, **Chester County** and the City of Philadelphia, **Philadelphia County** to Delaware River (WWF), Schuylkill River (CWF), Cobbs Creek (WWF, MF), tributary to Darby Creek (CWF, MF), Darby Creek (TSF, MF), Crum Creek (CWF), tributary to Ridley Creek (WWF, MF), Ridley Creek (WWF, MF), tributary to Chester Creek (TSF), Chester Creek (TSF), tributary to West Branch Chester Creek (TSF, MF), West Branch Chester Creek (TSF, MF), tributary to Harvey Run (WWF, MF), Brandywine Creek (WWF, MF), tributary to Ring Run (WWF, MF), Ring Run (WWF, MF), Springgreen Creek, tributary to Bennetts Run (WWF, MF), tributary to Craigs Mill Run (CWF) and tributary to Shadowbrook Pond.

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

Franklin County Conservation District: 550 Cleveland Avenue Chambersburg, PA 17201, (717) 264-8074.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10M111	Falling Spring Greenways, Inc. 8903 Flagstone Circle Randallstown, MD 21033	Guilford Township Franklin County	Falling Spring Branch HQ-CWF

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

Clearfield County Conservation District, 650 Leonard St., Clearfield, PA 16830, (814) 765-2629.

NPDES Permit PAS10 101716, Stormwater. **Bureau of Abandoned Mine Reclamation**, 286 Industrial Park Rd., Ebensburg, PA 15931 has applied to discharge stormwater associated with a construction activity located in Lawrence Township, **Clearfield County** to Little Clearfield Creek, HQ-CWF.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS101716	Bureau of Abandoned Mine Reclamation 286 Industrial Park Rd. Ebensburg, PA 15931	Lawrence Township Clearfield County	Little Clearfield Creek HQ-CWF

PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on the permit application are invited to submit a statement to the office listed before the application within 30 days 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. Comment responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. 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 permit application and any related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

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

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

Permit No. 5001501, Public Water Supply.

Applicant	Republic Development Corp.
Municipality	Newport Borough
County	Perry
Responsible Official	David M. Bomberger P. O. Box 36 Mexico, PA 17056
Type of Facility	Public Water Supply
Consulting Engineer	Gene C. Koontz, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Application Received Date	July 13, 2001
Description of Action	Construction Permit Application for Well No. 3 of the Hillside Manor Development community water system. Well No. 3, which is to be operated at a rate of 10 gpm, will be used to replace existing Well No. 1. Treatment will be provided via existing, previously permitted facilities.

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

Permit No. 1001502, Public Water Supply.

Applicant	Peter Rabbit Campground 551 Mahood Road Butler, PA 16001
Township or Borough	Brady Township, Butler County
Responsible Official	Robert K. Hilliard, Owner
Type of Facility	New well
Consulting Engineer	McGarvey Engineering 172 Woodcrest Road Butler, PA 16002

Application Received Date	November 26, 2001
Description of Action	Drill new well #5 to replace well #3.

MINOR AMENDMENT

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

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

Application No. 2301502, Minor Amendment.

Applicant	Chester Water Authority
Township	Little Britain
Responsible Official	Robert W. Naef P. O. Box 467 Chester, PA 19016-0467
Type of Facility	Public Water Supply System
Consulting Engineer	Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Application Received Date	November 19, 2001
Description of Action	Demolition of an existing 250,000 gallon prestress concrete washwater tank and construction of a 250,000 gallon welded steel washwater tank.

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

Application No. Minor Amendment.

Applicant	United Water Pennsylvania
Township or Borough	North Union Township
Responsible Official	Nancy J. Trushell, P.E. Engineering Manager 4211 East Park Circle Harrisburg, PA 17111
Type of Facility	PWS
Consulting Engineer	Michael Gephart, P.E. United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111
Application Received Date	November 16, 2001
Description of Action	Construction of a 16,000 gallon bolted steel water storage tank to serve the Nuremberg System.

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

Application No. Minor Amendment.

Applicant	Catawissa Water Authority
Borough	Catawissa Borough
Responsible Official	Herbert A. Maurer, President Catawissa Water Authority P. O. Box 54 Catawissa, PA 17820
Type of Facility	Public Water Supply

Consulting Engineer Alfred Benesch & Company
P. O. Box 1090
Pottsville, PA 17901

Application Received November 26, 2001
Date

Description of Action Change in coagulant chemicals from alum to polyaluminum chloride and installation of new air scour distribution laterals.

Application No. Minor Amendment.

Applicant **Spring Township Municipal Authority**

Township Spring Township

Responsible Official Steven Aumiller, Operator
Spring Township Municipal Authority
P. O. Box 133
Beaver Springs, PA 17812

Type of Facility Public Water Supply

Consulting Engineer John R. Williams, P.E.
305 Evergreen Road
New Cumberland, PA 17070-2814

Application Received November 1, 2001
Date

Description of Action Change in pretreatment chemicals and installation of automatic filter-to-waste at filter plant.

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

Application No. 1097503-MA1, Minor Amendment.

Applicant **Concordia Lutheran Ministries**
134 Marwood Road
Cabot, PA 16023-2299

Township or Borough Jefferson Township, **Butler County**

Responsible Official Keith Frndak, Administrator

Type of Facility PWS

Consulting Engineer Gray-Warnick Engineering
662 West New Castle Road
Butler, PA 16001

Application Received November 16, 2001
Date

Description of Action Construction of a new 88,000 gallon water storage standpipe to increase storage capacity.

Application No. 3791502-MA1, Minor Amendment.

Applicant **Bessemer Borough**
201 1/2 East Poland Avenue
P. O. Box 789
Bessemer, PA 16112

Township or Borough Bessemer Borough, **Lawrence County**

Responsible Official Stanley Grebenz, Council President

Type of Facility PWS

Consulting Engineer Gannett Fleming Inc.
601 Holiday Drive
Pittsburgh, PA 15220

Application Received November 21, 2001
Date

Description of Action Change disinfection agent from gas chlorine to sodium hypochlorite.

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, 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 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.

Rhodia, Inc., Falls Township, **Bucks County**. Paul Nemanic, Rhodia, Inc., 2300 S. Pennsylvania Ave., Morrisville, PA 19067, on behalf of Rhodia, Inc., Cranbury, NJ, 08512-7500, has submitted a Notice of Intent to Remediate site groundwater contaminated with heavy metals. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier* on November 7, 2001.

James Spring & Wire Company, East Whiteland Township, **Chester County**. Peter A. Malik, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of James Spring & Wire Co., 6 Bacton Hill Rd, Frazer, PA 19355, has submitted a revised Notice of Intent to Remediate site groundwater contaminated with heavy metals, solvents and cadmium. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on October 25, 2001.

Hill Farm, Caln and Valley Township, **Chester County**. Joseph W. Standen, Jr., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380 on behalf of Realen Homes, 1040 Stoney Hill Rd., Suite 100, Yardley, PA 19067, has submitted a Notice of Intent to Remediate site soil contaminated with heavy metals and pesticides. 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 *Daily Local News* on September 7, 2001.

Moyer Packing Co.—Hackman Property, Franconia Township, **Montgomery County**. Hudson S. Green, Jr., Earth Data, Inc., 924 Springdale Dr., Exton, PA 19341, on behalf of Moyer Packing Co., P. O. Box 395, Souderton, PA 18964, has submitted a Notice of Intent to Remediate site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Reporter* on August 30, 2001.

Action Manufacturing Co., City of Philadelphia, **Philadelphia County**. Gloria G. Hunsberger, P.G., Powell-Harpstead, Inc., 800 E. Washington St., West Chester, PA 19380, on behalf of Action Manufacturing Co., 500 Bailey Crossroads, Atglen, PA 19319, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide Health and Background Standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Star* on October 31, 2001.

4800 Pine Street Apartments, City of Philadelphia, **Philadelphia County**. William G. Murray, URS Corporation, 1400 Union Meeting Rd., Suite 202, Blue Bell, PA

19422-1972, on behalf of NPDF Pine Associates LP, St. Leonards Court Site, 310, 3819-33 Chestnut St., Philadelphia, PA 19104, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX, cumene, fluorine, phenanthrene and naphthalene; and site groundwater contaminated with naphthalene. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on November 7, 2001.

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

R. R. Donnelley & Sons Company Lancaster East Facility, City of Lancaster, **Lancaster County**. R. R. Donnelley & Sons Company, 216 Greenfield Road, Lancaster, PA 17601 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX and solvents. 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 New Era/Intelligencer Journal* on October 29, 2001.

R. R. Donnelley & Sons Company Lancaster Financial Printing Division, City of Lancaster, **Lancaster County**. URS Corporation, 2325 Maryland Road, 2nd Floor, Willow Grove, PA 19090 (on behalf of R. R. Donnelley & Sons Company, 391 Steel Way, Lancaster, PA 17601) has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PAHs. 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 9, 2001.

Homewood Retirement Center of the United Church of Christ, Inc., Martinsburg Borough, **Blair County**. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 (on behalf of Homewood Retirement Center of The UCC, Inc., 430 South Market Street, Martinsburg, PA 16662) has submitted a Notice of Intent to Remediate site groundwater contaminated with lead and 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 *Morrison's Cove Herald* on November 20, 2001.

Heritage Metal Finishing, Inc., Borough of Elizabethtown, **Lancaster County**. Heritage Metal Finishing, Inc., 800 South Market Street, Elizabethtown, PA has submitted a Notice of Intent to Remediate site soils contaminated with heavy metals. 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 *Elizabethtown Chronicle* on November 30, 2001.

Mobil Pipeline, Fahnestock Property, Rapho Township, **Lancaster County**. ExxonMobile Refining & Supply Company, 1900 East Linden Avenue, Linden NJ has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PAHs. 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 New Era* on October 25, 2001.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Withhold Facility (former), City of Sunbury, **Northumberland County**. Cummings/Ritter Consultants, Inc., on behalf of its client NewellRubbermaid, 6833 Stalter Drive, Suite 101, Rockford, IL 61108, has submitted a Notice of Intent to Remediate soil contaminated with lead, nickel, TCE and PCE. 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 Daily Item* on October 5, 2001.

OSRAM Sylvania, Wellsboro Borough, **Tioga County**. OSRAM Sylvania, 1 Jackson Street, Wellsboro, PA 16901 has submitted a Notice of Intent to Remediate soil contaminated with heavy metals. The applicant proposes to remediate the site to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Williamsport Sun Gazette* on October 12, 2001.

State College Service Station, Ferguson Township, **Centre County**. Chambers Environmental Group, Inc., on behalf of its client Centre Oil & Gas, Inc., 769 Westerly Parkway, State College, PA 16801, has submitted a Notice of Intent to Remediate soil contaminated with BTEX and PHCs. 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 Centre Daily Times* on October 22, 2001.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

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

RENEWAL APPLICATIONS RECEIVED

University of Pittsburgh of the Commonwealth System of Higher Education, 3700 O'Hara Street, B-50 Benedum Hall, Pittsburgh, PA 15261. License No. **PA-HC 0183**. Received on November 19, 2001.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.

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

PAD000824805. BetzDearborn Inc., 4636 Somerton Road, Trevoise, PA 19053. Middletown Township, **Bucks County**. This closure plan application was received for the existing captive storage facility. Application was received in the Southeast Regional Office on November 26, 2001.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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 regulations to operate solid waste processing or disposal area or site.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit Application No. 100022. Chrin Brothers Sanitary Landfill, Chrin Brothers, Inc., 635 Industrial Drive, Easton, PA 18042. A major permit modification for the installation of a Leachate Evaporation System (E-Vap) and a recirculation system at this municipal waste landfill located in Williams Township, **Northampton County**. Currently, Chrin Sanitary Landfill manages leachate by collection tanks and discharge to the local POTW. This installation will provide a more cost-effective and environmentally compatible leachate treatment and disposal option. This equipment uses landfill gas (LFG) to reduce leachate volumes to roughly 3% of their original volume. During this reduction, all vapor generated in the evaporator is passed through an enclosed flare for destruction. The application was received in the Regional Office on October 25, 2001; and as of November 6, 2001, the application was deemed to be administratively complete.

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

Permit Application No. 100172. Arden Landfill, Inc., 1550 Coraopolis Heights Road, West Pointe Corporate Center I, Moon Township, PA 15108. Arden Landfill, Arden Station Road, Washington, PA 15301. An application for a major permit modification for the addition of GCL to Liner System, a Leachate Recirculation Plan and a Radiological Monitoring Plan at a municipal waste landfill in Chartiers Township, **Washington County** was received in the Regional Office on November 19, 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.

Notice is hereby given that 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.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

06-05087A: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for installation of a fabric collector to control the emissions from an asphalt plant in Colebrookdale Township, **Berks County**. The facility is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-03041B: County Line Quarry, Inc. (P. O. Box 99, Wrightsville, PA 17368) for construction of a cone crusher, quad deck screen and associated conveyors controlled by a fabric filter and water suppression at the Wrightsville Quarry located in Hellam Township, **York County**. The modification to the stone crushing facility is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

36-05019E: Anvil International, Inc. (1411 Lancaster Avenue, Columbia, PA 17512) for construction of two fabric collectors at the Columbia Plant located in Columbia Borough, **Lancaster County**.

36-05026A: R. R. Donnelley & Sons Co. (1375 Harrisburg Pike, Lancaster, PA 17601) for construction of one heatset web offset printing press controlled by a thermal oxidizer at the Lancaster West Facility in the City of Lancaster, **Lancaster County**.

67-03028A: Dentsply International Trubyte Division (570 West College Avenue, P. O. Box 872, York, PA 17405-0872) for construction of a new electroplating unit controlled by a multi-stage mist eliminator at the facility in the City of York, **York County**. The project is subject to 40 CFR Part 63, Subpart N—National Emission Stan-

dards 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; Contact: David Aldenderfer, Program Manager, (570) 327-3637.

59-00005D: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222-3199) for installation of a replacement air cleaning device (a screw-in prechamber) on a 2000 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine #7) at the Sabinsville Compressor Station in Clymer Township, **Tioga County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

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

48-320-012: Wheaton USA, Inc. (2400 Baglyos Circle, Bethlehem, PA 18020) for construction and operation of a heat-set printing operation consisting of two offset, sheet-fed printing presses in Bethlehem Township, **Northampton County**. The facility is a non-Title V (State only) facility. The operation of the heat-set printing operation will result in the emission of 6.4 tons per year of volatile organic compounds and 1.2 tons per year of particulate. The plan approval will include monitoring, reporting and recordkeeping requirements designed to keep the source operating within all applicable air quality requirements.

40-303-013A: Bartlett Materials and Construction, Inc. (East Broad Street, P. O. Box 550, Tamaqua, PA 18252) for modification of an asphalt plant by addition of a Recycled Asphalt Pavement Feed System and the replacement of existing baghouse with a newer better efficient baghouse in Tamaqua, **Luzerne County**. This facility is a non-Title V facility. Modification will not increase the existing emission rates for the pollutants. The modification will provide the facility to use RAP material. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

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

01-05002A: MasterBrand Cabinets, Inc. (P. O. Box 5, Littlestown, PA 17340) for construction of four spray booths and installation of a regenerative thermal oxidizer in Littlestown Borough, **Adams County**. The facility is a Title V facility. The potential to emit volatile organic compounds (VOCs) from this modification is about 10.7 tons per year. The facility is subject to a Plantwide Applicability Limit (PAL) of 107.7 tons per year and is subject to 40 CFR Part 63, Subpart JJ—National Emission Standards for Wood Furniture Manufacturing Operations. The plan approval will include emission limitations, testing, monitoring, record keeping, reporting requirements and work practice standards designed to keep the facility within all applicable air quality requirements.

01-05032: Pella Corporation (102 Main Street, Pella, IA 50219) for construction of a window manufacturing

operation at its Gettysburg Plant in Straban Township, **Adams County**. The facility is a non-Title V (State only) facility. The facility's potential annual emissions of VOC, PM-10 and NO_x will be 76 tons, 6 tons and 3 tons, respectively. The primary sources are five wood treatment units controlled by a catalytic oxidizer. Performance testing of the catalytic oxidizer for inlet and outlet VOC emissions, capture efficiency and visible emissions will be required. A minimum catalytic oxidizer outlet temperature of 650°F will be required during operation of any of the wood treatment units. Facility emission restrictions for criteria pollutants and HAPs have been included for the facility to maintain its Synthetic Minor status. The plan approval will also contain additional work practice standards and emission restrictions, as well as monitoring, record keeping and reporting requirements.

36-03119A: Esh's Toys, LLC (343 Furnace Road, Quarryville, PA 17566) for the construction of a sealer spray booth and a topcoat spray booth in Bart Township, **Lancaster County**. The facility is a non-Title V (State only) facility. The operation annually emits about 7.1 tons of VOC and has a potential to emit less than 25 tons per year. The plan approval/operating permit will include emission limitations, testing, monitoring, record keeping, reporting requirements and work practice standards designed to keep the facility within all applicable air quality requirements.

36-05011A: ExxonMobil Oil Corp. (600 Billingsport Road, Paulsboro, NJ 08066) for modification to a loading rack at Lancaster Terminal, 1360 Manheim Pike, Manheim Township, **Lancaster County**. The modification is to incorporate a gasoline bay into the existing distillate bay and provide more flexibility to load gasoline product in the tanker trucks. The facility VOC emissions will be kept at less than 50 tons per year. The Plan Approval and administrative amendment to synthetic minor operating permit 36-05011 shall contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

07-03034B: Fry Metals, Inc. (4100 Sixth Avenue, Altoona, PA 16602) for installation of eight new melting kettles to soft metal melting area or Casting Department at the facility in the City of Altoona, **Blair County**. Three kettles will be controlled by an existing Aeropulse baghouse and five will be controlled by a United Process Control baghouse to be installed under this Plan Approval. Approval of this request will increase the potential emissions from the facility by the following amounts: NO_x = 2.06 tons, VOC = 0.20 ton, CO = 0.69 ton and particulate = 20.12 lbs. The plan approval will include provisions for emission testing, monitoring, recordkeeping and reporting designed to ensure compliance with the applicable requirements.

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

26-00535A: Duke Energy Fayette, LLC (5400 Westheimer Court, Houston, TX 77056) for construction of the Fayette Energy Facility in German Township, **Fayette County**.

The proposed facility is subject to the applicable requirements of 25 Pa. Code, Chapter 127 (related to construction, modification, reactivation and operation of sources, including the nonattainment New Source Review provisions of Subchapter E), 40 CFR 52.21 (related to Prevention of Significant Deterioration), 40 CFR Part 60,

Subparts Da, Dc, GG and Kb (related to standards of performance for small and large steam generating units, turbines and VOL storage tanks), 40 CFR Parts 72, 73, 75 and 77 (related to acid rain) and 25 Pa. Code §§ 123.102–123.120 (related to the NO_x budget program). The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

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

2. Upon completion of the construction of the facility, an operating permit must be obtained. Notify the Department when the installation is completed so that the facility can be inspected for issuance of an operating permit.

3. This Plan Approval authorizes Duke Energy Fayette, LLC to construct an electrical generation facility at their Fayette Energy Facility located in German Township, Fayette County. (25 Pa. Code § 127.12b)

4. The main sources at this facility will be two GE Model PG 7241 (FA) turbines. Turbines will be in combined cycle service, each equipped with its own heat recovery steam generator (HRSG), duct burners, a single condensing, reheat steam turbine generator (STG) and a surface condenser serving the STG. Overall rating for each turbine train is 310 MW nominal. (25 Pa. Code § 127.12b)

5. Turbines shall be equipped with dry low NO_x combustors for use during the combustion of natural gas and water injection for use during the combustion of fuel oil. (25 Pa. Code § 127.12b)

6. Turbine exhaust gases shall be treated with selective catalytic reduction (SCR) for NO_x control and oxidation catalyst (OC) for VOC and CO control. (25 Pa. Code § 127.12b)

7. Supporting equipment at this site will include an auxiliary boiler (rated at 44.1 mmBtu/hr, equipped with low NO_x burners), one cooling towers with drift eliminators, four chiller cooling towers with drift eliminators, diesel engine fire pump, emergency diesel generator and two 2.45 million gallon, aboveground, fuel oil storage tanks. (25 Pa. Code § 127.12b)

8. Emission rates from each turbine, with the operation of duct burners, SCR and OC, during the combustion of natural gas, shall not exceed the following, based on a 30 day, rolling average: (25 Pa. Code § 127.12b)

Hourly Emission Rate—Gas

<i>Pollutant</i>	<i>ppmvd @ 15% O₂</i>	<i>Pound/Hr</i>
NO _x	2.5	23.2
CO	5.0	28.0
SO ₂	1.6	14.5
VOCs	5.3	11.5
PM ₁₀	N/A	34.8
NH ₃	5.0	18.9

9. Emission rates from each turbine, with the operation of duct burners, SCR and OC, during the combustion of fuel oil, shall not exceed the following, based on a 30-day, rolling average: (25 Pa. Code § 127.12b)

Hourly Emission Rate—Fuel Oil

<i>Pollutant</i>	<i>ppmvd @ 15% O₂</i>	<i>Pound/Hr</i>
NO _x	6.5	68.3
CO	7.1	45.4
SO ₂	9.0	76.0
VOCs	6.4	28.7
PM ₁₀	N/A	61.0
NH ₃	5.0	22.3

10. The hourly emission limits established in Conditions 8, 9 and 34 do not apply during Startup and Shutdown. For purposes of this condition, a Startup shall be considered either a Cold Start (turbine down for more than 72 hours, startup duration 4.2 hours), a Warm Start

(turbine down between 48 and 72 hours, startup duration 1.5 hours or a Hot Start (turbine down less than 48 hours, startup duration 1 hour).

11. Fuel oil combustion shall not exceed 2,000 turbine-hours per 12 consecutive month period. During the period April 1 through August 31, duct firing during fuel oil combustion shall not exceed 50% of maximum rated heat input. (25 Pa. Code § 127.12b)

12. The annual average sulfur content of the fuel oil shall not exceed 0.05 weight percent. (25 Pa. Code § 127.1)

13. Total emissions from the Fayette Energy Facility shall not exceed the following, on a 12 consecutive month rolling average basis: (25 Pa. Code § 127.12b)

Annual Emission Rate

<i>Pollutant</i>	<i>Combustion Turbines w/Duct Firing</i>	<i>Auxiliary Boiler</i>	<i>Cooling Towers</i>	<i>Fire Pump</i>	<i>Diesel Generator</i>	<i>Fuel Oil Tanks</i>	<i>Total</i>
Tons/Year							
NO _x	289	2.1	0	1.55	3.1	0	296
CO	556	8.3	0	0.33	3.8	0	569
VOC	87	0.88	0	0.13	0.44	0.99	90
SO ₂	175	0.06	0	0.10	1.0	0	176
PM/PM ₁₀	311	0.55	1.56	0.11	0.18	0	313

14. The proposed construction is subject to 25 Pa. Code § 127.206(d)(1) and (2) and other applicable sections of 25 Pa. Code Chapter 127, Subchapter E, for nonattainment New Source Review. In accordance with 25 Pa. Code § 127.205(3), each modification to a facility shall offset in accordance with 25 Pa. Code §§ 127.201 and 127.211, the total of the net increase in potential to emit.

15. The applicable net emission increases from this facility are established at 296 tons NO_x and 90 tons VOC per year. In accordance with 25 Pa. Code § 127.210, new emissions will be offset with Emission Reduction Credits (ERCs) at a ratio of 1.15:1.0.

16. Owner/operator shall secure 341 tons of NO_x ERCs and 104 tons of VOC ERCs. ERCs shall be properly generated, certified by the Department and processed through the registry in accordance with 25 Pa. Code § 127.206(d)(1). Upon transfer, owner/operator shall provide the Department with documentation clearly specifying the details of the ERC transaction.

17. The combustion turbines are subject to the applicable requirements of the 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines.

18. The heat recovery steam generators are subject to the applicable requirements of 40 CFR 60, Subpart Da—Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978.

19. The auxiliary boiler is subject to the applicable requirements of 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

20. The two 2.45 million-gallon fuel oil storage tanks are subject to the applicable requirements of 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels.

21. In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other com-

munications shall be forwarded to both the Environmental Protection Agency and the Department at the following addresses: Director, Air, Toxics and Radiation, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103; and Department of Environmental Protection, Regional Air Quality Manager, Office of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

22. Owner/operator shall comply with the applicable reporting requirements of 40 CFR 60.7, 40 CFR 60.116b(d), 40 CFR 60.49a, 40 CFR 48c and 40 CFR 60.334(c).

23. In accordance with 40 CFR 60.334(a), owner/operator shall install and operate a continuous monitoring system to monitor and record the fuel consumption at all times and the ratio of water to fuel being fired in the turbines. This system shall be accurate to within ±5% and must be approved by the Department.

24. Owner/operator shall monitor the sulfur content and nitrogen content of the fuel being fired in each turbine in accordance with 40 CFR 60.344(a). Upon approval from the EPA, an alternate custom fuel-monitoring program may be utilized. (25 Pa. Code § 127.12b)

25. Owner/operator shall install, certify, maintain and operate continuous emission monitoring systems in accordance with 25 Pa. Code Chapter 139, the Department's *Continuous Source Monitoring Manual*, 40 CFR Part 75 and applicable requirements of 40 CFR 60, Subparts Da, Dc and GG. At a minimum the systems shall measure and record the following for each turbine:

- Nitrogen Oxide emissions (as NO₂)
- % Oxygen or Carbon Dioxide
- Fuel Flow Monitor

26. Prior to operation of the fuel oil-firing components of the system, the owner/operator shall install, certify, maintain and operate continuous emission monitoring systems in accordance with 25 Pa. Code Chapter 139, the

Department's *Continuous Source Monitoring Manual*, 40 CFR Part 75 and applicable requirements of 40 CFR 60, Subparts Da, Dc and Gg. At a minimum the systems shall measure and record the following for each turbine:

Opacity
Sulfur Dioxide

27. Owner/operator shall record the hours of operation of each of the turbines and the amount and type of fuel consumed, on a daily basis. (25 Pa. Code § 127.12b)

28. In accordance with 40 CFR 60.334(c), owner/operator shall record daily and shall report semi-annually, in accordance with 40 CFR 60.7(c), any 1-hour period during which the average water-to-fuel ratio, as measured by the continuous water and fuel measuring system, falls below the ratio that was determined during the stack test to demonstrate compliance with NO_x emission limitations. Owner/operator shall also report any period during which the actual fuel-bound nitrogen content exceeds the fuel-bound nitrogen content determined during the stack test to demonstrate compliance with the NO_x emission limitations.

Substitute recordkeeping and reporting program may be utilized as an alternative to the monitoring requirements of 40 CFR 60.334(a) and 40 CFR 60.335(c)(2) upon approval from the EPA.

Owner/operator shall also report any period of fuel-oil combustion during which the actual fuel-bound sulfur content of the fuel oil exceeds 0.05 weight percent based on sampling results.

29. Compliance with the turbine emission limitations for NO_x, CO, SO₂, VOC, PM₁₀ and NH₃ while using both fuel oil and natural gas shall be demonstrated through performance stack testing on each turbine. (25 Pa. Code § 127.12b)

A. In accordance with 40 CFR 60.335(c)(2), the monitoring device required by 40 CFR 60.334 shall be used to determine the fuel consumption and the water-to-fuel ratio necessary to comply with turbine NO_x emission limitations at 30, 50, 75 and 100% of peak load or at four points in the normal operating range of the gas turbine, including the minimum point in the range and peak load. All loads shall be corrected to ISO conditions using the appropriate equations as supplied by the turbine manufacturer.

B. Upon approval by the EPA, the following alternative testing requirement shall be used: the performance testing for nitrogen oxides shall only be required to be conducted at or near the maximum load of each turbine. The alternative is for each turbine to be monitored by a CEMS for nitrogen oxides, which is required by 40 CFR 75.

C. All stack testing shall be performed in accordance with 40 CFR 60.8 and 60.335, 25 Pa. Code Chapter 139 regulations and the most recent version of the Department's *Source Testing Manual*.

D. Two copies of the stack test protocol shall be submitted to the Department at least 60 days in advance of the stack test date. Stack testing shall not take place until owner/operator has received written approval of the stack test protocol.

E. Company shall notify the Department of the date and the time of the stack test at least 2 weeks prior to the tests so that an observer may be present.

F. Two copies of the stack test results shall be submitted to the Department within 60 days of completion of the test.

G. Stack testing shall be performed within 60 days of achieving maximum firing rate but no later than 180 days after the initial startup.

H. Owner/operator shall record all pertinent operating data during the stack test and include this data with the stack test results

30. The combustion turbines are subject to the Title IV Acid Rain Program of the 1990 Clean Air Act Amendments and shall comply with all applicable provisions of that Title, including the following:

40 CFR Part 72	Permits Regulations
40 CFR Part 73	Sulfur Dioxide Allowance System
40 CFR Part 75	Continuous Emissions Monitoring
40 CFR Part 77	Excess Emissions

31. The combustion turbines are subject to the applicable requirements of the NO_x Budget Program established at 25 Pa. Code, §§ 123.102—123.120.

32. In accordance with 25 Pa. Code §§ 123.1—123.2, there shall be no fugitive emissions from this facility except those that arise from the use of roads. All reasonable actions shall be taken to minimize fugitive emissions that arise from use of roads. Reasonable actions shall include, but shall not be limited to paving, sweeping and application of water or other dust suppressants. In no case shall fugitive emissions arising from the use of roads be permitted to cross the property line.

33. In accordance with 25 Pa. Code § 123.31, owner/operator shall not permit the emission of any malodorous air contaminants from any source in a manner that the malodors, as determined by the Department, are detectable outside the owner/operator's property.

34. The opacity of the exhaust from all sources at this facility shall not exceed 10% at any time. Opacity shall be measured using EPA Reference Method 9, found at 40 CFR 60, Appendix A. (25 Pa. Code § 127.1)

35. The equipment at this gas turbine generating station shall be equipped with silencers and/or mufflers. The turbines, generators and gas compressors at this gas turbine generating station shall be enclosed in structures designed to minimize sound levels. (25 Pa. Code § 127.12b)

36. Per 25 Pa. Code § 127.13, if the construction is not commenced within 18 months of issuance of this Plan Approval or if there is more than an 18-month lapse in construction, a new Plan Approval application shall be submitted and the ERCs specified shall expire for use as offsets.

37. Owner/operator shall submit a Title V Operating Permit Application within 120 days of startup of the sources and/or pollution control devices. (25 Pa. Code § 127.505(a))

38. This Plan Approval authorizes the temporary operation of the sources covered by this Plan Approval provided that the following conditions are met: (25 Pa. Code § 127.12b(d))

A. The Department must receive written notice from the owner/operator of the anticipated date that sources will commence operation.

B. Operation is authorized only to facilitate the startup and shakedown of the sources, to permit operation of the sources pending the issuance of an Operating Permit or

to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

C. This condition authorizes temporary operation of the sources for a period of 180 days from the start of commencement of operation, provided that the Department receives notice from the owner/operator under Subpart (A).

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

E. The notice submitted by the owner/operator under Subpart (A), prior to the expiration date of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of the start-up.

PSD air quality modeling shows that the maximum impacts for CO, NO₂ and PM₁₀ are below the class II area significance levels. A full impact analysis to determine PSD increment consumption and compliance with the National Ambient Air Quality Standards was therefore not necessary. Class I area analyses for visibility and increment were conducted for the Otter Creek and Dolly Sods Wilderness Areas in West Virginia. Refined CALPUFF modeling shows that the project will not have significant impact on visibility or deposition in these areas.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

56-00262: Mostoller Landfill Inc. (7095 Glades Pike, Somerset, PA 15501) for their municipal waste landfill in Brothersvalley Township, **Somerset County**. This source is defined as a Title V facility and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

09-0112A: Superior Woodcraft, Inc. (160 N. Hamilton Street, Doylestown, PA 18901) for surface coating operations and control equipment at the wood cabinet manufacturing facility in Doylestown Borough, **Bucks County**. Surface coating operations consist of the three Binks spray booths, equipped with the exhaust filters to control particulate matter (PM) emissions and a staining operation. This facility permit is a synthetic minor for emissions of volatile organic compounds (VOC) and hazardous air pollutants (HAP). The permit will contain emission limits along with recordkeeping and operating

restrictions designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: Michael Saffo, Facilities Permitting Chief, (570) 826-2531.

35-00012: Community Central Energy (1220 North Washington Avenue, Scranton, PA 18509) for boilers and storage tanks the City of Scranton, **Lackawanna County**.

40-00001: Fairchild Semiconductor Corp. (125 Crestwood Road, Mountaintop, PA 18707-2189) for semiconductor manufacturing processes, boilers and associated air pollution control devices in Fairview Township, **Luzerne County**.

54-00001: Gold Mills, Inc. (1 Penn Dye Street, Pine Grove, PA 17963) for a textile mill and fabric finishing process, boilers, space heaters and associated air pollution control device in Pine Grove Borough, **Schuylkill County**.

54-00024: The Miller Group, dba Pottsville Bleaching & Dyeing (P. O. Box 348, Schuylkill Haven, PA 17972) for a textile mill and boilers in the Port Carbon Borough, **Schuylkill County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Leif Ericson, Program Manager, (717) 705-4702.

06-05062: Reading Housing Authority (P. O. Box 8, Macungie, PA 18062) for operation of an apartment building facility located in the City of Reading, **Berks County**. The facility's nitrogen oxides and sulfur oxides emissions shall be kept below 100 tons per year. The Synthetic Minor Operating Permit shall contain additional monitoring, record keeping and reporting designed to keep the facility operating within the applicable air quality requirements.

36-03011: Wilbur Chocolate Co., Inc. (48 North Broad Street, Lititz, PA 17543) for operation of a sugar processing operation at their headquarters in Lititz Borough, **Lancaster County**. There is a potential to emit 30 tons per year of particulate matter, 14 tons per year of nitrogen oxides, 6 tons per year of carbon monoxide and less than 1 ton per year each of sulfur oxides and volatile organic compounds. The 16.8 mmBtu/hr boiler is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. 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.

38-03017: Keystone Spikes Corp., Inc. (P. O. Box 13613, Reading, PA 19612) for operation of an iron forging operation in the City of Lebanon, **Lebanon County**. There is a potential to emit 40 tons of sulfur dioxide per year and 6-7 tons of nitrogen oxides 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.

36-03043: Wilbur Chocolate Company, Inc. (48 North Broad Street, Lititz, PA 17543) for operation of a candy coating facility at their distribution center in Lititz Borough, **Lancaster County**. There is a potential to emit less than 1 ton per year each of particulate matter and sulfur oxides; and less than 6 tons per year each of carbon monoxide and nitrogen oxides. 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.

67-05084: GTY, Inc. (2075 Loucks Road, York, PA 17404) for operation of a wallpaper printing facility in West Manchester Township, **York County**. The facility's volatile organic compounds shall be less than 50 tons per year. The Synthetic Minor Operating Permit shall contain additional monitoring, record keeping and reporting designed to keep the facility operating within the 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 the applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before 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. 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 previous, 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 previously-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, (570) 621-3118.

54850205R3. Lehigh Coal & Navigation Company (P. O. Box 311, Tamaqua, PA 18252), renewal of an existing coal refuse reprocessing operation in Tamaqua Borough, **Schuylkill County** affecting 62.5 acres, receiving stream—none (no discharge). Application received: November 14, 2001.

49910201R2. Rosini Enterprises, Inc. (P. O. Box 568, Shamokin, PA 17872-0568), renewal of an existing coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 68.0 acres, receiving stream—none (no discharge). Application received: November 16, 2001.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

17000110 and NPDES Permit No. PA 0243019. Hepburnia Coal Company, P. O. Box I, Grampian, PA 16838. Major revision to an existing bituminous surface mine permit for a Change in Permit Acres from 51.0 to 75.4 acres. Receiving streams: unnamed tributaries to West Branch Susquehanna River, unnamed tributaries to Kratzer Run, classified for the following uses: Cold Water Fishery. Application received: November 6, 2001.

17940115 and NPDES Permit No. PA 0219894. Hepburnia Coal Company, P. O. Box I, Grampian, PA 16838. Transfer of an existing bituminous surface mine-auger permit from Penn Grampian Coal Company. The permit is located in Beccaria Township, **Clearfield County** and affects 164.4 acres. Receiving streams: Muddy Run, unnamed tributaries to Muddy run classified for the following uses: Cold Water Fishery. Application received: October 19, 2001.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

02860201. Minerals Technology, Inc. (100 High Tower Blvd., Suite 301, Pittsburgh, PA 15205). Revision to add 11.7 acres of a coal refuse reprocessing surface mine located in Harmar Township, **Allegheny County**, affecting 156.6 acres. Receiving stream: Guys Run; classified for the follow use: warm water fishery. The first downstream potable water supply intake from the point of discharge is the City of Pittsburgh Water Authority. Revision application received: November 16, 2001.

Noncoal Applications Received

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

44010301. Glenn O. Hawbaker, Inc. (P. O. Box 135, 1952 Waddle Road, State College, PA 16804), commencement, operation and restoration of a quarry operation in

Armagh Township, **Mifflin County** affecting 26.5 acres, receiving stream—Honey Creek, High Quality, Cold Water Fishery, Migratory Fishes. Application received: November 9, 2001.

7975SM4C3 and NPDES Permit #PA0254270. Edison Quarry, Inc. (25 Quarry Road, Doylestown, PA 18901), renewal of NPDES Permit in Doylestown Township, **Bucks County**, receiving stream—Neshaminy Creek, designated as Trout Stocking Fishes and Migratory Fishes. Application received: November 14, 2001.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.

53012802. Fessenden Construction Company, Inc., 94 Main Street, P. O. Box 271, Roulette, PA 16746. Commencement, operation and restoration of a Small Industrial Minerals (Rock) permit in Roulette Township, **Potter County** affecting 2 acres. Receiving streams: tributary to Allegheny River. Application received: October 29, 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 before 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 before the application.

Persons with a disability and 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.

E09-829. Ashley Development Corporation, 559 Main Street, Suite 300, Bethlehem, PA 18018, Springfield Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 24-foot long box culvert consisting of a 26-foot span and 2-foot rise situated in and along an unnamed tributary to Cooks Creek (EV) associated with construction of a residential development. Work will also include the construction of a temporary ford crossing for equipment access during construction. The site is located approximately 1,000 feet north of the intersection of Greenwood Avenue and Drifting Drive (Hellertown, PA US Quadrangle, N: 11.25 inches; W: 4.00 inches).

E23-417. Township of Marple, 227 South Sproul Road, Broomall, PA 19008-2397, Marple Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain 2,000 linear-feet of rip-rap protection and top soil stabilization along the northern stream bank of the Darby Creek (TSF-MF), for the purpose of erosion control. The site is located approximately 700 feet southeast of the intersection of Old West Chester Pike and Lawrence Road (Lansdowne, PA-USGS Quadrangle, N: 18.20 inches, W: 11.90 inches).

E51-139. Delaware Avenue Enterprises, Inc., P. O. Box 1800, Philadelphia, PA 19101, City of Philadelphia, **County of Philadelphia**, ACOE Philadelphia District.

To amend and extend permit E51-139 for the second time, for the construction and maintenance of a multipurpose terminal facility situated in and along the Delaware River (WWF MF). The amendment would allow for the construction of a modified bulkhead design, which eliminates the need to demolish the existing piers and requires an extension of the previously approved bulkhead line approximately 8 feet riverward. This facility is located immediately upstream of the Walt Whitman Bridge and encompasses Piers 103 through 108 (Philadelphia, PA NJ Quadrangle N: 5.9 inches; W: 2.5 inches).

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

E64-223. James Mohrmann, R. R. 4, Honesdale, PA 18431, in Berlin Township, **Wayne County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a road crossing of PSS wetlands for the purpose of expanding an existing grass airport runway. The runway extension will cross 120 L.F. of wetlands, impacting approximately 0.09 acre of wetlands. The project is located on the south side of S.R. 0652, approximately 0.2 mile west of S.R. 1013. (White Mills, PA, Quadrangle N: 17.2 inches; W: 0.9 inch).

E45-419. Borough of Stroudsburg, 700 Sarah Street, Stroudsburg, PA 18306, in Stroudsburg Borough, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove an existing structure and to modify and maintain a stream enclosure of a tributary to Brodhead Creek (HQ-CWF), with work consisting of extending the stream enclosure at its downstream end by approximately 400 L.F., utilizing 48-inch CPP and RCP sections. The project is located between S.R. 0191 and North First Street, near the northern borough boundary. (Stroudsburg, PA-NJ, Quadrangle N: 22.0 inches; W: 9.1 inches).

E48-316. Eastupland Associates by its General Partner Cetro Corporation, 54 South Commerce Way, Bethlehem, PA 18017, in Hanover Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream enclosure consisting of 437-foot long 3' x 6' concrete box culvert in a tributary to Monocacy Creek (HQ-CWF) for the purpose of developing a commercial property. The project is located at Uplands Office Park, approximately 0.4 mile north east of the intersection of S.R. 0022 and S.R. 0512 (Catasauqua, PA, Quadrangle N: 7.5 inches; W: 0.6 inch).

E45-420. Ellen L. Hagelgans, R. R. 5, Box 5234, East Stroudsburg, PA 18301, in Middle Smithfield Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in a de minimis area of wetlands equal to 0.04 acre for the purpose of constructing a house on Lot 14, Section I of the Lake of the Pines residential subdivision. The project is located approximately 0.1 mile north west of the intersection S.R. 0209 and T631. (Bushkill, PA-NJ, Quadrangle N: 12.9 inches; W: 6.1 inches).

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

E05-297. PennDOT District 9-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648, in Snake Valley Township, **Bedford County**, ACOE Baltimore District.

To rehabilitate an existing bridge and to construct and maintain (1) a bridge across the Raystown Branch of the Juniata River (TSF) at Route 30; (2) to impact 0.054 acre of wetlands along Route 30; and (3) to extend three existing culverts and construct one culvert in an unnamed tributary to the Raystown Branch of the Juniata River (WWF) by permit waiver for the purpose of upgrading Route 30 (Everette, PA Quadrangle N: 2.6 inches; W: 13.5 inches and N: 2.8 inches; W: 13.1 inches respectively) in Snake Valley Township, **Bedford County**.

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

E49-254. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. Stream Culverts, in Rush Township, **Northumberland County**, ACOE Baltimore District (Danville, PA Quadrangle N: 7.0 inches; W: 5.3 inches).

To construct and maintain the culvert pipe extensions and channel relocations for the following locations and distances. The centroid of the work is to be performed adjacent to SR 0054, Section 037 approximately 1 mile north of Elysburg in Rush Township, Northumberland County.

<i>Stream</i>	<i>Direct Impacts Lineal Ft. (sq. ft.)</i>	<i>Description of Work</i>
Unnamed tributary to the Susquehanna River	13.1 (39.3)	Culvert/Pipe extension for roadway widening
Unnamed tributary to Little Roaring Creek near Bowden Road	105.0 (630.0)	Culvert/Pipe extension for roadway widening
Unnamed tributary to Little Roaring Creek near Sicily Road	27.5 (180.4)	Culvert/Pipe extension for roadway widening
Unnamed tributary to Little Roaring Creek near Kaboodle Road	12.0 (197.0)	Culvert/Pipe extension for roadway widening
Unnamed tributary to Little Roaring Creek near Sharp Ridge Road	26.2 (182.6)	Culvert/Pipe extension for roadway widening
Little Roaring Creek near Sharp Ridge Road	150.0 (1476.8)	Channel relocation due to roadway widening
Little Roaring Creek near High Road	300.00 (1650.0)	Channel relocation, culvert/pipe extension for roadway widening
Total Stream Impacts	633.8 (4356.1)	

The impacted streams previously listed are Cold Water Fisheries Streams. The project will impact about 0.55 acre of wetlands and 634 feet of waterways.

E55-176. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. Water Obstruction and Encroachment Permit Application, in Franklin Township, **Snyder County**, ACOE Susquehanna River Basin District (Middleburg, PA Quadrangle N: 12.4 inches; W: 4.3 inches).

To remove existing corrugated metal pipe, construct and maintain 48 linear feet of 58-inch by 91-inch elliptical concrete pipe in an unnamed tributary to Middle Creek located along S.R. 1001, Segment 0010, offset 0710. This project proposes to impact 48 linear feet of the unnamed tributary, which is designated a Cold Water Fishery and does not propose to impact any jurisdictional wetlands.

E57-096. Borough of Dushore. Box 248, 216 Julia Street, Dushore, PA 18614. Bridge Replacement, in Dushore Borough, **Sullivan County**, ACOE Baltimore District (Dushore, PA Quadrangle N: 4.2 inches; W: 3.8 inches).

To remove the existing single span pony truss bridge on masonry abutments with a clear span of 46.2 feet, a clear roadway width of 15.25 feet and an underclearance of 5.75 feet and to construct and maintain a concrete prestressed spread box beam bridge with reinforced concrete abutments, a clear span of 47.3 feet, a normal span of 33.5 feet, a minimum underclearance of 5.6 feet on a skew of 45° right ahead over Little Loyalsock Creek on Center Street in the Borough of Dushore in Sullivan County. The project will not impact wetlands while impacting approximately 90 feet of waterway. Little Loyalsock Creek is a Cold Water fisheries stream.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Land Recycling and Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received 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 the comment and the relevant facts upon which it based.

The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 504, 1101—1102) and under 25 Pa. Code Chapter 245, Subchapter C.

SSIP

Application

<i>No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01020	Henry W. Boger John H. Boger & Son, Inc. P. O. Box 310 202 N. Railroad Street Annville, PA 17003-0310	Lebanon	Annville	1 AST—storing Diesel Fuel	12,000 gallons
				1 AST—storing #2 Fuel Oil	20,000 gallons
01026	James W. Klickovich Conectiv Mid-Merit, Inc. P. O. Box 6066 Newark, DE 19714-6066	York	Peach Bottom	2 ASTs storing Low Sulfur Distillate Fuel Oil	4 millions gallons each 35,700 gallons total
				11 ASTs storing Regulated Tanks	

ACTIONS

FINAL ACTIONS TAKEN UNDER THE 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).

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

WQM Permit No. 0901412. Sewage, **Geoffrey and Deborah Herring**, 3275 Belgrade Street Philadelphia, PA 19134. This proposed facility is located in New Britain Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a small flow sewage treatment plant.

WQM Permit No. 2392414 Amendment No. 1, Sewerage, **Stone Mill Estates, L.P.**, 3103 Philmont Avenue, Huntingdon Valley, PA 19006. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: To amend and transfer existing permit to serve Valentine Tract.

WQM Permit No. 4601408, Sewerage, **Limerick Township Municipal Authority**, 529 King Road, Royersford, PA 19468. This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of the Possum Hollow Sewerage System.

NPDES Permit No. PA0058351, Sewage, **Dave Clark**, P. O. Box 239, Concordville, PA 19331. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: New NPDES Permit to discharge 500 gpd of treated sewage.

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

NPDES Permit No. PA-0060763, Sewage, **Middle Smithfield Township Municipal Authority**, 25 Municipal Drive, East Stroudsburg, PA 18301. This proposed facility is located in Middle Smithfield Township, **Monroe County**.

Description of Proposed Action/Activity: Renewal and transfer of NPDES Permit to discharge treated sewage into Bushkill Creek.

NPDES Permit No. PA-0060721, Sewage, **Pocono Plateau Camp and Retreat Center**, R. R. 2, Box 2747, Cresco, PA 18326. This proposed facility is located in Barrett Township, **Monroe County**.

Description of Proposed Action/Activity: Renewal of the NPDES Permit to discharge treated sewage into Taylor Creek.

NPDES Permit No. PA-0012475-A2, Industrial Waste, SIC Code 4991, **Reliant Energy Mid-Atlantic Power Holdings, LLC**, River Road, P. O. Box 238, Portland, PA 18351. This proposed facility is located in Upper Mount Bethel Township, **Northampton County**.

Description of Proposed Action/Activity: to modify existing NPDES Permit to discharge process wastewater, cooling tower blowdown, low-volume wastewater, sewage and uncontaminated stormwater to the Delaware River.

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

NPDES Permit No. PA0083861, Sewage, **George Shoemaker**, Benner's Restaurant, R. R. 2, Box 13B, Millerstown, PA 17062. This proposed facility is located in Delaware Township, **Juniata County**.

Description of Proposed Action/Activity: Authorization to discharge to Juniata River in Watershed 12-B.

NPDES Permit No. PA0024902, Sewage, **Upper Allen Township Authority**, 100 Gettysburg Pike, Mechanicsburg, PA 17055. This proposed facility is located in Upper Allen Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 7-E.

NPDES Permit No. PA0084701, Sewage, **Penn Township Municipal Authority**, 100 Municipal Building Road, Duncannon, PA 17020. This proposed facility is located in Penn Township, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to unnamed tributary to Susquehanna River in Watershed 7-A.

NPDES Permit No. PA0026280, Amendment #2, Sewage, **Borough of Lewistown**, Two East Third Street,

Lewistown, PA 17044. This proposed facility is located in Lewistown Borough, **Mifflin County**.

Description of Proposed Action/Activity: Authorization to remove the ammonia-nitrogen reporting requirement and discharge to Juniata River in Watershed 12-A.

NPDES Permit No. PA0052400, Sewerage, **Harold Spatz**, Irish Creek Village, 552 Irish Creek Road, Morhsville, PA 19541-9333. This proposed facility is located in Centre Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Irish Creek in Watershed 3-B.

NPDES Permit No. PA0020711, Sewerage, **Borough of Tipton**, 205 South Callowhill Street, Tipton, PA 19562. This proposed facility is located in Longswamp Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Toad Creek in Watershed 2-C

WQM Permit No. 2201407, Sewerage, **Susquehanna Township Authority**, 1900 Lingelstown Road, Harrisburg, PA 17110. This proposed facility is located in Susquehanna Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to construct the Pleasant Hill Sewer Replacement and Extension.

WQM Permit No. 2201408, Sewerage, **Susquehanna Township Authority**, 1900 Lingelstown Road, Harrisburg, PA 17110. This proposed facility is located in Susquehanna Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to construct the Waverly Woods Sewer Extension.

WQM Permit No. 3801407, Sewerage, **Kristie Smoker**, R. D. 3, Box 471A, Annville, PA 17003. This proposed facility is located in North Annville Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to construct a small flow sewage treatment system to serve their residence.

NPDES Permit No. PA0088137, Amendment #1, Industrial Waste, **Reading Area Water Authority**, Sludge Facility, 815 Washington Street, Reading, PA 19601. This proposed facility is located in Maiden Creek Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Lake Ontelaunee/Maiden Creek in Watershed 3-B

NPDES Permit No. PA0051560, Industrial Waste, **Western Berks Water Authority**, 91 Water Road, Sinking Springs, PA 19608-9633. This proposed facility is located in Lower Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 3-C.

NPDES Permit No. PA0008486, Industrial Waste, **Ahlstrom Technical Specialties, LLC**, 122 West Butler Street, P. O. Box A, Mount Holly Springs, PA 16065-0238. This proposed facility is located in Mount Holly Springs Borough, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Mountain Creek in Watershed 7-E

NPDES Permit No. PA0088714, CAFO, **John Chapman**, Hibred Pig Company, 524 Pine Hill Road, Lititz, PA 17543. This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate Middle Creek Swine Farm a 676.5-AEU Swine Concentrated Animal Feeding Operation (CAFO) in Watershed 7-J

NPDES Permit No. PA0088706, CAFO, **John Chapman**, Hibred Pig Company, 524 Pine Hill Road, Lititz, PA 17543. This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate Hibred Swine Farm a 568-AEU Swine Concentrated Animal Feeding Operation (CAFO) in Watershed 7-J.

NPDES Permit No. PA0088901, CAFO, **Franklin Family Farms**, 419 West High Street, Elizabethtown, PA 17022-2189. This proposed facility is located in Bethel Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,796-AEU Swine Concentrated Animal Feeding Operation (CAFO) in Watershed 7-D.

WQM Permit No. 0601201, CAFO, **Hoover Group Management Company**, 410 East Lincoln Avenue, Myerstown, PA 17067. The proposed facility is located in Bethel Township, **Berks County**.

Description of Proposed Action/Activity: Authorization the construction and operation of manure storage facilities for a 829-AEU Concentrated Animal Feeding Operation (CAFO) at Mountain View #2 Farm.

Application No. PA0008486, **Ahlstrom Technical Specialties, LLC**. Final Notice is hereby given that the Department of Environmental Protection, after public notice, has on November 26, 2001, issued an NPDES Permit.

This notice reflects changes from the notice published in the *Pennsylvania Bulletin*.

Parameter	Monthly Average	Weekly Average	Instantaneous Maximum
CBOD ₅	-	-	45

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

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

NPDES Permit No. PA0008923-A6, Industrial Waste, **Corning Asahi Video Products Company**. This facility is located in College Township, **Centre County**.

Description of Proposed Action/Activity: This amendment to the NPDES permit, issued on November 9, 2001, for the existing wastewater discharge to Logan Branch of

Spring Creek, incorporates final water quality based effluent limitations on the total plant discharge (Outfall 001) for Lead, Barium, Antimony, Aluminum, as developed in the final Phase I Toxic Reduction Evaluation (TRE) submitted by the permittee. This amendment action also constitutes formal approval of the Phase I TRE report.

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

NPDES Permit No. PA0090573-A2. Sewage. **Hempfield Suburban MHC, LLC**, 9073 Nemo Street, West Hollywood, CA 90069 is authorized to discharge from a facility located at Suburban Acres Mobile Home Park STP, Hempfield Township, **Westmoreland County** to receiving waters named an unnamed tributary of Little Sewickley Creek.

NPDES Permit No. PA0219011. Sewage. **Paul and Claudia Price**, 1323 Trim Tree Road, Indiana, PA 15701 is authorized to discharge from a facility located at Price Single Residence STP, Armstrong Township, **Indiana County** to receiving waters named unnamed tributary to Curry Run.

Permit No. 0271417-A5. Sewerage. **Municipality of Penn Hills**, 12245 Frankstown Road, Pittsburgh, PA 15235. Construction of Interceptor Replacement located in Penn Hills, **Allegheny County** to serve Universal and Stotler Road Area, Thompson Run Watershed.

Permit No. 3201401. Sewerage. **Paul and Claudia Price**, 1323 Trim Tree Road, Indiana, PA 15701. Construction of Single Residence Sewage Treatment Plant located in Armstrong Township, **Indiana County** to serve Price single family home.

Permit No. 6301407. Sewerage. **CZS Development, LLC.**, 90 Chateau Royale Court, Morgantown, WV 26505. Construction of Pump Station and Force Main located in South Strabane Township, **Washington County** to serve Chateau Royale Development.

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.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10-G479	CEL Properties, Inc. 55 Country Club Drive Suite 200 Downingtown, PA 19335-3062	Chester	East and West Nantmeal Townships and Warwick Township	French Creek (EV)
PAS10-G488	Jand Enterprises, Inc. 126 Aspen Drive Downingtown, PA 19335	Chester	East Brandywine Township	UNT to Culbertson Run (HQ)

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q227	Sunburst Property Management, Inc. 1001 E. Highland St. Allentown, PA 18103	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAS10Q226	Brandywine Operating Partnership, L.P. 7535 Windsor Drive Suite B-202 Allentown, PA 18195	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAS10S043-R	Mount Pocono Borough Mt. Pocono Borough Municipal Bldg. 303 Pocono Blvd. Mount Pocono, PA 18344	Monroe	Mt. Pocono Borough	Forest Hill Run HQ-CWF
PAS105719	Leonard W. Ostergaard R. D. 1, Box 1169 Tamaqua, PA 18252	Schuylkill	Walker Township	Beaver Creek, CWF Cold Run, HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10O082	Graywood Farms, LLC 225 Mason Dixon Road Peach Bottom, PA 17563	Lancaster	Fulton Township	Tributary to Conowingo 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 Pennsylvania; (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 Nonexceptional 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 Nonexceptional 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 & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Middletown Township Bucks County	PAR10 D504	LCOR Acquisition, LLC 200 Berwyn Park, Suite 200 Berwyn, PA	Mill Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
New Britain Township Bucks County	PAR10 D553	James D'Angelo P. O. Box 753 Warrington, PA 18976	North Branch Neshaminy Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Makefield Township Bucks County	PAR10 D557	DeLuca Enterprises 842 Durham Road, Suite 200 Newtown, PA	Delaware River (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAR10 D576	The Cutler Group 5 Centry Parkway West Blue Bell, PA 19422	Little Neshaminy Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Richland Township Bucks County	PAR10 D585	TH Properties 345 Main Street Harleysville, PA 19438	Tohickon Creek (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAR10 D586	The Cutler Group 5 Centry Parkway West Blue Bell, PA 19422	Little Neshaminy Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Nockamixon Township Bucks County	PAR10 D593	Archdiocese of Philadelphia 222 North 17th Street Philadelphia, PA 19103	Haycock Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Middletown Township Bucks County	PAR10 D596	James Butz 8230 Boon Boulevard Vienna, VA 22182	Mill Creek (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Falls Township Bucks County	PAR10 D599	Pennsylvania Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Rock Run/Delaware River (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
New Britain Township Bucks County	PAR10 D601	New Britain Developers P. O. Box 654 Buckingham, PA 18912	Neshaminy Creek (TSF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAR10 D602	Carmen J. Calvanese 111 Pheasant Hill Drive Philadelphia, PA 19115	Poquessing Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAR10 D605	Gorski Construction Co, Inc. 864 Mt. Airy Road Collegeville, PA 19426	Mill Creek (CWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Bensalem Township Bucks County	PAR10 D609	Gerard Clabbers 4432 Bristol Road Trevose, PA 19053	Neshaminy Creek (TSF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Nockamixon Township Bucks County	PAR10 D612	Alfred Funke 6 Sanctuary Hill Lane Upper Black Eddy, PA	Gallows Run (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Oxford Township Chester County	PAR10 G436	James Hilt 5410 Forge Road Oxford, PA 19365	Tweed Creek (TSF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
East Marlborough Township Chester County	PAR10 G445	Robert Irwin P. O. Box 809 Unionville, PA 19375	Pocopson Creek (TSF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
East Marlborough Township Chester County	PAR10 G447	Anthony Dambro 508 Fox Hollow Road Kennett Square, PA 19438	South Brook West Branch (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Tredyffrin Township Chester County	PAR10 G450	Home Properties Suite 110 King of Prussia, PA 19406	Little Darby Creek (CWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Bethel Township Delaware County	PAR10 J228	Brandolini Companies 1301 Lancaster Avenue Berwyn, PA 19312	Green Creek (CWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Darby Township Delaware County	PAR10 J123-1	Henderson Coyle Jt. Venture 112 Chelsey Drive, Suite 200 Media, PA 19603	UNT of Darby Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Trappe Borough Montgomery County	PAR10 T785	Mark Anthony Homes, Ltd. 2589 Sibel Circle Lansdale, PA 19446	UNT to Perkiomen Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

NOTICES

6731

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Whitpain Township Montgomery County	PAR10 T567	Latham Realty Associates P. O. Box 390 Plymouth Meeting, PA 19462	Tributary to Stoney Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Perkiomen Township Montgomery County	PAR10 T757	Eastern Equities Bucks County Office Center G 6 Bristol, PA 19007	Perkiomen Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lehigh County Washington Township	PAR10Q138-1	Paul and Linda Kovalchik 7780 Saegersville Rd. Slatington, PA 18080	Trout Creek CWF	Lehigh County Conservation District (610) 391-9583
Luzerne County Lehman Township	PAR10R237	Gerald Schraeder R. R. 1, Box 261 Dallas, PA 18612	Toby's Creek Watershed CWF	Luzerne County Conservation District (570) 674-7991
Northampton County Lower Saucon Township	PAR10U167	Barry Kunsman 2759 Valley View Rd. Hellertown, PA 18055	Lehigh River (UNT) CWF	Northampton County Conservation District (610) 746-1971
Northampton County Lehigh Township	PAR10U169	William Jones, III 4186 Cashew Dr. Walnutport, PA 18088	Bertsch Creek CWF	Northampton County Conservation District (610) 746-1971
Mount Joy Township Lancaster County	PAR10O508	Melvin G. Hoffer 1754 Sheaffer Rd Elizabethtown, PA 17022	UNT Conoy Creek/TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Warwick Township Lancaster County	PAR10O515	Warwick School District 301 W. Orange St Lititz, PA 17543	Lititz Run/WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
West Lampeter Township Lancaster County	PAR10O516	Suburban Lancaster Sewer Authority P. O. Box 458 Lancaster, PA 17608	UNT Big Spring Run/WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Elizabeth Township Lancaster County	PAR10O521	Deryl Hurst 366 Evans Rd. Lititz, PA 17543	UNT Hammer Creek/TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
West Cocalico Township Lancaster County	PAR10O529	Luke N. Ulrich 150 Netzley Department of Revenue Denver, PA 17517	UNT Indian Run/TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Carroll Township York County	PAR10Y540	Arnold Forbes KATSCO P. O. Box 396 Dillsburg, PA 17019	Dogwood Run NL	York County Conservation District 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Middletown Borough Lower Swatara Township Dauphin County	PAR10I284	Susquehanna Area Regional Airport Authority 208 Airport Road Middletown, PA 17057	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Swatara Township Dauphin County	PAR10I288	Wal-Mart Stores Inc. 2001 SE 10th Street Bentonville, AR 72716-0550	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
<i>General Permit Type—PAG-3</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Lebanon County Cleona Borough	PAR213518	Schott Pharmaceutical Packaging, Inc. 150 North Grant Street Cleona, PA 17042	Quittapahilla Creek/ WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fulton County Ayr Township	PAR803521	H. J. Culler, Inc. 371 South Second Street McConnellsburg, PA 17233	Cove Creek/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Cumru Township	PAR603502	Strunk & Strunk Used Auto Parts 475 Poplar Neck Road Birdsboro, PA 19508	Schuylkill River/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Pennsbury Village Indiana County	PAR806210	Pennsbury Village Condominium Homeowners Assoc. 1039 Pennsbury Blvd. N. Pittsburgh, PA 15205	Campbells Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-4</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Cumberland County North Newton Township	PAG043564	Daniel J. Kyle 838 Oakville Road Newville, PA 17241	UNT Green Spring Creek/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
<i>General Permit Type—PAG-8 (SSN)</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Telephone No.</i>
Delaware Township Northumberland County	PAG084820	Lewisburg Area Joint Sewer Auth. P. O. Box 305 Lewisburg, PA 17837-0305	Fairchild Farm R. D. #2 Watsontown, PA 17777 Delaware Township Northumberland County	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
<i>General Permit Type—PAG-12</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Lancaster County East Donegal Township	PAG123520	Leroy Zimmerman Farm 327 Stackstown Road Marietta, PA 17547	UNT Susquehanna River/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Terry Township Bradford County	PAG124809	Patrick and Kathie Blow R. R. 2, Box 251 Towanda, PA 18848	Unnamed tributary to Susquehanna River (SWP 4D)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection (Department) has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days from the date of issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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.

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.

Operations Permit issued to **Sweets Arrow Springs, LLC**, 20th and Herr Streets, P. O. Box 2001, Harrisburg, PA 17105, Pine Grove Township, **Schuylkill County** on November 7, 2001.

Operations Permit issued to **Nis Hollow Estates**, 3180 Route 96, Clifton, NY 14432, Mahoning Township, **Carbon County** on November 7, 2001.

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

Permit No. 0601513, Public Water Supply.
 Applicant **Specialty Design & Manufacturing Co., Inc.**
 Municipality **Alsace Township**
 County **Berks**
 Type of Facility Construction of a carbon absorption treatment system for volatile organic compounds on an existing public water supply.

Consulting Engineer Stephen B. Fulton, P.E.
ARM Group Inc.
1129 West Governor Road
P. O. Box 797
Hershey, PA 17033-0797

Permit to Construct November 21, 2001
 Issued:

Permit No. 3066503, Public Water Supply.
 Applicant **Clover Farms Dairy Co.**
 Municipality **Muhlenberg Township**
 County **Berks**
 Type of Facility Operation of a new bottled water system at the existing dairy bottling facility.

Consulting Engineer Thomas J. Motley, P.E.
Motley Engineering Co. Inc.
1300 New Holland Rd.
Kenhorst, PA 19607

Permit to Operate November 19, 2001
 Issued:

Permit No. 3801508, Public Water Supply.
 Applicant **Fredericksburg United Methodist Church**
 Municipality **Bethel Township**
 County **Lebanon**
 Type of Facility Construction of a cation exchange (softening) system and an anion exchange system for nitrate-removal for an existing well source for the church building and parsonage.

Consulting Engineer Charles A. Kehew II, P.E.
James R. Holley & Assoc., Inc.
18 South George St.
York, PA 17401

Permit to Construct November 20, 2001
 Issued:

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

Permit No. Emergency Permit, Public Water Supply.
 Applicant **Aaronsburg Water Pipes, Inc.**
 Box 234
 Aaronsburg, PA 16820
 Township **Haines Township**
 County **Centre**

Type of Facility Public Water Supply—permit authorizes operation of Well #4 and hypochlorite facilities for up to 60 days.

Consulting Engineer HRG Engineers, Inc.
474 Windmere Drive
State College, PA 16801

Permit to Construct Issued November 21, 2001

Permit No. 1901501, Public Water Supply.

Applicant **United Water of Pennsylvania**
4211 East Park Circle
Harrisburg, PA 17111-0151

Township South Centre Township

County Columbia

Type of Facility Public Water Supply—permit authorizes operation of Scenic Knolls Pump Station and an interconnection with the Columbia County Industrial Park.

Consulting Engineer None

Permit to Operate Issued November 26, 2001

Permit No. 1700504, Public Water Supply.

Applicant **Pike Township Municipal Authority**
P. O. Box 27
Curwensville, PA 16833

Township Pike Township

County Clearfield

Type of Facility Public Water Supply—permit authorizes operation of booster pump station to serve Norman and Susan Bender Land Development.

Consulting Engineer None

Permit to Operate Issued November 21, 2001

Permit No. 1473501, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County Centre

Type of Facility Public Water Supply—authorization cancels permit for Well #4 with hypochlorination and the Lemont Pump Station

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate Cancelled November 27, 2001

Permit No. 1488501, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County Centre

Type of Facility Public Water Supply—authorization cancels permit for Well #5

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate Cancelled November 27, 2001

Permit No. 1490503, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County Centre

Type of Facility Public Water Supply—authorization cancels permit for aspirator for PCE removal at Puddingtown Pump Station

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate Cancelled November 27, 2001

Permit No. 1495507, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County Centre

Type of Facility Public Water Supply—authorization cancels permit for filter plant to treat Wells #4 and #5

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate Cancelled November 27, 2001

Permit No. 6418, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County Centre

Type of Facility Public Water Supply—authorization cancels permit for Well #3

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate November 27, 2001
Cancelled

Permit No. 8696, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authoriza-
tion cancels permit for John
Bathgate Spring and second
pump at Puddingtown Pump
Station

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate November 27, 2001
Cancelled

Permit No. A-1028, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authoriza-
tion cancels permit for Hamill
Bathgate Spring and Pud-
dingtown Pump Station

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate November 27, 2001
Cancelled

Permit No. 5906, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authoriza-
tion cancels portion of original
permit for Wells #1 and #2 and
a spring 1/2 mile east of Lemont

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate November 27, 2001
Cancelled

Permit No. Emergency Permit, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authoriza-
tion cancels permit for CT treat-
ment of Wells #4 and #5

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate November 27, 2001
Cancelled

Permit No. Minor Amendment, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authoriza-
tion cancels permit for modifica-
tions to high service pumps at
the Lemont Pump Station

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate November 27, 2001
Cancelled

Permit No. Minor Amendment, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authoriza-
tion cancels permit for addi-
tional modifications to high ser-
vice pumps at the Lemont Pump
Station

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate November 27, 2001
Cancelled

Permit No. Minor Amendment, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County	Centre	Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Type of Facility	Public Water Supply—authoriza- tion cancels permit for gas chlo- rination at the Lemont Pump Station	Permit to Construct Issued	November 27, 2001
Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603	Permit No. 1401504 , Public Water Supply.	
Permit to Operate Cancelled	November 27, 2001	Applicant	College Township Water Authority 1481 East College Avenue State College, PA 16801
Permit No. Minor Amendment , Public Water Supply.		Township	College Township
Applicant	College Township Water Authority 1481 East College Avenue State College, PA 16801	County	Centre
Township	College Township	Type of Facility	Public Water Supply—authoriza- tion for operation of the Matilda Avenue Pump Station and the Struble Road Storage Tank
County	Centre	Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Type of Facility	Public Water Supply—authoriza- tion cancels permit for turbidimeters, flow meters and chart recorders for Wells #4 and #5	Permit to Operate Is- sued	November 27, 2001
Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603	Permit No. Minor Amendment-T1 , Public Water Supply.	
Permit to Operate Cancelled	November 27, 2001	Applicant	College Township Water Authority 1481 East College Avenue State College, PA 16801
Permit No. 1497501 , Public Water Supply.		Township	College Township
Applicant	College Township Water Authority 1481 East College Avenue State College, PA 16801	County	Centre
Township	College Township	Type of Facility	Public Water Supply—authoriza- tion approves transfer of permit for a liner and cover on the Dale Street Reservoir
County	Centre	Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Type of Facility	Public Water Supply—authoriza- tion cancels permit for calcium sequestration at the Pud- dingtown Pump Station	Permit to Operate Is- sued	November 27, 2001
Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603	Permit No. Minor Amendment-T1 , Public Water Supply.	
Permit to Operate Cancelled	November 27, 2001	Applicant	College Township Water Authority 1481 East College Avenue State College, PA 16801
Permit No. 1401504 , Public Water Supply.		Township	College Township
Applicant	College Township Water Authority 1481 East College Avenue State College, PA 16801	County	Centre
Township	College Township	Type of Facility	Public Water Supply—authoriza- tion approves transfer of permit for 2500' of 12" and 200' of 8" PVC transmission main
County	Centre	Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Type of Facility	Public Water Supply—authoriza- tion for construction of the Matilda Avenue Pump Station and Strubel Road Storage Tank	Permit to Operate Is- sued	November 27, 2001

Permit No. Minor Amendment-T1, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authorization approves transfer of permit for 200' pf 2" PVC distribution main

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate Issued November 27, 2001

Permit No. 261W008-T1, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authorization approves transfer of permit for the Dale Street Reservoir

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate Issued November 27, 2001

Permit No. 5906-T1, Public Water Supply.

Applicant **College Township Water Authority**
1481 East College Avenue
State College, PA 16801

Township College Township

County **Centre**

Type of Facility Public Water Supply—authorization approves transfer of permit for original distribution system and Nittany Mountain Reservoir

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Permit to Operate Issued November 27, 2001

Permit No. 1401502, Public Water Supply.

Applicant **Potter Township Supervisors**
124 Short Road
Spring Mills, PA 16875

Township Potter Township

County
Type of Facility

Centre

Public Water Supply—authorization approves construction of Well #2, greens and filtration, finished water storage, hypochlorination and booster pump station

Consulting Engineer

Pellegrini Engineers, Inc
P. O. Box 589
Altoona, PA 16603-0589

Permit to Construct Issued

November 27, 2001

Permit No. 1489507-T2, Public Water Supply.

Applicant **Potter Township Supervisors**
124 Short Road
Spring Mills, PA 16875

Township Potter Township

County **Centre**

Type of Facility Public Water Supply—authorization denies transfer of old Country Club Park water system

Consulting Engineer None

Permit to Transfer Denied November 27, 2001

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

Permit No. 1601502, Public Water Supply.

Applicant **Foxburg Area Water and Sewer Authority**
P. O. Box 2
Foxburg, PA 16036-0002

Borough or Township Foxburg Borough

County **Clarion**

Type of Facility PWS

Consulting Engineer Glace Associates Inc.
3705 Trindle Road
Camp Hill, PA 17011-4334

Permit to Construct Issued November 15, 2001

WATER ALLOCATIONS

Actions taken on 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.

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

WA14-545B, Water Allocations. **College Township Water Authority**, 1481 East College Avenue, State College, PA 16801, College Township, **Centre County**. The Department is canceling this permit that covered John and Hamill Bathgate Springs and an unnamed spring 1/2 mile east of Lemont. Permit cancelled on November 27, 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>
Dublin Township	29195 Great Cove Road Fort Littleton, PA 17223	Fulton

Plan Description: The approved plan provides for the construction of a gravity wastewater collection system and a recirculating sand filter treatment plant with subsurface discharge to serve the Burnt Cabins area. The plan also provides for a relocation of the treatment plant proposed for the Fort Littleton, Turnpike Interchange and Pleasant Valley areas. 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.

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.

Hill Farm, Caln and Valley Townships, **Chester County**. Joseph W. Standen, Jr., Leggette, Brashears &

Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380 on behalf of Realen Homes, 1040 Stoney Hill Rd., Suite 100, Yardley, PA 19067, has submitted a Final Report concerning remediation of site soil contaminated with heavy metals and pesticides. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Moyer Packing Co.-Hackman Property, Franconia Township, **Montgomery County**. Hudson S. Green, Jr., Earth Data, Inc., 924 Springdale Dr., Exton, PA 19341, on behalf of Moyer Packing Co., P. O. Box 395, Souderton, PA 18964, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Hatfield Substation, Franconia Township, **Montgomery County**. Lisa A. Palfey, PPL Generation, LLC, One Scotch Pine Dr., Hazleton, PA 18202-9760, on behalf of PPL Utilities, 2 N. Ninth St., Allentown, PA 18101, has submitted a Final Report concerning remediation of site soil contaminated with PCBs. The report is intended to document remediation of the site to meet the Statewide Health Standard.

4800 Pine Street Apartments, City of Philadelphia, **Philadelphia County**. William G. Murray, URS Corporation, 1400 Union Meeting Rd., Suite 202, Blue Bell, PA 19422-1972, on behalf of NPDF Pine Associates LP, St. Leonards Court Site, 310-3819-33 Chestnut St., Philadelphia, PA 19104, has submitted a Final Report concerning remediation of site soil contaminated with BTEX, cumene, fluorine, phenanthrene and naphthalene; and site groundwater contaminated with naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Scholler, Inc., City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Scholler, Inc., c/o Karl Vonder Schmalz, Jr., 2330 Collins St., Philadelphia, PA 19134, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX 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.

Fulton Bank Adamstown Branch, Borough of Adamstown, **Lancaster County**. Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603 (on behalf of Fulton Bank, P. O. Box 4887, Lancaster, PA 17604-4887) submitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX and PHCs. The report is intended to document remediation of the site to the Statewide Health standard.

Ameristeel Facility, Spring Garden Township, **York County**. ARM Group Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of W. D. Brougher, 1200 Country Club Road, York, PA 17403) submitted a combined Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to the Site-Specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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:

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

Doerrman Property, Ruscombmanor Township, **Berks County**. Walter B. Satterthwaite Associates, Inc, 720 Old Fern Hill Road, West Chester, PA 19380 (on behalf of Patrick and Amy Doerrman, 3638 Pricetown Road, Fleetwood, PA 19522 and State Farm Insurance, 108 West Airport Road, Lititz, PA 17543) submitted a submitted a final report concerning the remediation of site soils and groundwater contaminated with BTEX and PAHs. The final report did not demonstrate attainment of the Statewide Health standard and was disapproved by the Department on November 16, 2001.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

ACC Operations, Inc.—Former Coudersport Borough Property, Coudersport Borough, **Potter County**. LaBella Associates, P.C., on behalf of its client ACC Operations, Inc., Main at Water Streets, Coudersport, PA 16915, has submitted a Final Report concerning the remediation of site soil contaminated with BTEX and PHCs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 12, 2001.

ACC Operations, Inc.—Former Vacuum Oil and Witter Oil Property, Coudersport Borough, **Potter County**. LaBella Associates, P.C., on behalf of its client ACC Operations, Inc., Main at Water Streets, Coudersport, PA 16915, has submitted a Final Report concerning the remediation of site soil contaminated with BTEX and PHCs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 12, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

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

HAZARDOUS WASTE TRANSPORTER LICENSE RENEWED

Miller Environmental Group, Inc., 538 Edwards Avenue, Calverton, NY 11933. License No. **PA-AH 0501**. Effective November 16, 2001.

Onyx Industrial Services, Inc., 6151 Executive Boulevard, Huber Heights, OH 45424. License No. **PA-AH 0583**. Effective November 16, 2001.

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

HAZARDOUS WASTE TRANSPORTER LICENSE VOLUNTARILY TERMINATED

The NDL Organization, Inc., P. O. Box 791, Peekskill, NY 10566. License No. **PA-AH S006**. Effective September 21, 2001.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR075. EME Homer City Generation, L.P., 1750 Power Plant Road, Homer City, PA 15748-9558. Beneficial use of flue gas desulfurization (FGD) residue as a stabilizing agent for coal refuse disposal. The application was withdrawn at the request of the applicant on November 20, 2001.

AIR QUALITY

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

35-318-086: McGregor Industries Inc. (46 Line Street, Dunmore, PA 18512) on November 14, 2001, for construction of a paint spray operation and associated air cleaning device in Dunmore Borough, **Lackawanna County**.

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

06-05088B: EJB Paving Materials Co. (1119 Snyder Road, West Lawn, PA 19609-1100) on November 14, 2001, for modification of a batch asphalt plant controlled by a fabric collector at its Ontelaunee Plant in Ontelaunee Township, **Berks County**.

07-05001E: Appleton Papers, Inc. (100 Paper Mill Road, Roaring Spring, PA 16673) on November 20, 2001, for construction of HVLC Project—Phase II, HVLC system venting to the no. 3 power boiler and the John Zink Company backup incinerator at its Spring Mill facility in Roaring Spring Borough, **Blair County**. This source is subject to 40 CFR Part 63, Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

09-320-049: Fres-Co Systems USA, Inc. (3005 State Road, Telford, PA 18969) on November 14, 2001, for operation of a flexographic press in West Rockhill Township, **Bucks County**.

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

67-02004: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on November 15, 2001, for operation of three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a Venturi scrubber and a softwood fiber line and causticizing area in Spring Grove Borough, **York County**. This plan approval was extended.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.

19-302-031: Dillon Floral Corp. (P. O. Box 180, Bloomsburg, PA 17815-0180) on November 13, 2001, to specify that the minimum heat content of the reprocessed oil to be used as fuel in two boilers is 125,000 Btu per gallon rather than 140,000 Btu per gallon in the Town of Bloomsburg, **Columbia County**.

08-00004A: Rynone Manufacturing Corp. (P. O. Box 128, Sayre, PA 18840-0128) on November 9, 2001, to revise an allowable methylene chloride emission rate from cleanup operations from 3.0 tons per 12 consecutive month period to 4.5 tons per 12 consecutive month period in Sayre Borough, **Bradford County**.

14-0004B: Graymont (PA), Inc. (P. O. Box 448, Bellefonte, PA 16823) on November 9, 2001, to extend the expiration date for approval to construct various pieces of limestone processing equipment and associated air cleaning devices (three fabric collectors) from November 30, 2001, to May 31, 2002, in Spring Township, **Centre County**.

60-318-010: Nickelson Plastics, Inc. (R. R. 2, Box 575, Lewisburg, PA 17837) on November 14, 2001, to extend the authorization to operate a PVC coating operation on a temporary basis until March 14, 2002, in Buffalo Township, **Union County**.

49-0007A: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821-0600) on November 15, 2001, to extend the authorization to operate six 100,000 gallon Avermectin wastewater detoxification system tanks on a temporary basis until March 15, 2002, in Riverside Borough, **Northumberland County**.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-00049: International Business Systems, Inc. (431 Yerkes Road, King of Prussia, PA 19406) on November 15, 2001, for operation of a Facility Title V Operating Permit in Upper Merion Township, **Montgomery County**.

46-00062: Jefferson Smurfit Corporation (US) (500 Church Road, North Wales, PA 19454) on November 15, 2001, for operation of a Facility Title V Operating Permit in Upper Gwynedd Township, **Montgomery County**.

46-00041: Jefferson Smurfit Corporation (US) (1035 Longford Road, Phoenixville, PA 19460) on November 15, 2001, for operation of a Facility Title V Operating Permit in Upper Providence Township, **Montgomery County**.

46-00040: National Label Company (2025 Joshua Road, Lafayette Hill, PA 19444) on November 15, 2001, for operation of a Facility Title V Operating Permit in Whitmarsh Township, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Leif Ericson, Facilities Permitting Chief, (717) 705-4702.

67-05027: York Wallcoverings, Inc. (750 Linden Ave., York, PA 17405) on November 14, 2001, for operation of a wallpaper printing facility in the City of York, **York County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

09-0022: Cleveland Steel Container Corp. (350 Mill Street, PA 18951-1398) for operation of its pail line in Quakertown Township, **Bucks County**. On August 17, 2000 the Title V Operating Permit was administratively modified to allow emergency oven fume release due to power outages. Additional recordkeeping and reporting requirements were added into the permit.

23-0014A: Kimberly-Clark Corp. (Front and Avenue of the States, Chester, PA 19013) on November 13, 2001, for two emergency diesel generators in City Of Chester, **Delaware County**.

23-00044: Sunoco, Inc. (R&M) (Commerce Drive Interstate I-95 Industrial Park., Aston, PA 19014) on November 15, 2001, for Facility Title V Operating Permit in Upper Chichester Township, **Delaware County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.

41-00002: Koppers Industries, Inc. (436 Seventh Avenue, Pittsburgh, PA 15219-1800) issued a revised operating permit, Revision No. 1, on November 5, 2001, for the Cogeneration Plant to include minor changes of site and source level requirements. This facility is located in Clinton Township, **Lycoming County**. This operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

41-00028: Koppers Industries, Inc. (436 Seventh Avenue, Pittsburgh, PA 15219-1800) issued a revised operating permit, Revision No. 1, on November 5, 2001, for the Railroad Crosstie Treatment Plant to include minor changes of site and source level requirements. This facility is located in Clinton Township, **Lycoming County**. This operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

19-318-007: Kawneer Company, Inc. (P. O. Box 629, Bloomsburg, PA 17815) on November 15, 2001, to lower the required minimum operating temperature for a regenerative thermal oxidizer used for the control of volatile organic compounds from an architectural aluminum products service coating operation from 1,800°F to 1,600°F in the Town of Bloomsburg, **Columbia County**.

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 and the NPDES permit application. Mining activity permits issued in response to the 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 Actions

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

32960101 and NPDES Permit No. PA0213292, Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650-9628. Permit renewal for continued operation of a bituminous surface and auger mine and for existing discharge of a treated mine drainage, in Brushvalley Township, **Indiana County**, affecting 87.9 acres. Receiving streams: unnamed tributary to Little Brush Creek to Brush Creek classified for the following uses: cold water fishery and cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: September 24, 2001. Permit issued: November 19, 2001.

11970104 and NPDES Permit No. PA0234486, M. B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717-7960. Permit revision to add 5.6 acres to the surface mine permit, of which there will be an additional 2.5 coal acres and for existing discharge of a treated mine drainage, in Blacklick and Jackson Townships, **Cambria County**, affecting 449.6 acres. Receiving streams: unnamed tributaries to/and South Branch Blacklick Creek, classified for the following uses: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 21, 2001. Permit issued: November 13, 2001.

32010103 and NPDES Permit No. PA0248959, KMP Associates, R. R. 2, Box 194, Avonmore, PA 15618. Commencement, operation and restoration of a bituminous surface mine and for discharge of treated mine drainage in Conemaugh Township, **Indiana County**, affecting 8.5 acres. Receiving streams: unnamed tributary to Big Run classified for the following uses: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 27, 2001. Permit issued: November 19, 2001.

56890110 and NPDES Permit No. PA0598551, Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, from Three S Coal Company, Box 337, Stoystown, PA 15563. Permit transfer for continued operation of a bituminous surface mine and for existing discharge of a treated mine drainage in Shade Township, **Somerset County**, affecting 67.6 acres. Receiving streams: Whiskey Run to Dark Shade Creek classified for

the following uses: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Water Authority Border Dam. Application received: September 4, 2001. Permit issued: November 19, 2001.

Noncoal Permits Actions

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

40960302C. Hanover Nursery (5 Crystal Street, Hanover Green, Wilkes-Barre, PA 18702), renewal of NPDES Permit #PA0223671 in Plymouth Township, **Luzerne County**, receiving stream—Susquehanna River. Application received: September 20, 2001. Renewal issued: November 15, 2001.

38870301C3. Pennsylvania Lime, Inc. (P. O. Box 160, Annville, PA 17003), renewal of NPDES Permit #PA0595543 in Annville Borough, North Londonderry, North Annville and South Annville Townships, **Lebanon County**, receiving stream—Killinger and Quittapahilla Creeks. Application received: September 24, 2001. Permit issued: November 15, 2001.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

11010801. William Rounsley, 200 Sunset Lane, Northern Cambria, PA 15714. Commencement, operation and restoration of a small industrial minerals (Reddog) permit in Barr Township, **Cambria County**, affecting 10.0 acres. Receiving streams: Moss Creek classified for the following uses: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 19, 2001. Permit issued: November 15, 2001.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P. S. §§ 151—161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

21014019. Rogele, Inc. (1025 S. 21st Street, P. O. Box 1757, Harrisburg, PA 17105-1757), construction blasting in Upper Allen Township, **Cumberland County** with an expiration date of June 30, 2002. Permit issued: November 19, 2001.

39014004. Bernard J. Hasara (112 E. Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting in Whitehall Township, **Lehigh County** with an expiration date of December 18, 2001. Permit issued: November 19, 2001.

48014013. Musclitz Excavating (586 Morrestown Road, Easton, PA 18014), construction blasting for Eastern Kunkel Athletic Complex in Palmer Township, **Northampton County** with an expiration date of January 14, 2002. Permit issued: November 19, 2001.

64014003. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting in Lake Township, **Wayne County** with an expiration date of December 31, 2001. Permit issued: November 19, 2001.

36014048. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in East Donegal Township, **Lancaster County** with an expiration date of December 31, 2002. Permit issued: November 21, 2001.

36014049. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in West Earl Township, **Lancaster County** with an expiration date of January 15, 2002. Permit issued: November 21, 2001.

38014022. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in South Londonderry Township, **Lebanon County** with an expiration date of January 15, 2002. Permit issued: November 21, 2001.

40014008. EJW Corp. (R. R. 2 Box 189, Kingsley, PA 18826), construction blasting in Dallas Township, **Luzerne County** with an expiration date of January 30, 2002. Permit issued: November 21, 2001.

54014007. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting for Highridge Distribution Center in Cass Township, **Schuylkill County** with an expiration date of July 31, 2002. Permit issued: November 21, 2001.

54014008. Explo-Tech/AEEI (401 W. High Street, Suite 102, Pottstown, PA 19464), construction blasting for the Humboldt Industrial Park in East Union Township, **Schuylkill County** with an expiration date of April 30, 2002. Permit issued: November 21, 2001.

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.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection 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 of Environmental Protection 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.

E09-826. Richard M. Welch, P. O. Box 58, Mechanicsville, PA 18934, Solebury Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 26-foot long by 14-foot wide timber bridge with concrete abutments and wingwalls spanning an unnamed tributary to the Paunacussing Creek (HQ-CWF). This project is associated with lot 2 of the proposed Spring Oak Farm Subdivision. The road crossing will include the installation of utility crossings to be encased in conduits and entrenched under the stream channel at the bridge locations. This site is located 500 feet north of the intersection of Mechanicville Road and Sheffield Drive (Buckingham, PA Quadrangle North: 21.5 inches; West: 7.35 inches).

E09-827. Richard M. Welch, P. O. Box 58, Mechanicsville, PA 18934, Solebury Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 26-foot long by 14-foot wide timber bridge with concrete abutments and wingwalls spanning an unnamed intermittent tributary to the Paunacussing Creek (HQ-CWF). This project is associated with Lot 3 of the proposed Spring Oak Farm Subdivision. The road crossing will include the installation of utility crossings to be encased in conduits and entrenched under the stream channel at the bridge locations. This site is located 2,000 feet north of the intersection of Mechanicville Road and Sheffield Drive (Buckingham, PA Quadrangle North: 22.2 inches; West: 7.4 inches).

E46-890. Pennsylvania Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525. Montgomery Township, **Montgomery County**, ACOE Philadelphia District.

To extend and maintain an existing 50 linear-foot long concrete arch culvert, consisting of a 16-foot span and an 8.25-foot rise, situated in and along the Little Neshaminy Creek (WWF-MF). This work is associated with the widening of Horsham Road (S.R. 463), which will extend

the culvert 10 feet on the downstream side, 20 feet on the upstream side and maintain the same hydraulic opening. This site is located approximately 800 feet northwest of the intersection of Horsham and Stump Road (Ambler, PA Quadrangle N: 20.5, W: 14.25 inches).

E46-894. ACTS Retirement-Life Communities, Inc., Normandy Farms Estate, 375 Morris Road, P. O. Box 90, West Point, PA 19486, Whitpain Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with a residential subdivision in and along an unnamed tributary to the Wissahickon Creek (TSF) and adjacent wetlands:

1. To construct and maintain a 276 linear-foot stream enclosure, consisting of a minimum 36-inch diameter pipe which extends from an area in the vicinity of existing wetlands to a proposed stormwater management basin.

2. To excavate and maintain the impoundment area of an in-stream stormwater management basin in and along an unnamed tributary of Wissahickon Creek and within the assumed 100-year floodway, which will impact a total of 270 linear feet of stream channel.

3. Project includes two minor road crossings and three utility line crossings, which will impact 0.05 acre of wetlands. This work will be done in accordance with the conditions of General Permit No. 7 and General Permit No. 5, respectively.

This permit also authorizes an Environmental Assessment approval for impacts associated with the construction and maintenance of an on-stream nonjurisdictional dam. The site is located approximately 1,000 feet southeast of the intersection of North Wales Road and Township Line Road in Whitpain Township (Lansdale, PA USGS Quadrangle, N: 11.20 inches; W: 6.10 inches).

E51-192. City of Philadelphia, Division of Aviation, Terminal E Departures, Philadelphia International Airport, Philadelphia, PA 19153. City and **County of Philadelphia**, ACOE Philadelphia District.

To extend and maintain a 540 linear-foot long arch stream enclosure in and along Church Creek (WWF), consisting of 30 linear-foot extensions on each end and impacting a total of approximately 190 linear feet of stream channel for both temporary and permanent activities. The work is associated with Runway 17-35 Rehabilitation and Safety Improvements at the Philadelphia International Airport located within the 100-year floodplain of the Delaware River. (Philadelphia, PA—NJ Quadrangle N: 0.5 inch; W: 15.0 inches).

E51-194. Philadelphia Regional Port Authority, 3460 North Delaware Avenue, Philadelphia, PA 19144. City and **County of Philadelphia**, ACOE Philadelphia District.

To perform the following activities associated with the construction of the US Navy LMSR Layberth Project at the existing Tioga Marine Terminal along Delaware River (WWF-MF) (Camden, NJ-PA Quadrangle N: 19.0 inches, W: 11.25 inches):

1. To maintain the existing facility at Tioga Marine Terminal including marginal wharf, downriver slip, cargo ramp, upriver slip, cove area with mooring clusters, outfall structure, rip rap shore protection, relieving platform and other associated facilities within the floodplain

of the Delaware River and along approximately 4,300 feet of shoreline between Ontario Street and Wheatsheaf Lane.

2. To install and maintain two 25-foot wide by 36-foot long by 6-foot thick breasting dolphins.

3. To install and maintain four 20-foot wide by 28.5-foot long by 6-foot thick mooring dolphins.

4. To install and maintain a 5-foot wide by 550-foot long walkway.

5. To install approximately 38 mooring bollards.

6. To modify and maintain the existing facility by installing a security fence, guard house, fender system, sewage grinder pump system, steam generator, sewage holding tanks, trash receptacle, crane-tie down pins and various utility connections.

This work will utilize a total of 200 various diameter pipe piles with a total impact area of approximately 300 square feet in the river.

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

E48-310. Reen Development, LLC, 5303 Cider Press Road, Schnecksville, PA 18078. Washington Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a road crossing consisting of a 30-inch diameter reinforced concrete pipe through 0.21 acre of wetlands within the Martins Creek Watershed for the purpose of constructing an access road within the proposed residential subdivision known as Bennis Hill Farms. The permittee is required to provide 0.21 acre of replacement wetlands. The project is located approximately 1,200 feet northwest of the intersection of T680 (Bennis Hill Road) and T682 (Ackermanville Road) (Bangor, PA Quadrangle N: 12.9 inches; W: 12.4 inches).

E35-343. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501-0111. City of Carbondale, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To remove an existing structure and to construct and maintain a single-span prestressed reinforced concrete box beam bridge, having a normal span of 50 feet and a minimum underclearance of 10.22 feet on a 69 degree skew across the Lackawanna River with a 24-inch RCP stormwater outfall through the southeast wingwall. The project is located at the intersection of S.R. 0106 (Salem Avenue) and the Lackawanna River (Carbondale, PA Quadrangle N: 13.5 inches; W: 0.4 inch).

E48-307. Conectiv Bethlehem, Inc., P. O. Box 6066, Newark, DE 19714-6066. Lower Saucon Township and the City of Bethlehem, **Northampton County**, Army Corps of Engineers Philadelphia District.

To place fill in a de minimis area of wetlands equal to 0.02 acre for the purpose of constructing an electrical substation for a combined cycle electric generating facility and to construct and maintain various utility line stream crossings of a tributary to East Branch Saucon Creek and Saucon Creek and an intake and outfall structure in the Lehigh River. The project is located within the Bethlehem Commerce Center, on the south side of S.R. 2012 (Applebutter Road) with utility line work extending to the confluence of Saucon Creek and the Lehigh River. (Hellertown, PA Quadrangle N: 21.6 inches; W: 8.0 inches).

E45-390. Aventis Pasteur, Inc., Discovery Drive, Swiftwater, PA 18370-0187. Pocono Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To remove an existing overhead utility line stream crossing of Swiftwater Creek, the superstructure of an existing pedestrian bridge across Swiftwater Creek and twin 24-inch diameter C.M.P. culverts in a tributary to Swiftwater Creek and adjacent wetlands and to construct and maintain the following: (1) three road crossings of a tributary to Swiftwater Creek and adjacent wetlands consisting of 8' x 4' concrete box culverts having a total wetland impact of 0.16 acre; (2) a new pedestrian bridge superstructure across Swiftwater Creek set on the existing concrete abutments having a single span of 55 feet and an underclearance of approximately 7.6 feet that includes a utility duct attached to the new superstructure; (3) a 21-inch diameter H.D.P.E. pipe outfall structure, associated energy dissipator and cable concrete lined channel in the floodway of Swiftwater Creek; and (4) superstructure and numerous utility line stream crossings of a tributary to Swiftwater Creek and adjacent wetlands at each of the three road crossings. The permittee is required to provide 0.44 acre of replacement wetlands. The project is located at the existing pharmaceutical manufacturing facility, approximately 0.25 mile downstream of S.R. 0611 (Mount Pocono, PA Quadrangle N: 16.0 inches; W: 9.5 inches).

E52-175. Palmyra Township, HCR Box 15-C, Paupack, PA 18451. Palmyra Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To restore and maintain an existing beach in and along Lake Wallenpaupack, with work including the following: removing an existing retaining wall, removing the existing white sand, regrading the lake bed using a graded sand and stone subbase and placing white sand to a depth of 6 inches. The area to be impacted is approximately 0.8 acre. The project is located on the eastern shore of the lake, approximately 2,000 feet north of the intersection of S.R. 0006 and S.R. 0507 (Hawley, PA Quadrangle N: 13.4 inches; W: 7.6 inches).

E54-288. Stanley L. Staller and Cynthia S. Keeley, 44 Cedar Street, Cressona, PA 17929-1414. Cressona Borough, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To maintain a private pedestrian bridge having a single span of 8 feet and underclearance of approximately 5 feet across Panther Creek. The project is located southwest of the intersection of S.R. 0901 and S.R. 0183 (Pottsville, PA Quadrangle N: 1.6 inches; W: 9.6 inches).

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

E36-718. Clay Township, 870 Durlach Rd., Stevens, PA 17578.

To remove the existing structure and to construct and maintain a box culvert having a span of 25 feet with an underclearance of 8 feet at the channel of Middle Creek (TSF) on Mountain Spring Road (T-640) located near its intersection with Kleinfelertville Road (Ephrata, PA Quadrangle N: 22.4 inches; W: 17.4 inches) in Clay Township, **Lancaster County**.

E67-671. Harry Fox, Stony Brook Manor Residential Development, 15 Montego Court, Dillsburg, PA 17019 in Fairview Township, **York County**, ACOE Baltimore District.

To construct and maintain an 18-foot by 4-foot high box culvert across an unnamed tributary to Bennett Run (WWF) to across the Stony Brook Manor Residential Development located north of Silver Lake Road approximately one mile west of the Siddensburg Road intersec-

tion (Lemoyne, PA Quadrangle N: 3.0 inches; W: 0.75 inch) in Fairview Township, York County.

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

E14-406. Pennsylvania State University, Physical Plant Building, University Park, PA 16802. Duck Pond Improvements, in State College Borough, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 9.5 inches; W: 13.75 inches).

The permit authorizes the stabilization of 800 linear feet of stream channel with a riprap energy dissipater, riprap bedding, vegetative banks and over excavated banks. The upstream limit of the project is located at the stormwater outfall and extends to the duck pond. The project is located in Thompson Run.

E18-316. Ralph and Cheri Aungst, P. O. Box 402, Avis, PA 17721, 60 foot stream enclosure in Avis Borough, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 10.8 inches; W: 9.3 inches).

To construct and maintain a 42 inch high, 60 inch wide by 60 foot long culvert extension of an existing culvert under Reed Street in a tributary to Oak Grove Run. The project is located approximately 90 feet southeast of the intersection of Reed Street with Fox Street in Avis Borough, Clinton County.

E49-251. Revival Tabernacle, P. O. Box 118, West Milton, PA 17886, in Delaware Township, **Northumberland County**, ACOE Baltimore District (Milton, PA Quadrangle N: 11.2 inches; W: 12.0 inches).

To construct and maintain a metal plate arch culvert with a span of 20 feet, a height of 7.33 feet and a length of 71 feet in an unnamed tributary to Muddy Run; and to construct and maintain a corrugated metal culvert 6 feet in diameter by 74 feet long along with two elevated

overflow culverts 6 feet in diameter by 67 feet in length in an unnamed tributary to Muddy Run on private property on the south side of SR 1007 approximately 400 feet west of the intersection of Rt. 147 with SR 1007 in Delaware Township, **Columbia County**. This permit was issued under § 105.13(e) Small Projects.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.

D29-028EA. DCNR, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105-8551. Todd Township, **Fulton County**, ACOE Baltimore District.

The project proposes to perform maintenance at the Cowans Gap State Park Dam and reservoir including replacing the control tower, replacing the pedestrian bridge across the primary spillway and removing approximately 3.75 acres of accumulated silts and sediments from the inlet end of the reservoir. The dam is located across South Branch Little Aughwick Creek (HQ-CWF) (Burnt Cabins, PA Quadrangle, N: 0.3 inch, W: 6.9 inches).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-02-020	Mark A. Scaccia Allegheny Energy Supply Company, LLC 4350 Northern Pike Monroeville, PA 15146-2841	Allegheny	Springdale	1 AST storing Aqueous Ammonia	10,000 gallons
				1 AST storing Sodium Hypochlorite	6,750 gallons
				1 AST storing Sulfuric Acid	4,800 gallons
				1 AST storing Caustic Soda	6,300 gallons
				1 AST storing Ferric Chloride	6,600 gallons

SPECIAL NOTICES

Request for Proposals for Municipal Solid Waste Capacity

The following notices are placed through the Department of Environmental Protection as required by section 502(d) of Act 101 of 1988: the Municipal Waste Planning, Recycling and Waste Reduction Act.

Butler County Board of Commissioners, Butler, PA

In accordance with 25 Pa. Code § 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000), Butler County Board of Commissioners has determined that additional waste disposal or processing capacity for municipal solid waste

(MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the next 10 years. Butler County Board of Commissioners is hereby soliciting proposals for disposal of County generated MSW, to begin on May 1, 2002.

Solicitation for Municipal Solid Waste Disposal Services

The Butler County Board of Commissioners at the Butler County Courthouse, 124 West Diamond Street, P. O. Box 1208, Butler, PA 16003 will receive sealed proposals until 4 p.m. on Friday, January 11, 2002. The Butler County Board of Commissioners will publicly open all proposals at 9 a.m. on Monday, January 14, 2002, at the County Courthouse in the Commissioner's Office Conference Room, 5th Floor of the Butler County Govern-

ment Center. Copies of the Request for Proposals (RFP) may be purchased on or after November 26, 2001, only from Sheryl Kelly, Recycling and Waste Management Coordinator, Butler County Dept. of Recycling and Waste Management in the Planning Commission at the County Courthouse, Butler, PA 16003, (724) 284-5300 by prepayment of a nonrefundable amount of \$50 per proposal. Proposers should make checks payable to the Butler County Treasurer. All sealed proposals must include an executed Representations and Certifications Affidavit as provided in Section 5 of the proposal package. All proposals must be made on the Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. The Proposer is required to submit one original and five copies of the Proposal to Butler County Board of Commissioners at the address listed. Envelopes containing the proposals must be sealed and clearly labeled to show the name and address of the Proposer, the statement "Proposal for Municipal Solid Waste Disposal Services" and be addressed to Butler County Controller's Office, Fifth Floor, County Government Center, 124 West Diamond Street, P. O. Box 1208, Butler, PA 16003, Attention: John R. McMillan, Butler County Controller. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. Butler County Board of Commissioners reserve the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

Bureau of Deep Mine Safety

Approval of Request for Variance

The Department of Environmental Protection, Bureau of Deep Mine Safety (BDMS) has approved Mears Enterprises, Inc.'s request for a variance from the requirements of section 224(b) of the Pennsylvania Bituminous Coal Mine Act at the Ondo 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 website at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

Summary of the Request: Mears Enterprises, Inc. requested a variance from section 224(b) of the Pennsylvania Bituminous Coal Mine Act to drill holes to determine whether or not the projected mining would be negatively impacted by the country banks adjacent to the Ondo Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements of section 224(b).

The basis for the Bureau's approval is summarized as follows:

1. The long horizontal borehole method proposed in lieu of the requirements set forth in section 224 is a proven technology which has been used successfully at the Ondo Mine and other underground mines in this Commonwealth.
2. The long horizontal borehole method proposed is much less labor intensive and provides much less exposure to lifting and strain type injuries, by not having to handle and use hand-held drills and steels. By mining normal depth cuts, the work force will be subjected to less risk associated with equipment place changes, rather than mining the outside entry 8 feet at a time.
3. The long horizontal borehole proposed in lieu of the requirements set forth in section 224(b) will provide a

greater coal barrier than required by section 224(b). Mears Enterprises Inc.'s proposed long horizontal borehole method provides a 267% larger barrier for the protection of miners from contacting the abandoned mine over the requirements of section 224(b).

4. The long horizontal boreholes will provide a quicker method to close the borehole in the event of contacting the abandoned mine by closing the valve located at the end of the pipe grouted in the rib and will be more suitable for grouting, if needed.

5. The long horizontal borehole will provide a much larger area of coverage for protecting the workers against accidentally mining into the abandoned mine.

This approval is limited to the alternate method to drill test holes as required in section 224(b). All other terms and requirements of section 224(b) shall remain in effect. Continued authorization for operation under the approval is contingent upon compliance with the measures described in Ondo's plan.

[Pa.B. Doc. No. 01-2186. Filed for public inspection December 7, 2001, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on DEP's website (www.dep.state.pa.us) at the Public Participation Center page. The "July 2001 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its nonregulatory documents, as necessary, throughout 2001.

Ordering Paper Copies of DEP Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Draft Technical Guidance

DEP ID: 385-2000-012 Title: Pennsylvania's Phase II NPDES Stormwater Permitting Strategy, Municipal Separate Storm Sewer Systems-Industrial Stormwater Discharges Description: This strategy is written to provide for an effective and efficient NPDES permitting program for Municipal Separate Storm Sewer systems and Industrial Stormwater Discharges under Phase II of the Federal Clean Water Act NPDES stormwater regulations. It will work to protect water quality and public health and safety through the permitting and control of stormwater

discharges. This document provides the Department's permitting strategy and major program direction for implementation of Phase II of the NPDES stormwater permitting program related to Municipal Separate Storm Sewers and Industrial Stormwater Discharges. This strategy is not applicable to NPDES permits regarding stormwater discharges associated with construction activities. Anticipated Effective Date: June 1, 2002 Sixty-Day Comment Period Ends: February 7, 2002 Contact: R.B. Patel at (717) 787-8184 or email to rpatel@state.pa.us.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-2187. Filed for public inspection December 7, 2001, 9:00 a.m.]

Coal and Clay Mine Subsidence Insurance Board

A regular meeting of the Coal and Clay Mine Subsidence Board will take place on December 18, 2001, at 10 a.m. in the 12th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda for this meeting will be available through the Public Participation Center on DEP's website at <http://www.dep.state.pa.us>. Questions regarding the agenda may be directed to Lawrence Ruane at (717) 783-9590 or lrwane@state.pa.us.

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

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-2188. Filed for public inspection December 7, 2001, 9:00 a.m.]

Comment Period Extended on Stormwater Management Proposal

DEP announces an extended public comment period on its draft Comprehensive Stormwater Management Policy.

At the 15 water forums DEP and its partners held throughout this Commonwealth last spring, stormwater management was a recurring concern of citizens and local government officials. In addition, Commonwealth residents are demanding a more modernized approach to stormwater management that will reduce incidents of flooding, streambank erosion and other environmental hazards. Poor stormwater management practices result in increased frequencies of flooding, streambank erosion and excessive obstruction of stream flows with silt and other particles.

The new stormwater proposal addresses the need to improve water quality, sustain water quantity (including groundwater recharge and stream baseflow) and integrate upcoming Federal stormwater management obligations. DEP is proposing a best management practices approach

that encourages minimizing runoff by allowing stormwater to soak back into the ground whenever possible. This approach will reduce stream pollution, recharge groundwater tables, enhance stream flow during times of drought and reduce the threat of flooding and streambank erosion resulting from storms.

The Commonwealth also must implement new stormwater controls under the Federal Clean Water Act within the next several years. The Commonwealth has identified a need to ensure that stormwater controls remain operational and efficient throughout the life of a project. Administratively, DEP proposes to integrate its permitting programs with stormwater management plans developed on a watershed basis under the Stormwater Management Act (Act 167). Act 167 county plans will include water quality and quantity protections implemented by municipalities within the watershed. DEP, when appropriate, will also rely on locally sponsored plans to meet the National Pollution Discharge Elimination System permitting requirements for municipalities under the Federal Clean Water Act municipal stormwater permitting program.

The draft stormwater proposal is available on the DEP website (directLINK "Comprehensive Stormwater Policy"), be contacting Kimberly Chism at (717) 787-5267, by e-mailing kchism@state.pa.us or write to DEP, Office of Water Management, Bureau of Watershed Management, 10th Floor, Rachel Carson State Office Building, P. O. Box 8555, Harrisburg, PA 17105-8555.

Comments, which should include the commentor's name, address and telephone number, must be received by January 28, 2002. DEP will accept comments by postal mail or e-mail at the addresses previously listed. Facsimiles or voice mails will not be accepted.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-2189. Filed for public inspection December 7, 2001, 9:00 a.m.]

Request for Proposals for a Study to Determine Bluff Recession Hazard Areas in Erie County

DEP's Coastal Zone Management Program is accepting proposals to conduct a comprehensive study of the bluff recession hazard areas along the Lake Erie shoreline in Erie County, PA. The study will evaluate existing bluff recession factors to identify and determine the location and geographic extent of bluff recession hazard areas along the shoreline in this region. The geographic limits of this study shall include all Lake Erie and Presque Isle Bay shoreline/bluff environments and stream interfaces. A copy of the Request for Proposals can be obtained by contacting Scott Pletcher, Coastal Zone Management Program, Office of River Basin Cooperation, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-9491, e-mail: scpletcher@state.pa.us.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-2190. Filed for public inspection December 7, 2001, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Payments to Nursing Facilities; July 1, 2001 Revised Proposed Rates

The purpose of this notice is to announce revised proposed changes in payment rates for nursing facilities beginning July 1, 2001, and to identify the methodology and justification for these revised proposed rates. Under 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997 (Pub.L. No. 105-33), a state must use a public process when it proposes to make changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan. The Department of Public Welfare (Department) has submitted a State Plan Amendment which will, if approved by the Centers for Medicare and Medicaid Services (CMS) formerly the Health Care Financing Administration, change the methods and standards for setting payment rates for nursing facility services relating to movable property. Final rates cannot be issued until the State Plan Amendment is approved by CMS and changes are promulgated in regulations. Therefore, the Department is issuing revised proposed rates beginning July 1, 2001, to be used pending the approval of the State Plan Amendment and promulgation of regulations.

Rates

The revised proposed July 1, 2001, rates are available at the local County Assistance Offices throughout this Commonwealth, on the Office of Medical Assistance Programs' (OMAP) website at www.dpw.state.pa.us/omap or by contacting Gail Weidman in the Policy Section of the Bureau of Long Term Care Programs at (717) 705-3705.

Methodology

The methodology the Department used to set the revised proposed rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting), final omitted regulations pending promulgation and the Commonwealth's pending Title XIX State Plan submitted to CMS on September 21, 2001. To accommodate the transition to the pending regulatory amendments, the Department revised the audited costs in the database used for rate setting. The criteria used to determine the appropriate adjustments is available on the OMAP website or by contacting Gail Weidman. The database used for rate setting is available on the OMAP website.

Justification

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

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 2001-2002 is \$102.576 million (\$46.783 million in State funds).

Interested persons are invited to submit written comments about the revised proposed rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to Department of Public Welfare, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another

alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-304. (1) General Fund; (2) Implementing Year 2001-02 is \$46,783,000; (3) 1st Succeeding Year 2002-03 is \$51,036,000; 2nd Succeeding Year 2003-04 is \$51,036,000; 3rd Succeeding Year 2004-05 is \$51,036,000; 4th Succeeding Year 2005-06 is \$51,036,000; 5th Succeeding Year 2006-07 is \$51,036,000; (4) 2000-01 Program—\$722,565,000; 1999-00 Program—\$693,625,000; 1998-99—\$721,631,000; (7) Long Term Care; (8) recommends adoption. Funds for these changes were included in the 2001-02 budget.

[Pa.B. Doc. No. 01-2191. Filed for public inspection December 7, 2001, 9:00 a.m.]

Payments to Nursing Facilities; October 1, 2001 Proposed Rates

The purpose of this notice is to announce the proposed changes in payment rates based on case-mix index (CMI) adjustments only, for nursing facilities beginning October 1, 2001, and to identify the methodology and justification for these proposed rates. Under 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997 (Pub. L. No. 105-33), a state must use a public process when it proposes to make changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan.

The Department of Public Welfare (Department) has submitted a State Plan Amendment which will, if approved by the Centers for Medicare and Medicaid Services (CMS) formerly the Health Care Financing Administration, change the methods and standards for setting payment rates for nursing facility services relating to movable property. These proposed rates are contingent upon approval of the State Plan Amendment by CMS and promulgation in regulations.

Rates

The proposed October 1, 2001, rates are available through the local County Assistance Offices throughout this Commonwealth, on the Office of Medical Assistance Programs' website at www.dpw.state.pa.us/omap or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2525.

Methodology

The methodology that the Department used to set the proposed rates based on CMI adjustments is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting), final-omitted regulations pending promulgation and the Commonwealth's pending Title XIX State Plan submitted to CMS on September 21, 2001.

Justification

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

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 2001-2002 is \$5.045 million (\$2.301 million in State funds).

Interested persons are invited to submit written comments only concerning CMI adjustments to the proposed rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to Department of Public Welfare, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105.

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

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-305. (1) General Fund; (2) Implementing Year 2001-02 is \$2,301,000; (3) 1st Succeeding Year 2002-03 is \$2,510,000; 2nd Succeeding Year 2003-04 is \$2,510,000; 3rd Succeeding Year 2004-05 is \$2,510,000; 4th Succeeding Year 2005-06 is \$2,510,000; 5th Succeeding Year 2006-07 is \$2,510,000; (4) 2000-01 Program—\$722,565,000; 1999-00 Program—\$693,625,000; 1998-99 Program—\$712,631,000; (7) Long Term Care; (8) recommends adoption. Funds for these changes were included in the 2001-02 budget.

[Pa.B. Doc. No. 01-2192. Filed for public inspection December 7, 2001, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Elvis Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Elvis™.

2. *Price:* The price of a Pennsylvania Elvis instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Elvis instant lottery game ticket will contain one play area featuring an "Elvis Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Elvis Numbers" area and the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN) and 16 (SIXTN).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the eight "Prize" areas are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$15,000 (FTN THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$4, \$5, \$10, \$15, \$20, \$40, \$100, \$500 and \$15,000. A player can win up to eight times on a ticket.

6. *Second Chance Drawings:* The Pennsylvania Lottery will conduct four separate Second Chance Drawings for nonwinning Pennsylvania Elvis instant lottery tickets as provided for in Section 11.

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

8. *Determination of Prize Winners:* (a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$15,000 (FTN THO) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$15,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$40\$ (FORTY) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$20\$ (TWENTY) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$15\$ (FIFTN) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$3⁰⁰ (THR DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis

Numbers" play symbols and a prize play symbol of \$2.⁰⁰ (TWO DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Elvis Numbers" play symbols and a prize play symbol of \$1.⁰⁰

(ONE DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

When Any Of Your Numbers Match Either of the Elvis Numbers Win With Prize(s) Of:

	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$1 x 2	\$2	1:10.34	580,000
\$2	\$2	1:13.64	440,000
\$1 x 3	\$3	1:75	80,000
\$2 + \$1	\$3	1:75	80,000
\$3	\$3	1:150	40,000
\$1 x 4	\$4	1:150	40,000
\$2 x 2	\$4	1:250	24,000
\$4	\$4	1:375	16,000
\$1 x 5	\$5	1:75	80,000
\$5	\$5	1:150	40,000
\$1 x 6 + \$2 x 2	\$10	1:150	40,000
\$2 x 5	\$10	1:150	40,000
\$10	\$10	1:150	40,000
\$2 x 7 + \$1	\$15	1:375	16,000
\$5 x 3	\$15	1:750	8,000
\$3 x 5	\$15	1:750	8,000
\$15	\$15	1:750	8,000
\$3 x 6 + \$1 x 2	\$20	1:214.29	28,000
\$4 x 5	\$20	1:750	8,000
\$20	\$20	1:1,500	4,000
\$10 x 4	\$40	1:2,667	2,250
\$20 x 2	\$40	1:4,000	1,500
\$5 x 8	\$40	1:1,644	3,650
\$40	\$40	1:4,800	1,250
\$15 x 6 + \$5 x 2	\$100	1:17,143	350
\$100	\$100	1:40,000	150
\$100 x 5	\$500	1:60,000	100
\$500	\$500	1:120,000	50
\$15,000	\$15,000	1:1,000,000	6

10. *Second Chance Drawing Requirements:*

(a) To be eligible for one of the Second Chance Drawings, a player must mail exactly three nonwinning Pennsylvania Elvis instant lottery tickets in an envelope no larger than 4 1/8 by 9 1/2 inches addressed to Elvis Second Chance Drawing, PMB 110, 2033 Linglestown Road, Harrisburg, PA 17110.

(b) Envelopes containing less than or more than three nonwinning Pennsylvania Elvis instant lottery tickets shall be disqualified.

(c) Nonwinning Pennsylvania Elvis instant lottery tickets received in an envelope larger than 4 1/8 by 9 1/2 inches shall be disqualified.

(d) The back of each nonwinning Pennsylvania Elvis instant lottery ticket entered in the Second Chance Drawing must be completed by the same player in a legible manner, including the player's name, complete address, telephone number and signature.

(e) Winning Pennsylvania Elvis instant lottery tickets submitted to the Elvis Second Chance Drawing address may not be paid or honored.

(f) To be eligible for a Second Chance Drawing, nonwinning Pennsylvania Elvis instant lottery tickets must be received by the Pennsylvania Lottery as follows:

<i>Entry Deadline</i>	<i>Second Chance Drawing</i>
1st Drawing—February 1, 2002	Week of February 4, 2002
2nd Drawing—March 1, 2002	Week of March 4, 2002
3rd Drawing—April 5, 2002	Week of April 8, 2002
4th Drawing—May 3, 2002	Week of May 6, 2002

11. *Second Chance Drawing Procedures:*

(a) Frequency. Four Second Chance Drawings will be held at Lottery Headquarters. The first Second Chance Drawing will be held the week of February 4, 2002, the second the week of March 4, 2002, the third the week of April 8, 2002 and the fourth the week of May 6, 2002.

The odds of an entry's being selected in a Second Chance Drawing depend upon the number of entries received.

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

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

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

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

(c) Manner of conducting the Second Chance Drawings.

(1) By use of a computer-generated randomizer, four boxes will be selected. From each of the four boxes, one entry envelope will be drawn. Each entry will be opened and its contents will be validated according to the requirements of Section 10. If the entry does not meet the requirements of Section 10, another entry will be selected from that box; and so on, until a qualified entry has been chosen. Each of the four qualified entries will win a Graceland trip and two Elvis Presley prize packages. There is no cash equivalent for the Graceland trip and Elvis Presley prize packages.

(2) The computer-generated randomizer will then be used to select 52 boxes. From each of these 52 boxes, five entries will be drawn. An each entry envelope is opened, its contents will be validated according to the requirements of Section 10. If the entry does not meet the requirements of Section 10, another entry will be selected from that box; and so on, until a qualified entry has been chosen. The 260 validated entries will each win an Elvis Presley prize package.

(3) The procedures described in paragraphs (1) and (2) will be repeated for each of the Second Chance Drawings set forth in subsection (a).

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

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

12. *Second Chance Prize Descriptions:*

(a) Graceland trip. The Graceland trip includes a 3-day, 2-night trip for two to Graceland. The trip for two includes round trip airfare, ground transfers from the airport to the hotel, a suite at the Heartbreak Hotel, a VIP Platinum EPE Tour Package for two (Graceland Mansion Tour, Elvis Automobile Museum Tour, Elvis Custom Jets Tour and admission to Sincerely Elvis attraction), a dinner for two at Elvis Presley's Memphis restaurant, \$1,000 in gift certificates to be redeemed at EPE gift shops, required Federal Withholding tax and \$500 in cash.

(b) Elvis Presley Prize Package. Each prize package will include one of each of the following items:

(1) Elvis Presley Print. The limited edition artwork, pairing Elvis Presley with Betty Boop, is framed, matted and includes a certificate of authenticity.

(2) Elvis Presley Movies and Music Collection. The three-set movies and music collection contains three of Elvis' greatest movies along with a companion three-set CD collection.

(3) Elvis Presley Jacket. The extra large, two-tone denim jacket includes a customized, embroidered Elvis signature on the front left chest.

(4) Elvis Presley Wristwatch. The black leather watch features an Elvis signed photo, plays "Can't Help Falling in Love" and comes with a silver tone case.

(5) Elvis Presley T-Shirt. The extra large T-shirt is all cotton with a full-color Elvis image.

(6) Elvis Presley Playing Cards. The limited edition playing card set includes two poker sized decks, with one deck featuring the "Early Elvis" in 52 classic black and white photographs and the second deck featuring the "Mature Elvis" in 52 full-color images.

(7) The Lottery reserves the right to substitute a merchandise item set forth in subsection (b) with a merchandise item of equal or greater value.

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

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

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

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

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-2193. Filed for public inspection December 7, 2001, 9:00 a.m.]

Rates of Tax on Aviation Gasoline and Jet Fuel for 2002; Oil Company Franchise Tax Rate for 2002

Aviation Gasoline and Jet Fuels

Under 74 Pa.C.S. § 6121(b), the Secretary of Revenue announces that for the calendar year 2002 the rate of tax on aviation gasoline and all other liquid fuels used or sold

and delivered by distributors within this Commonwealth for use as fuel in propeller-driven piston engine aircraft or aircraft engines will decrease from the current rate of 4-3/10¢ to 4-1/10¢* per gallon or fractional part thereof.

Under 74 Pa.C.S. § 6131(b), the Secretary of Revenue announces that for the calendar year 2002 the rate of tax on jet fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine-propeller jet, turbojet and jet-driven aircraft and aircraft engines will decrease from the current rate of 2¢ per gallon to 1-8/10¢ per gallon or fractional part thereof.

The rate of tax on aviation gasoline is adjusted annually beginning on January 1, 1985, and each January 1 thereafter. The rate of tax on jet fuels is adjusted annually beginning on January 1, 1986, and each January 1 thereafter. Under 74 Pa.C.S. §§ 6121(b) and 6131(b) the rate of each tax increases or decreases 1/10¢ per gallon for each 10% increase or decrease in the producer price index for jet fuel as determined by the United States Department of Labor, Bureau of Labor Statistics, for the most recent 12-month period available as of November 1, subject to a maximum rate of 6¢ per gallon for aviation gasoline and 2¢ per gallon for jet fuels. On November 1, 2001, the most recently available 12-month period was September 2000 to September 2001, as reported in Bureau of Labor Statistics, United States Department of Labor, Producer Price Indexes, September 2001, USDL 01-347, released October 12, 2001, for which the percentage change was -20.5%. Accordingly, the aviation gasoline tax rate and jet fuel tax rate both decrease by 2/10¢ per gallon.

Oil Company Franchise Tax

The Secretary of Revenue announces that for the calendar year 2002 there is an increase in the current rate of the oil company franchise tax from 14.0¢ per gallon to 14.6¢ per gallon on all liquid fuels and from 18.9¢ per gallon to 19.8¢ per gallon on all fuels used or sold and delivered by distributors within this Commonwealth under 75 Pa.C.S. §§ 9004(b) and 9002, definition of "cents per gallon equivalent basis."

The rate of the oil company franchise tax imposed under Chapter 95 (Taxes for Highway Maintenance and Construction) of the Vehicle Code, 75 Pa.C.S. § 9502, and collected under Chapter 90 (Liquid Fuels and Fuels Tax), 75 Pa.C.S. § 9004(b), is determined annually by the Department of Revenue (Department) and announced by each December 15 for the following calendar year. The tax rate is determined on a "cents per gallon equivalent basis," which is defined by 75 Pa.C.S. § 9002 as:

The average wholesale price per gallon multiplied by the decimal equivalent of any tax imposed by section 9502 (relating to imposition of tax), the product of which is rounded to the next highest tenth of a cent per gallon. The rate of tax shall be determined by the Department of Revenue on an annual basis beginning every January 1 and shall be published as a notice in the *Pennsylvania Bulletin* no later than the preceding December 15. In the event of a change in the rate of tax imposed by section 9502, the Department shall redetermine the rate of tax as of the effective date of such change and give notice as soon as possible.

"Average wholesale price" as used previously is defined as:

*The rate of 4-1/10¢ per gallon consists of the 1-1/2¢ per gallon tax imposed by the Liquid Fuels and Fuels Tax Act, 75 Pa.C.S. § 9004(c)(1), and the 2-6/10¢ per gallon additional tax imposed by 74 Pa.C.S. § 6121(a). As limited by 74 Pa.C.S. § 6121(b), the combined rate of these two component taxes may never exceed 6¢ per gallon or be less than 3¢ per gallon.

The average wholesale price per gallon of all taxable liquid fuels and fuels, excluding the federal excise tax and all liquid fuels taxes, as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set. In no case shall the average wholesale price be less than 90¢ nor more than \$1.25 per gallon.

For the 12-month period ending September 30, 2001, the Department has determined that the average wholesale price of liquid fuels and fuels was 94.7¢ per gallon; accordingly, an average wholesale price of 94.7¢ per gallon is used to determine the rate for 2002.

The oil company franchise tax imposed under 75 Pa.C.S. § 9502 in terms of mills applicable to each gallon is:

<i>Imposition Section</i>	<i>Liquid Fuels</i>	<i>Fuels</i>
75 Pa.C.S. § 9502(a)(1)	60.0	60.0
75 Pa.C.S. § 9502(a)(2)	55.0	55.0
75 Pa.C.S. § 9502(a)(3)	38.5	38.5
75 Pa.C.S. § 9502(a)(4)	00.0	55.0
Total Mills per Gallon:	153.5	208.5
Decimal Equivalent:	.1535	.2085
Multiply by Average Wholesale Price:	x 94.7¢	x 94.7¢
Product:	14.536¢	19.745¢
Oil Company Franchise Tax per Gallon (Rounded Up to Next Highest Tenth):	14.6¢	19.8¢

Act 3 of 1997 provides that the oil company franchise tax as previously computed is collected at the same time as the liquid fuels and fuels tax of 12¢ per gallon; therefore, effective January 1, 2002, the combined rate of tax for liquid fuels (primarily gasoline) is 26.6¢ per gallon and for fuels (primarily diesel fuel) is 31.8¢ per gallon.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-2194. Filed for public inspection December 7, 2001, 9:00 a.m.]

Realty Transfer Tax Revised; 2000 Common Level Ratio Real Estate Valuation Factor

The following real estate valuation factors are based on sales data compiled by the State Tax Equalization Board in 2000. These factors are the mathematical reciprocals of the actual common level ratio. For Pennsylvania Realty Transfer Tax purposes, these factors are applicable for documents accepted from January 1, 2002, to June 30, 2002. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument, 61 Pa. Code § 91.102 (relating to acceptance of documents).

<i>County</i>	<i>Adjusted Common Level Ratio Factor</i>
* Dauphin	1.00
** Mercer	3.62
** Potter	2.32

<i>County</i>	<i>Adjusted Common Level Ratio Factor</i>
* Tioga	1.00

* Adjusted by the Department of Revenue to reflect assessment base change effective January 1, 2002.

** Adjusted by the Department of Revenue to reflect assessment ratio change effective January 1, 2002.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-2195. Filed for public inspection December 7, 2001, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

Notice is hereby given that pursuant to 67 Pa. Code § 495.4(d), an application to lease highway right-of-way has been submitted to the Department by Susquehanna Area Regional Airport Authority, of 208 Airport Drive, Middletown PA.

Seeking to lease highway right-of-way located at former address of 2094 Harrisburg Pike West, Middletown, Lower Swatara Twp., Dauphin County, PA.

1.30 acres +/- adjacent to SR 1081 Section(s) A04, for the purpose of parking purposes only.

Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Barry G. Hoffman, P.E., District Engineer, Engineering District 8-0, 2140 Herr Street, Harrisburg PA 17103-1699.

Questions regarding this application or the proposed use may be directed to George Achenbach, Right-of-Way Representative, 2140 Herr Street, Harrisburg PA 17103-1699, (717) 772-5117.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-2196. Filed for public inspection December 7, 2001, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

At its November 20, 2001, meeting, the Environmental Quality Board accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy).

The petition was submitted by a watershed organization known as Friends of Pine Creek, and it requests the redesignation of the lower reaches of Pine Creek in Schuylkill County from Cold Water Fishes (CWF) to Exceptional Value Waters (EV). Department of Environ-

mental Protection (DEP) staff will publish notice of its intent to assess the waters before performing any survey work.

The petition is available from the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and on DEP's website at the following address: <http://www.dep.state.pa.us/dep/subject/eqb/2001/Sep/Petition.pdf>.

DAVID E. HESS,
Chairperson

[Pa.B. Doc. No. 01-2197. Filed for public inspection December 7, 2001, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(d) of the Regulatory Review Act (71 P. S. § 745.5(d)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in section 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 Submission Deadline</i>
#47-9	Milk Marketing Board Over-Order Pre- mium Pool	11/26/01	10/22/03

(31 Pa.B. 5367 (September 22, 2001))

Milk Marketing Board Regulation No. 47-9 Over-Order Premium Pool November 26, 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 Milk Marketing Board (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 22, 2003, the regulation will be deemed withdrawn.

By Order # A-856 issued on August 10, 1988, the Board established this over-order premium on Class I milk that is produced, processed and sold within Pennsylvania. Through promulgation of this proposed regulation, the Board is amending the distribution of the premium and

establishing a premium pool. We agree that the Board's action to promulgate a regulation is appropriate. (See *DER v. Rushton Mining Co.*, 591 A.2d 1168 (Pa. Cmwlth. 1991), allocatur denied, 600 A.2d 541 (Pa. 1991)). By establishing the pool and providing for distribution of the money collected, the Board is issuing a binding norm with general application and future effect. This rule is binding upon the Board as well as upon all dealers and producers subject to the Board's jurisdiction.

1. Economic and Fiscal Impact; Reasonableness; Feasibility; Clarity.

The Board states in its Preamble to the proposed regulation:

Currently the . . . Board places a premium above the Federal order price of Class I fluid milk that is produced, processed and sold within this Commonwealth . . . This mandated over-order premium is now paid to Class I producers. The Board has determined that 45% of this over-order premium should be placed in a pool and shared with all qualified producers as defined in the proposed rule-making. The remaining 55% of the over-order premium would continue to be paid to the Class I producers.

In response to Question 13 in the Regulatory Analysis Form, the Board states:

"The beneficiaries of this regulation are those Pennsylvania dairy farmers that currently receive little or no direct benefit from the over-order premium. This represents 50% of dairy farmers or approximately 4,500 dairy farmers."

In response to Question 14 in the Regulatory Analysis Form, the Board states:

"Approximately 4,500 or 50% of dairy farmers will be adversely affected."

It is not clear what economic conditions, circumstances or studies formed the basis of the Board's determination to pool a portion of the over-order premium and allocate that portion to other classes. In order to evaluate a regulation, we must determine whether the criteria set forth in the Regulatory Review Act are satisfied. Therefore, we need additional information from the Board to measure the economic and fiscal impact, reasonableness, feasibility and clarity of the regulation. Please provide the data upon which the Board determined the allocation of the over-order premium.

2. Section 148.1. Definitions.—Clarity.

General clarity

To improve readability, the word "Pennsylvania" is not needed to preface defined terms. For example, the term "Pennsylvania producer" could be just "producer" since the definition states the producer is located in Pennsylvania. Hence, the shorter term "producer" could be used throughout the regulation.

Distributing plant

There are two concerns.

First, the term "distributing plant" is only used in the definition of "qualified producer." The definition of "distributing plant" could be deleted. If necessary, clarification could be added to the definition of "qualified producer."

Second, the phrase "a duly constituted regulatory agency" is vague. If any portion of this definition is

retained, the regulation should specify who the Board considers qualified to approve a plant to handle Grade A milk.

Diversion

There are two concerns.

First, the last sentence is substantive. Substantive provisions in a definition are not enforceable. Therefore, this sentence should be moved to the body of the regulation.

Second, a reference to the specific United States Department of Agriculture guidelines the Board will use to make a determination should be added.

Pennsylvania Class I Pounds

This term is not used in the regulation. Should it be "Pennsylvania Class I Utilization" instead?

Pennsylvania milk pool or pool

The second component of this definition is confusing. What does "amount to be redistributed to Pennsylvania producers" define? Is the intent to state, "the sum...that will be redistributed to Pennsylvania producers"?

Pool administrator

There are two concerns.

First, the phrase "The pool administrator" is redundant and should be deleted.

Second, the term "Board" is not defined. For added clarity, this definition should specify the Milk Marketing Board.

Qualified pounds

The second sentence and remainder of this definition are substantive. Because substantive provisions in a definition are not enforceable, these provisions should be moved to the body of the regulation.

3. Section 148.2. Pennsylvania over-order premium dealer's reporting requirements.—Clarity.

This section is vague. It requires filing of "information contained in forms prescribed and furnished by the Board." Is this section referring to PMMB 62, as specified in Section 148.6? Section 148.2 should specify the form(s) to be used.

The title of this section uses the phrase "Pennsylvania over-order premium dealer." The term "dealer" is not defined in Section 148.1. Should the title use the defined term "Pennsylvania Pool Plant"?

4. Section 148.3. Calculation of the contributing pool plant over-order premium value.—Clarity.

Subsection (1)

Is the term "Pennsylvania Production" a total for all Pennsylvania dairy producers, or just one Pennsylvania dairy producer? The Board should clarify this distinction.

Subsection (2)

We have three concerns with the example in this subsection.

First, the result of variable "F" in this subsection is unclear. For clarity, the Board should either show how F is calculated, or use numbers that do not appear to be either the sum or difference of other combinations of numbers in the example.

Second, the equation in the example contained in Subsection (2) appears to be inconsistent with other examples given in this regulation. The product of the

equation “ExFx $D=G$ ” is not “\$2,000,” but rather \$200,000. The division by 100 is not shown.

Finally, the term “hundredweight” is not mentioned in the text of this subsection. However the term “hundredweight” is used in the text of other sections, such as Section 148.4(3). For clarity, the text of Subsection (2) should include the term “hundredweight.”

5. Section 148.4. Calculation of the pool.—Clarity.

Subsection (3)

The example in this subsection does not show how Dairy C ends up with 192,857 qualified pounds or how its production of 50,000 pounds of Pennsylvania production (A) is considered. The Board should include the formula that results in this figure in the final-form regulation.

6. Section 148.5. Collection and distribution of the pool.—Clarity.

Subsection (2) example

We have two concerns with this example.

First, there appears to be a math error in the calculation. The answer should be “\$0.8125” not “\$0.5417.”

Second, the parentheses in the denominator of the formula at the end of the example are incorrect. It appears the intent is to subtract 100,000 from 300,000 and then divide the difference by 100. However, this is unclear as written in the example.

Subsection (3)

The Board has included numerous examples throughout this regulation. However, there is no example for Subsection (3). As the examples in other subsections lend clarity, the Board should consider inserting an example in Subsection (3).

7. Section 148.6. Pool administrator’s reporting requirements.—Reasonableness; Economic impact.

The dates for reporting requirements set forth in this section and Section 148.2 (relating to Pennsylvania over-order premium dealer’s reporting requirements) may be difficult to meet. For example, a Commentator expressed a concern that data required on the sixteenth of the month is not usually available until the twelfth of the month and can’t be fully submitted to the Board until the twenty-fifth of the month. The Board should explain how the new reporting requirements can be met, and what economic impact these deadlines will have on pool plants.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-2198. Filed for public inspection December 7, 2001, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
3-4	Department of Banking Mortgage Bankers and Brokers; Continuing Education	11/20/01
10-156	Department of Health Reporting of Communicable and Noncommunicable Diseases	11/26/01
16A-482	State Board of Funeral Directors Application Fees	11/27/01
16A-694	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Licensure	11/28/01
16A-6311	State Board of Psychology Examination Fees	11/27/01

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-2199. Filed for public inspection December 7, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Merger

An application has been received requesting approval of the merger of Title & Trust Company of Florida, a nonadmitted stock title insurance company organized under the laws of the State of Florida, with and into Commonwealth Land Title Insurance Company, a stock title insurance company organized under the laws of the Commonwealth of Pennsylvania. The initial filing was received on November 27, 2001, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932 and 15 Pa.C.S. §§ 21205—21207. Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written statement to the Insurance Department (Department) within 7 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail cbybee@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-2200. Filed for public inspection December 7, 2001, 9:00 a.m.]

Keystone Health Plan East; Rate Filing

On November 19, 2001, Keystone Health Plan East filed for an increase in the commercial HMO rates in its

five-county Southeastern Pennsylvania service area. The proposed medical rate increase is 18.2% and 21.5% for pharmacy.

The medical rate increase will affect approximately 606,000 members and will generate additional annual income of \$193 million and the pharmacy rate increase will affect approximately 461,000 members and will generate an additional annual income of \$45 million.

The requested effective date of this change is April 1, 2002.

Copies of this filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg and Philadelphia.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-2201. Filed for public inspection December 7, 2001, 9:00 a.m.]

Medical Professional Liability Catastrophe Loss Fund; Hospital Experience Modification Factors Filing

On November 20, 2001, the Insurance Department (Department) received a filing from the Medical Professional Liability Catastrophe Loss Fund for the adjustments to the prevailing primary premiums for hospitals under section 701(e)(4) of Act 135 of 1996.

The filing indicates the following:

"... the requested hospital experience modification factors (are) ... between -20% and +20%, as provided for in the statute."

"... the overall impact of the program on hospitals as a class is revenue neutral."

The filing applies to any new policies effective on or after January 1, 2002.

Copies of the filing will be available for public inspection during normal working hours at the Department's regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-2202. Filed for public inspection December 7, 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 their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). These administrative hearings will be held in the Insurance Department's regional offices in Pittsburgh, Harrisburg and Philadelphia, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Solly Thomas; file no. 01-308-73137; Phoenix Insurance Company (Travelers); doc. no. PI01-11-036; January 3, 2002, at 3 p.m.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Edwin Gunshore; file no. 01-182-07905; Travelers Indemnity Company; doc. no. P01-11-032; January 9, 2002, at 10 a.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street; Philadelphia, PA 19130.

Appeal of Roger and Carol L. Pendel; file no. 01-182-07550; Donegal Mutual Insurance Company; doc. no. PH01-11-033; April 17, 2002 at 8:30 a.m.

Appeal of Nataliya and Valeriy Krasnov; file no. 01-215-05400; AAA Mid-Atlantic Insurance Group; doc. no. PH01-11-031; April 17, 2002 at 9:30 a.m.

Appeal of Richard and Donna Williams; file no. 01-280-05290; Encompass Insurance Company; doc. no. PH01-11-034; April 17, 2002 at 1 p.m.

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

In some cases, the 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 is subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-2203. Filed for public inspection December 7, 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. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Leroy and Suzette Jackson; file no. 01-182-07048; Nationwide Mutual Fire Insurance Company; doc. no. P01-11-028; January 10, 2002, at 1:30 p.m.

The following hearing will be held in the Philadelphia

Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Gerald and Carolyn Finn; file no. 01-280-05475; Keystone Insurance Company; doc. no. PH01-11-030; April 17, 2002, at 10:30 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.

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

Persons with a disability who wish to attend the previously-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. 01-2204. Filed for public inspection December 7, 2001, 9:00 a.m.]

OFFICE OF THE BUDGET

Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P. L. 160, No. 39) as amended by section 2 of the act of October 19, 1995 (P. L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U(PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 16, 2001, that the salaries covered by that law shall be increased by 2.8% effective January 1, 2002. The following chart sets out the agency head position, the salary prior to the adjustment, the percentage amount of the adjustment, and the new salary:

COLA ADJUSTMENT FOR ELECTED AND APPOINTED OFFICIALS RECEIVING SALARIES CONTAINED IN ACT 1995-51

PREPARED NOVEMBER 16, 2001

COLA ADJUSTMENT IS BASED ON THE PERCENT CHANGE IN THE CPI-U FOR PA-DE-NJ-MD, CMSA, FOR THE 12 MONTH PERIOD ENDING OCTOBER 2001

POSITION	SALARY PRIOR TO 1/1/02	COLA ADJUSTMENT	SALARY EFFECTIVE 1/1/02
Governor	\$138,270	2.8%	\$142,142
Lieutenant Governor	\$116,147	2.8%	\$119,399
State Treasurer	\$115,041	2.8%	\$118,262
Auditor General	\$115,041	2.8%	\$118,262
Attorney General	\$115,041	2.8%	\$118,262

POSITION	SALARY PRIOR TO 1/1/02	COLA ADJUSTMENT	SALARY EFFECTIVE 1/1/02
Large Agency Head Secretary of Education Secretary of Environmental Protection Secretary of Health Secretary of Labor & Industry Secretary of Public Welfare Secretary of Transportation Secretary of Corrections	\$110,617	2.8%	\$113,714
Medium Agency Head Secretary of Aging Secretary of Community & Economic Development Secretary of General Services Secretary of Revenue State Police Commissioner Secretary of Conservation & Natural Resources	\$105,086	2.8%	\$108,028
Small Agency Head Adjutant General Secretary of Agriculture Secretary of Banking Secretary of the Commonwealth Insurance Commissioner	\$99,555	2.8%	\$102,343
Liquor Control Board			
Chairman	\$56,193	2.8%	\$57,766
Member	\$53,980	2.8%	\$55,491
Civil Service Commission			
Chairman	\$44,938	2.8%	\$46,196
Member	\$44,938	2.8%	\$46,196
State Tax Equalization Board			
Chairman	\$19,359	2.8%	\$19,901
Member	\$17,974	2.8%	\$18,477
Milk Marketing Board			
Chairman	\$17,974	2.8%	\$18,477
Member	\$17,284	2.8%	\$17,768
Securities Commission***			
Chairman	\$30,244	2.8%	\$31,091
Member	\$27,591	2.8%	\$28,364
Athletic Commission			
Chairman	\$14,520	2.8%	\$14,927
Member	\$13,827	2.8%	\$14,214
Board of Pardons			
Member	\$12,721	2.8%	\$13,077
Board of Claims			
Chairman	\$93,801	2.8%	\$96,427
Member	\$89,379	2.8%	\$91,882
Public Utility Commission			
Chairman	\$107,586	**	\$110,528
Member	\$105,086	2.8%	\$108,028
Environmental Hearing Board *			
Chairman	\$107,586	*	\$110,528
Member	\$105,086	*	\$108,028

* The Environmental Hearing Board is not contained in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

** : Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

*** : Per Act 1998-51.

ROBERT A. BITTENBENDER,
Secretary

[Pa.B. Doc. No. 01-2205. Filed for public inspection December 7, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (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 December 31, 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-00118449. Silver Spring Ambulance and Rescue Association, t/d/b/a Metro Med Services (P. O. Box 177, New Kingstown, Cumberland County, PA 17072), a corporation of the Commonwealth of Pennsylvania, persons in paratransit service, between points in the counties of Cumberland, Dauphin, Perry and York, and from points in said counties, to points in Pennsylvania, and return. *Christie M. Mellott, 5002 Lenker Street, Suite 202, Mechanicsburg, PA 17055.*

A-00118453. Albit Garcia, t/d/b/a Penn Central Taxi (1021 South Progress Avenue, Apt. R # 4, Harrisburg, Dauphin County, PA 17111)—persons upon call or demand, in the counties of Dauphin and Cumberland.

Application 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 the application.

A-00116247, F. 1, Am-A. Somerset Area Ambulance Association, Inc. (P. O. Box 615, Somerset, Somerset County, PA 15501), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service: (1) to or from medical appointments, between points in the county of Somerset, and from points in said county, to points in the counties of Allegheny, Bedford, Blair, Cambria, Fayette and Westmoreland, and return. Subject to the following condition: that service is limited to the use of vehicles equipped with side opening door, ramps or lifts to handle wheelchairs; and (2) from points in the county of Somerset, to the Allegheny General Hospital in the county of Allegheny, and return. *Attorney: William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219.*

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

A-00118447, F. 2. Vicki M. Cranston, t/d/b/a Vicki Cranston Services (15 Swamp Road, Newtown, Bucks County, PA 18940)—household goods, in use, between

points in the city and county of Philadelphia, and the county of Bucks, and from points in said territory, to points in Pennsylvania, and vice versa.

A-00118461. Hector Vazquez, t/d/b/a Papolo's Moving & Shipping (324 Hill Street, Bethlehem, Northampton County, PA 18015)—to transport, as a common carrier, by motor vehicle, household goods, in use, for the Hispanic Community, between points in the county of Northampton, and from points in said county, to points in Pennsylvania, and, vice versa. Application for Temporary Authority has been filed at A-00118461, seeking the right previously cited.

Application of the following for approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-00103025, F. 1- Am-A. Jay A. Meck (5 Barr Avenue, Gordonville, Lancaster County, PA 17529)—discontinuance of service—persons, in paratransit service, between points in the county of Lancaster, and from points in said county to points in Pennsylvania, and return. *Attorney: H. Charles Benner, 200 East Main Street, Leola, PA 17540.*

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 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 December 31, 2001.

A-00118443	LaRue Limousine, LLC 17 Louella Court Wayne, PA 19087 <i>Attorney: Mark D. Schaffer 1429 Walnut Street Suite 800 Philadelphia, PA 19102</i>
A-00118446	Rachel Limo Services, Inc. #7 Mallard Pond Circle Newtown, PA 18940
A-00118448	Alexa Limo, Inc. 7811 Whitaker Avenue Philadelphia, PA 19111
A-00118450	All City Transportation, Inc. 6821 Norwich Drive Philadelphia, PA 19153
A-00118451	Arista Limousine, Inc. 543 Jason Drive Southampton, PA 18966

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Dol-Jon, Inc.; Doc. No. A-00107755C01

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsi-

bilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Dol-Jon, Inc., respondent, maintains a principal place of business at 7879 Talhelm Road, Chambersburg, PA 17201.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00107755.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa. C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Dol-Jon, Inc. at Docket No. A-00107755, for failure to maintain evidence of current insurance on file with the Commission.

Respectfully submitted,

Michael E. Hoffman, Acting Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

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

Date: _____
Michael E. Hoffman

Notice to Plead

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

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

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier

permit; or brokerage license or imposing such other remedy as may be appropriate.

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

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

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

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Thomas Novak, d/b/a
Lee's Moving; Doc. No. C-20016179*

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Thomas Novak, d/b/a Lee's Moving, respondent, maintains his principal place of business at 1950 Hamilton Street, Allentown, PA 18102.

2. That, on the date of the violation alleged in this complaint, respondent did not hold a certificate of public convenience issued by this Commission.

3. That respondent's employee, on August 21, 2001, held out to provide transportation by giving an estimate to Enforcement Officer Ronald Schreiber to move three rooms of furniture from Allentown to Bethlehem, Pennsylvania. Respondent quoted a price of two men at a rate of \$65 per hour. When asked if respondent would supply the driver as a third man the rate went up to \$75 per hour and if a fourth man is needed it would be \$85 per hour. Respondent was warned in June 1998 that he could not provide transportation of household goods. Penalty is \$500.

4. That respondent, in performing the act described in Paragraph 3 of this complaint, violated the Public Utility Code, 66 Pa.C.S. § 1101, in that respondent held himself out to provide transportation of household good for compensation between points in the Commonwealth of Pennsylvania while not then holding a certificate of public convenience issued by this Commission.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Thomas Novak, d/b/a Lee's Moving the sum of five hundred dollars (\$500) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

Verification

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

Date: _____

Michael E. Hoffman

Notice

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

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

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty (see B).

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine set forth in C, above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Technical Unit at (717) 783-5945.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2206. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-310513F7001. Verizon North Inc. and Sprint Spectrum L.P. Joint Petition of Verizon North Inc. and Sprint Spectrum L.P. for approval of an amendment to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and Sprint Spectrum L.P. filed on November 20, 2001, at the Pennsylvania Public Utility Commission (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 North Inc. and Sprint Spectrum L.P. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2207. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-310965F7000. Verizon Pennsylvania Inc. and Ciera Network Systems, Inc. Joint Petition of Verizon Pennsylvania Inc. and Ciera Network Systems, Inc. for approval of an interconnection agreement replacing a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Ciera Network Systems, Inc. filed on November 21, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Replacement 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 Ciera Network Systems, Inc. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2208. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-310832F7000. Verizon Pennsylvania Inc. and IG2 Inc. Joint Petition of Verizon Pennsylvania Inc. and IG2 Inc. for approval of a replacement interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and IG2 Inc. filed on November 23, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Replacement 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 IG2 Inc. Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2209. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-310957F7000. Verizon Pennsylvania Inc. and KMC Telecom V, Inc. Joint Petition of Verizon Pennsylvania Inc. and KMC Telecom V, Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and KMC Telecom V, Inc. filed on November 26, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2210. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-311021F7000. Verizon Pennsylvania Inc. and Lightwave Communications, LLC. Joint Petition of Verizon Pennsylvania Inc. and Lightwave Communications, LLC for approval of a supplemental interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Lightwave Communications, LLC filed on November 16, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Supplemental 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 Lightwave Communications, LLC Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2211. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-311021F7000. Verizon Pennsylvania Inc. and Lightwave Communications, LLC. Joint Petition of Verizon Pennsylvania Inc. and Lightwave Communications, LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Lightwave Communications, LLC filed on November 16, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2212. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-311011F7000. Verizon Pennsylvania Inc. and Norcom, Inc. Joint Petition of Verizon Pennsylvania Inc. and Norcom, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Norcom, Inc. filed on November 23, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2213. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-310995F7000. Verizon Pennsylvania Inc. and PulseNet, Inc. Joint Petition of Verizon Pennsylvania Inc. and PulseNet, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and PulseNet, Inc. filed on November 23, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2214. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-310581F7000. Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue. Joint Petition of Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue for approval of a supplemental interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue filed on November 15, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Supplemental 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 VIC-RMTS-DC, LLC d/b/a Verizon Avenue Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2215. Filed for public inspection December 7, 2001, 9:00 a.m.]

Telecommunications

A-310581F7000. Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue. Joint Petition of Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue filed on November 15, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue Joint Petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2216. Filed for public inspection December 7, 2001, 9:00 a.m.]

Tentative Order

Public Meeting held
November 9, 2001

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Request for Comments re: Standard for Comparing Local Service Options for Use in a Consumer Education Program on Telephone Competition; Doc. No. M-00011580

Tentative Order

By the Commission:

The Commission proposes to implement a consumer education program concerning telephone competition in this Commonwealth. The program would educate consumers about the choices they have among carriers for various services including, but not limited to, local and long distance. The program would also educate consumers on how to read their bills and on what questions to ask when they inquire about their services.

Recent studies indicate that consumers' preferences are to have prices for the products and services to assist them in making a choice. We would like to accommodate those preferences in a manner that is easily readable, understandable and competitively neutral.

In the Electric Choice program¹, the "price to compare" became a key piece of consumer information. The "price to compare," which was expressed in cents/kWh and was unique to each electric distribution company, established a baseline for customers to use to compare and to evaluate the offers of competing electric generation suppliers. Thus, the "price to compare" facilitated customer choice by providing customers with an easy way to consider their electric generation supply options.

The Commission is looking to establish a similar tool in the telecommunications industry that will reduce customer confusion and will give customers the essential information that they need to do comparison shopping for local telephone service. The question is what information/standard would assist consumers and foster competition in the local telephone service market but would not be anti-competitive.

The standard should be universal and would be used when consumers apply for residential telephone service by phone, with a local exchange carrier service (LEC) representative providing the customer with information. This information should provide consumers with the opportunity to make a comparison among the companies offering service in their area so that they can purchase the telephone service that best meets their respective needs.

The standards for comparison that is derived as a result of this inquiry will not obfuscate the LEC's duty to comply with the Federal Communication Commission's Truth-In-Billing Rules, 15 U.S.C.A. § 1601, et seq., and our own standards and billing practices for residential customers or prior Commission orders relating to lifeline service availability.

We seek comments from the public and industry on this matter. Those submitting comments shall provide concrete proposals in support of their suggestions. In addition, we also seek specific comment on the following questions:

1. Would a proposed guideline(s)/standard(s) present an illegal barrier to entry under the Telecommunications Act of 1996 (TA-96)?
2. Will a proposed guideline(s)/standard(s) assist consumers in making a meaningful and effective comparison of the offers of competing local telecommunications service providers?
3. Should LECs (Incumbent Local Exchange Carriers (ILECs) and Competitive Local Exchange Carriers (CLECs)) be obligated to offer customers the service package/plan represented by a "price to compare?"
4. Is an approach similar to the one used in the electric choice program viable/feasible/workable in the telephone industry?

¹The Electric Choice Program was the consumer education/information program that facilitated customer participation in this Commonwealth's competitive electric generation market. As such, it represents an important milestone in the transition of this Commonwealth's electric industry from a regulated monopoly to a competitive marketplace.

5. If so, what component(s) of service should be the basis for a comparison?

6. The FCC's Truth-In-Billing regulations, 15 U.S.C. §§ 1601, et seq., and our own regulations require a basic service to be billed separately. Would that be a viable basis for the comparison?

7. If the Commission would decide to do a "price to compare," should information be confined only to a "residential flat monthly rate for unlimited local calling within a calling area that is equal to, or larger than, the calling area provided by an incumbent local exchange carrier"?

8. What is the estimated cost of implementing these guidelines/standards establishing the "price to compare" and presenting the "price to compare" to consumers in marketing materials, web sites, billing inserts and/or in customer service telephone contacts?

9. What would be the best way to implement this type of program?

In order to facilitate public comment/input on this matter, we will establish a 10-day comment period from the date of the publication of this order in the *Pennsylvania Bulletin*. We urge that all interested persons file comments as soon as possible. Note that reply comments will not be permitted; *Therefore*,

It Is Ordered that:

1. The requests for response and comment to the questions set forth in this Tentative Order regarding a standard for use in a consumer education program on telephone competition be issued to the public and to the industry.

2. This Tentative Order be published in the *Pennsylvania Bulletin* and that a comment period ending 10 days after publication is hereby established.

3. Written comments, an original and 15 copies shall be submitted to the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. No reply comments will be permitted. A diskette containing the comments in electronic format must also be submitted. Comments should specifically reference the docket number of this order.

4. A copy of this order and any accompanying statements of the Commissioners be served upon all jurisdictional local exchange carriers, the Pennsylvania Telephone Association, the Pennsylvania Cable and Telecommunication Association, the Office of Consumer Advocate, the Office of Small Business Advocate and the Office of Trial Staff, posted on the Commission's website at <http://puc.paonline.com> and shall be made available to all other interested parties.

5. The contact persons for this matter are Lenora Best, Consumer Services, (717) 783-9090 and Patricia Krise Burket, Law Bureau (717) 787-3464.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-2217. Filed for public inspection December 7, 2001, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0149.1r, Install Nine Fast Acting Roll-Up Doors, Pier 82 South, until 2 p.m. on Thursday, December 20, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available December 10, 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, December 13, 2001, 10 a.m. at the job site, Jackson St. and Columbus Blvd., Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 01-2218. Filed for public inspection December 7, 2001, 9:00 a.m.]