

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, 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 February 12, 2002.

### BANKING INSTITUTIONS

#### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-18-02	Counsel Trust Company York York County	235 St. Charles Way Suite 100 York York Township York County	Commenced Operations

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-29-02	First Financial Bank Downingtown Chester County	830 E. Baltimore Pike Kennett Square Chester County	Opened
2-6-02	Northwest Savings Bank Warren Warren County	1040 Lake Avenue Ashtabula Ashtabula County Ohio	Approved
2-7-02	Farmers First Bank Lititz Lancaster County	WalMart Store 890 East Main St. Ephrata Lancaster County	Approved
2-7-02	Community Bank and Trust Company Clarks Summit Lackawanna County	Corner of Seventh and Lackawanna Aves. Scranton Lackawanna County	Approved
2-11-02	Parkvale Savings Bank Monroeville Allegheny County	6298 Steubenville Pike (50 Hightower Road) Robinson Township Allegheny Township	Approved

#### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-7-02	Community Bank and Trust Company Clarks Summit Lackawanna County	<i>To:</i> 60 Main Street Clifford Susquehanna County  <i>From:</i> Route 106 Clifford Susquehanna County	Approved

#### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-31-02	Fulton Bank Lancaster Lancaster County	Weaver's Market Routes 272 and 897 Adamstown Lancaster County	Effective

### SAVINGS INSTITUTIONS

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
Secretary

[Pa.B. Doc. No. 02-298. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Maximum Lawful Rates of Interest for Residential Mortgages for the Month of March 2002**

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of March 2002, is 7 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as a principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.37 to which was added 2.50 percentage points for a total of 7.87 that by law is rounded off to the nearest quarter at 7 3/4%.

JAMES B. KAUFFMAN, Jr.,  
Secretary

[Pa.B. Doc. No. 02-299. Filed for public inspection February 22, 2002, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

**Pennsylvania Heritage Parks Program: Fiscal Year 2002-2003 Grant Application**

The Department of Conservation and Natural Resources (DCNR) announces that applications are now being accepted for grants to be funded from the 2002-2003 fiscal year Pennsylvania Heritage Parks Program. Funding is subject to an appropriation being made available to DCNR for the Pennsylvania Heritage Parks Program in the upcoming 2002-2003 fiscal year budget. The deadline for submission of applications is Friday, May 17, 2002. Applications must be received no later than 5 p.m. in the Harrisburg Central Office of DCNR's Bureau of Recreation and Conservation. Applications received after this deadline will not be considered for funding. Fax submissions are not acceptable.

It is the intent of the program to create a system of State Heritage Parks that will preserve and interpret the

significant contributions that certain regions of this Commonwealth have made to the industrial heritage of the State and Nation. The historic, cultural, natural, scenic and recreational resources within a Heritage Park area are inventoried, preserved, enhanced and promoted as a strategy to enhance regional economic development through the attraction of tourists, creation of new jobs, stimulation of small business growth and the promotion of public and private investment opportunities. There are currently 11 designated State Heritage Parks including the Allegheny Ridge State Heritage Park, the Delaware and Lehigh National Heritage Corridor, the Endless Mountains Heritage Region, the Lackawanna Heritage Valley Authority, the Lancaster-York Heritage Region, the Lincoln Highway Heritage Corridor, the Lumber Heritage Region, the National Road Heritage Park, the Oil Heritage Region, the Rivers of Steel Heritage Area and the Schuylkill River Heritage Corridor.

Designated State Heritage Parks are eligible to apply for grants to undertake heritage park management activities, special purpose studies and implementation projects. Other regions wishing to participate in the Pennsylvania Heritage Parks Program may apply for feasibility study grants if they meet the following criteria and are prequalified by DCNR:

- Must have a strong industrial theme based on one or more of the following industries—coal, oil, iron and steel, lumber, textile, transportation, machine and foundry, and agriculture;
- Must be multicounty in size;
- Must have natural, cultural, historic, recreational and scenic resources of State or National significance;
- Have a broad-based public and private partnership and regional coalition supporting the project;
- Must demonstrate a local commitment and leadership capacity to undertake the initiative.

*Program Manual/Application Forms*

The Pennsylvania Heritage Parks Program Manual provides more specific information on funding levels, program requirements and the application process for this round of funding. The Pennsylvania Heritage Parks Program Manual and application forms are available from DCNR. Since each project type has a specific set of application forms and instructions, specify the type of project when requesting application forms. The Pennsylvania Heritage Parks Program Manual, application forms and additional information about the Pennsylvania Heritage Parks Program can be obtained from the Central Office of DCNR's Bureau of Recreation and Conservation in Harrisburg: Tim Keptner, Chief, Regional Services Division, Bureau of Recreation and Conservation, Pennsylvania Heritage Parks Program, Department of Conservation and Natural Resources, 6th Floor Rachel Carson State Office Building, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-0988.

Persons with a disability who wish to submit an application for Pennsylvania Heritage Parks Program funding and require assistance with the application

should contact Darrel J. Siesholtz at (717) 783-2661 to discuss how DCNR may best accommodate their needs. TTY or TDD users call (800) 654-5984.

JOHN C. OLIVER,  
Secretary

[Pa.B. Doc. No. 02-300. Filed for public inspection February 22, 2002, 9:00 a.m.]

Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to GERALYN UMSTEAD at (717) 772-9087.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact GERALYN UMSTEAD directly at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN C. OLIVER,  
Secretary

[Pa.B. Doc. No. 02-301. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Snowmobile and ATV Advisory Committee Meeting**

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will hold a meeting on Tuesday, March 5, 2002. The meeting will be held at 9:30 a.m. in Room 105,

**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 the 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**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0021555	Weatherly Municipal Authority 10 Wilbur Street Weatherly, PA 18255	Weatherly Borough Carbon County	Black Creek (2B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0110850	Meda Nipple Convalescent Home R. R. 1, Box 109 Thompsons town, PA 17094	Juniata County Delaware Township	UNT Cocolamus Creek/12B	Yes
PA0028142	Pennsylvania National Guard Fort Indiantown Gap Building No. 1 Annville, PA 17003	Lebanon County East Hanover Town- ship	Swatara Creek/7D	Yes
PA0086771	Centre Township Municipal Au- thority—Dauberville 449 Bucks Hill Road Mohrsville, PA 19541	Berks County Centre Township	Irish Creek/3B	Yes
PA0032964	Department of Conservation and Natural Resources Cowans Gap State Park 6235 Aughwick Road Fort Loudon, PA 17224	Fulton County Todd Township	S. Branch Little Aughwick Creek/12C	Yes
PA0084948	Waynesboro Borough Authority 57 East Main Street Waynesboro, PA 17268	Franklin County Quincy Township	E. Branch Antietam Creek/13-C	Yes

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

**PA0222151**, Industrial Waste, **Crompton Corporation**, 77 North Kendall Avenue, Bradford, PA 16701. This proposed facility is located in the City of Bradford, **McKean County**.

Description of Proposed discharge of treated industrial waste is in watershed 16-C and classified for: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>—NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the PA/NY state line located approximately 2.7 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.367 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>
(MO) Flow (MGD)	XX				
Total Iron					
Interim Limits			7.7	15.4	19.3
Final Limits			3.5	7	8.8
Oil and Grease			15		30
Dissolved Iron			XX		6
Trichloroethylene			XX		XX
cis-1,2 dichloroethylene			XX		XX
Vinyl Chloride			XX		XX
Methyl Ethyl Ketone			XX		XX
Manganese			XX		XX
Osmotic Pressure (mos/kg)			XX		XX
Anthracene			XX		XX
Benzene			XX		XX
Benzo[a]anthracene			XX		XX
Benzo[a]pyrene			XX		XX
Benzo[b]fluoranthene			XX		XX
Benzo[ghi]perylene			XX		XX
Chrysene			XX		XX
Cumene			XX		XX
Dibromoethane, 1,2- (Ethylene Dibromide)			XX		XX
Dichloroethane, 1,2			XX		XX
Ethyl Benzene			XX		XX
Fluorene			XX		XX
Indeno [1,2,3-cd] pyrene			XX		XX
Lead (Total)			XX		XX

<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>
Methyl Tert-Butyl Ether (MTBE)			XX		XX
Naphthalene			XX		XX
Phenanthrene			XX		XX
Pyrene			XX		XX
Toluene			XX		XX
Xylenes (Total)			XX		XX
pH	Within limits of 6.0 to 9.0 standard units at all times.				

XX—Monitor and report.

In addition to the effluent limits, the permit contains the following major special conditions.

1. Final technology based limitation for total iron.
2. Conditions for future permit modification. Sampling relief for volatile, and the like, monitoring only parameter.

The EPA Waiver is in effect.

**PA0103811**, Industrial Waste, **Northwest Sanitary Landfill, Waste Management Disposal Services of PA, Inc.**, 1436 West Sunbury Road, West Sunbury, PA 16061. This proposed facility is located in Cherry Township, **Butler County**.

Description of Proposed discharge of treated industrial waste and stormwater, is in watershed 20-C and classified for: cold water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>—NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Salvation Army Camp on Slippery Rock Creek located in Wayne Township, Lawrence County approximately 30 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03264 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>
(MO) Flow (MGD)	XX				
(BAT) BOD <sub>5</sub>	XX		37	140	140
(BAT) TSS	XX		27	88	88
(BAT) Ammonia—Nitrogen	1.33		4.9	10	12
(BAT) a-Terpineol			0.016	0.033	0.04
(BAT) Benzoic Acid			0.071	0.12	0.18
(BAT) p-Cresol			0.014	0.025	0.035
(BAT) Phenol			0.015	0.026	0.038
(BAT) Zinc	XX	XX	0.11	0.2	0.28
(CH-95) Oil and Grease			15		30
(WQ-95) Fecal Coliform					
(5-1 to 9-30)			200/100 ml		
(10-1 to 4-30)			10,700/100 ml		
4,4'-DDT			0.000007	0.000014	0.000018
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 002 (Pond A) 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>
TDS					XX
Oil and Grease					XX
pH					XX

The proposed effluent limits for Outfall 003 (Pond B) 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>
TDS					XX
Oil and Grease					XX
pH					XX

XX — Monitor and report.

In addition to the effluent limits, the permit contains the following major special conditions:

- Monitoring of Treated Leachate Quantity and Quality
- Management of Leachate Discharge Rates
- Control of Leachate During Low Stream Flow Conditions
- Water Quality Based Limits at or Below Detection Limits
- Monitoring Requirements for Stormwater Discharges

The EPA Waiver is in effect.

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

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

**PA#0012475**, Industrial, SIC Code 4911, **Reliant Energy Mid-Atlantic Power Holdings, LLC**, 1001 Broad Street, Johnstown, PA 15907-1050. This proposed facility is located in Upper Mount Bethel Township, **Northampton County**.

Description of Proposed Activity: modification of existing NPDES permit to discharge process wastewater, noncontact cooling water, cooling tower blowdown, low volume wastewater, sewage and uncontaminated stormwater into the Delaware River in Upper Mount Bethel Township, Northampton County.

The receiving stream, Delaware River, is in the State Water Plan watershed #01F and is classified for: aquatic life, warm water fishery, migratory fishes. The nearest downstream public water supply intake for City of Easton Water Supply is located on the Delaware is 20 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 298 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Total Residual Chlorine				0.2	
Discharge Temperature					110°F
Upstream Temperature					Monitor and Report
Downstream Temperature					Monitor and Report
pH			6 to 9 Standard Units at all Times		

The proposed effluent limits for Outfall 101 based on a design flow of 0.942 MGD are:

	<i>Average Monthly</i>	<i>Maximum Daily</i>
Free Available Chlorine	0.2	0.5

The proposed effluent limits for Outfall 201 based on a design flow of 0.072 MGD are:

	<i>Average Monthly</i>	<i>Maximum Daily</i>
Total Suspended Solids	30	100
Oil and Grease	15	20

The proposed effluent limits for Outfall 002 based on a design flow of .006 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>		25	50
Total Suspended Solids		30	60
NH <sub>3</sub> —N		20	40
Fecal Coliform		200/100 ml	
pH		6 to 9 Standard Units at all Times	

The proposed effluent limits for Outfall 003 based on a design flow of 0.764 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	30	60	75
Oil and Grease	15	20	30
pH		6 to 9 Standard Units at all Times	
Hydrazine		Non Detectable (<.005 mg/l)	

Outfalls SW1, SW2 and SW3 consist of uncontaminated stormwater.

The EPA waiver is not in effect.

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

**Application No. PA 0026051**, Sewage, **Borough of Chambersburg**, 100 South Second Street, Chambersburg, PA 17201. This facility is located in Chambersburg Borough, **Franklin County**.

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Conococheague Creek, is in Watershed 13-C and classified for warm water fishes, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Hagerstown, MD is located on Potomac River, approximately 43 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.8 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	15	22	45
(11-1 to 4-30)	25	40	75
Total Suspended Solids	30	45	90
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.5		12
(11-1 to 4-30)	10		36
Total Phosphorus	Monitor and Report		Monitor and Report
Total N	Monitor and Report		Monitor and Report
WETT			2.817
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)		4,500/100 ml as a geometric average	

Individuals may make an appointment to review the Department 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.*

**PA0096792**, Industrial Waste, SIC, 3479, **MetalTech, Inc.**, 2400 Second Avenue, Pittsburgh, PA 15219. This application is for Renewal of an NPDES permit to discharge cooling water and stormwater from a galvanizing plant in Pittsburgh, **Allegheny 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 is the West View Municipal Authority, located at West View, 7.4 miles below the discharge point.

*Outfall 001: existing discharge, design flow of 0.083 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>

This outfall shall only consist of outfall 101 effluent and stormwater.

*Outfall 101: existing discharge, design flow of 0.083 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 (MGD)	Monitor and Report				
Temperature (°F)					110
pH	not less than 6.0 nor greater than 9.0				

*Outfall 002: existing discharge.*

<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>

This outfall shall only contain stormwater.

The EPA waiver is in effect.

**PA0204889**, Industrial Waste, SIC, 4114, **Port Authority of Allegheny County**, 345 Sixth Avenue, Third Floor, Pittsburgh, PA 15222-2527. This application is for issuance of an NPDES permit to discharge treated process water and stormwater from Harmar Garage in Harmar Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters of an unnamed tributary to Deer Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Fox Chapel Water Authority, located at Mile 10.8 on the Allegheny River, 3.5 miles below the discharge point.

*Outfall 001:* existing discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30		60
Oil and Grease			15		30
Iron			3.5		7.0

*Outfall 002:* existing discharge to an unnamed tributary to Deer Creek.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30		60
Oil and Grease			15		30
Iron			3.5		7.0

The EPA waiver is in effect.

**PA0218952**, Industrial Waste, SIC 4911, **Conectiv Mid-Merit, Inc.**, 113 Pencader Drive, Suite 100, Newark, DE 19714-6066. This application is for issuance of an NPDES permit to discharge treated process water, sewage, untreated cooling water and stormwater from Hinckston Run Power Project in Jackson Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters of Hinckston Run (Outfall 001) and an unnamed tributary to Laurel Run, classified as warm water and high quality cold water fisheries, respectively, with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Saltsburg Municipal Water Works, located at Conemaugh River, 7.0 miles below the discharge point.

*Outfall 101:* new discharge, design flow of 2.75 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
The 126 Priority Pollutants (40 CFR 423, App. A) contained in chemicals added for cooling Tower maintenance, except:				Nondetect	
Chromium (T)			0.2	0.2	
Zinc (T)			0.25	0.50	
Free Available Chlorine			0.2		0.5
Copper			0.03	0.06	
Total Suspended Solids			30	100	
Oil and Grease			15	20	
Iron			1.67		4
Aluminum			0.54		1.35
Manganese			1		2
Temperature (°F)					
(1-1 to 1-31)				36.8	
(2-1 to 2-29)				37.0	
(3-1 to 3-31)				44.8	
(4-1 to 4-15)				52.4	
(4-16 to 4-30)				58.4	
(5-1 to 5-15)				61.5	
(5-16 to 5-31)				67.9	
(6-1 to 6-15)				71.5	
(6-16 to 6-30)				75.5	
(7-1 to 7-31)				77.3	
(8-1 to 8-31)				76.1	
(9-1 to 9-15)				72.6	

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
(9-16 to 9-30)				66.6	
(10-1 to 10-15)				61.7	
(10-16 to 10-31)				55.7	
(11-1 to 11-15)				49.8	
(11-16 to 11-30)				43.5	
(12-1 to 12-31)				38.4	
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: new discharge, design flow of 0.003 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	0.003				
CBOD <sub>5</sub>			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			1.4		3.3
Dissolved Oxygen				5.0 mg/l minimum	
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: new discharge, design flow of 2.75 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Outfall 001 receives wastewater from Internal Monitoring Points (IMPs) 101 and 201. The monitoring and sampling of the effluent takes place at IMPs 101 and 201.					

Outfall 002: new discharge, design flow of varied MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
The discharge from this outfall shall consist of uncontaminated stormwater runoff.					

The EPA waiver is in effect.

**PA0092363**, Sewage, **Fayette County Housing Authority**, 624 Pittsburgh Road, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from Marion Villa STP in Washington Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Downers Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Belle Vernon Borough Municipal Authority on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.0267 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Weekly	Maximum Daily
CBOD <sub>5</sub>				50
Suspended Solids				60
Ammonia Nitrogen				
(5-1 to 10-31)		2.2		4.4
(11-1 to 4-30)		5.5		11.0
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			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**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).**

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

**WQM Permit No. 4802402**, Sewerage, **Lawrence Higgins**, 4325 Hamilton Boulevard, Allentown, PA 18103. This proposed facility is located in Allen Township, **Northampton County**.

Description of Proposed Action/Activity: This project consists of construction of a single-family residential onlot sewage disposal system, which is replacing an existing system. Discharge will be to an unnamed tributary of Hokendaqua Creek. Proposed development is on Twinbrook Road, Allen Township, Northampton County.

**WQM Permit No. 4802402**, Sewerage, **Blooming Grove Hunting and Fishing Club**, HC 8, Box 8066,

Hawley, PA 18428. This proposed facility is located in Blooming Grove Township, **Pike County**.

Description of Proposed Action/Activity: This project consists of construction of a wastewater treatment facility with a treatment capacity of 20,000 gallons per day to serve the existing residential and recreational facilities. Treated effluent from the wastewater treatment plant will be stored in a storage pond to be located onsite and discharged utilizing land application (spray irrigation) for final effluent disposal.

**WQM Permit No. 5402401**, Foster Township, 19 Lower Beechwood Avenue, Pottsville, PA 17901. This proposed facility is located in Foster Township, **Schuylkill County**.

Description of Proposed Action/Activity: The project includes the installation of approximately 13,500 L.F. of gravity sewer pipe, 4,400 L.F. of force main and 2,700 L.F. of low pressure pipe. Also, two pump stations will be constructed. This collection system will convey sewage to the Schuylkill County Municipal Authority (SCMA) wastewater system (with a tie-in point in the Schuylkill Highridge Business Park) for treatment at the SCMA's Wastewater Treatment Plant, located in the Borough of Gordon.

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

**WQM Permit No. 2102401**, Sewerage, **East Pennsboro Township**, Township Administrative Building, 98 S. Enola Drive, Enola, PA 17025-2796. This proposed facility is located in East Pennsboro Township, **Cumberland County**.

Description of Proposed Action/Activity: Upgrade capacity at the North (Summerdale) Pumping Station.

**WQM Permit No. 0102401**, Sewerage, **Double L Partners**, 928 Bollinger Road, Littlestown, PA 17340. This proposed facility is located in Mount Pleasant Township, **Adams County**.

Description of Proposed Action/Activity: Construction of Sewage Treatment Plant to serve the Centennial Meadows Development.

**WQM Permit No. 4402401**, Sewerage, **Bratton Township Supervisors**, 460 Mountain Lane, McVeytown, PA 17051. This proposed facility is located in Bratton Township, **Mifflin County**.

Description of Proposed Action/Activity: Construction of a wastewater project serving the more heavily populated areas of Bratton Township.

**WQM Permit No. 3602402**, Sewerage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603-4087. This proposed facility is located in West Hempfield Township, **Lancaster County**.

Description of Proposed Action/Activity: Upgrade the capacity of the Farmdale Pumping Station.

**WQM Permit No. 3602403**, Sewage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This proposed facility is located in Mount Joy Borough and East Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of the Sanitary Sewer Extension to serve the proposed Donegal Springs Elementary School.

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

**Application No. 0471424-A1**, Sewerage, **Department of Conservation and Natural Resources, Bureau of State Parks**, Rachel Carson State Office Building, P. O. Box 8451, Harrisburg, PA 17105. Application for the Construction and Modification of a Wastewater Treatment Plant and Pump Station to serve Raccoon Creek State Park located in Hanover Township, **Beaver County**.

**Application No. 3202401**, Sewerage, **Burrell Township Sewer Authority**, 4345 Park Drive, Black Lick, PA 15716. Application for the construction and operation of a pump station and sanitary sewers to serve the Weirs Run Area located in Burrell Township, **Indiana County**.

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

**WQM Permit No 4302404**, Sewerage, **Ronald Greenawalt**, 234 Reiber Road, Hermitage, PA 16148. This proposed facility is located in Lackawannock Township, **Mercer County**.

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

**WQM Permit No 2502402**, Sewerage, **Josh Paris**, 2124 East Road, Erie, PA 16509. This proposed facility is located in Greene Township, **Erie County**.

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

**WQM Permit No 4302405**, Sewerage, **Donald Warner**, 7498 Sharon Mercer Road, Mercer, PA 16137. This proposed facility is located in Lackawannock Township, **Mercer County**.

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

**WQM Permit No 4302406**, Sewerage, **Norma J. Flickinger**, 2745 South Keel Ridge Road, Hermitage, PA 16148. This proposed facility is located in City of Hermitage, **Mercer County**.

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

**WQM Permit No 6202401**, Sewerage, **Gilbert W. Epperson**, 1040 Silliman Avenue, Erie, PA 16511. This proposed facility is located in Conewango Township, **Warren County**.

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

**WQM Permit No 2502403**, Sewerage, **Julie Schwindt**, 3102 Elmwood Avenue, Erie, PA 16508. This proposed facility is located in LeBoeuf Township, **Erie County**.

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

**WQM Permit No. 1002404**, Sewerage, **Department of Conservation and Natural Resources—Moraine State Park**, 195 Park Road, P. O. Box 387, Prospect, PA 16052-0387.

This proposed facility is located in Muddy Creek Township, Butler County.

Description of Proposed Action/Activity: This project is for the replacement of existing sand filters with new continuous backwash, up-flow filters.

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#### **NPDES Stormwater Individual Permit**

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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 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 Department Regional Office during the 30-day public comment period.

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

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

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

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

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

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10S109	Paradise Falls Lutheran Assn. 1319 Paradise Falls Cresco, PA 18326	Monroe County Paradise Township	Paradise Creek HQ-CWF
<i>Wayne County Conservation District: Ag Service Center, 470 Sunrise Avenue, Honesdale, PA 18431, (570) 253-0930.</i>			
<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS107425	SEM Realty, Inc. Stephen Mackle R. R. 4, Box 182 Honesdale, PA 18431	Wayne County Texas Township	Unnamed tributary to Holbert Creek to Lackawanna River HQ-CWF, MF

**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.*

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<b>Permit No. 6702501</b> , Public Water Supply.	
Applicant	<b>South Eastern School District</b>
Municipality	Fawn Grove Borough
County	<b>York</b>
Responsible Official	James K. Horst, Vice President 637 Fishburn Road Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	James K. Horst, P.E. Reynolds Engineering 637 Fishburn Road Hershey, PA 17033
Application Received Date	February 4, 2002
Description of Action	Applicant seeks a Construction Permit for an anion exchange nitrate removal facility to be installed at the South Eastern School District Middle School.

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

<b>Permit No. 3702501</b> , Public Water Supply.	
Applicant	<b>Cedar Acres MHP c/o Earl Cunningham</b> 1650 Harlansburg Road New Castle, PA 16101
Township or Borough	Scott Township, <b>Lawrence County</b>
Responsible Official	Earl Cunningham, Owner
Type of Facility	PWS
Consulting Engineer	Frank B. Taylor Engineering R. D. 1, Box 93 New Castle, PA 16101.
Application Received Date	February 2, 2002
Description of Action	Increase the number of units by 48 for a total of 90 by using the existing drilled well, existing pumping facility, two hydropneumatic tanks and two retention tanks.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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Sections 302—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 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.*

**New Council Rock High School**, Northampton Township, **Bucks County**. Jeffrey K. Walsh, P.G., Gilmore & Associates, Inc., 184 W. Main St., Trappe, PA 19426, on behalf of The Council Rock School District, Robert McAuliffe, P.E., Business Mgr., 301 Twining Ford Rd., Richboro, PA 18954, has submitted a Notice of Intent to Remediate groundwater contaminated with lead, BTEX and petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Courier Times* on December 17, 2001.

**Olympic Motors Used Car Lot**, Ridley Township, **Delaware County**. Robert F. Murphy, RFM Environmental Consultants, 287 Peel Rd., Langhorne, PA 19047, on behalf of Lexis Lax, 1201 MacDade Blvd., Folsom, PA 19033, has submitted a Notice of Intent to Remediate soil contaminated with lead and BTEX. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on January 23, 2002.

**12th Street Facility**, Chester Township, **Delaware County**. Keith A. Gerber, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Eddystone Industrial Park—Operations, 418 W. Front St., P. O. Box 300, Chester, PA, has submitted a Notice of Intent to Remediate soil contaminated with lead and VOCs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on January 29, 2002.

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

**Rutherford Intermodal Transfer Facility**, Swatara Township, **Dauphin County**. IT Corporation, 200 Horizon Center Boulevard, Trenton, NJ 08691-1904 (on behalf of Pennsylvania Lines LLC, Three Commerical Place, Norfolk, VA 23510-9241 and Consolidated Rail Corporation, Two Commerce Square, 2001 Market Street, Philadelphia, PA 19101-1416) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, BTEX, PHCs, PAHs 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 *Patriot News* on January 19, 2002.

**Enola Railyard Greenhouse Area and Former Lagoon Area**, East Pennsboro Township, **Cumberland County**. ENSR International, One Chatham Center, Suite 900, 112 Washington Place, Pittsburgh, PA 15219-3443 (on behalf of Pennsylvania Lines LLC, Three Commerical Place, Norfolk, VA 23510-9241 and Consolidated Rail Corporation, Two Commerce Square, 2001 Market Street, Philadelphia, PA 19101-1416) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The applicant proposes to remediate the site to meet the requirements for a combination of the Statewide Health and Site-Specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on January 19, 2002.

**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.**

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

**Permit Application No. 400633. Wheelabrator Falls Inc.**, 1201 New Ford Mill Road, Morrisville, PA 19067. Falls Township, **Bucks County**. The application is for a radiation action protection plan. Application was received in the Southeast Regional Office on February 8, 2002.

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

**Permit Application No. 101619. Joseph J. Brunner, Inc.**, 211 Brunner Road, Zelenople, PA 16063. Brunner Recycling Facility, 2973 Duss Avenue, Ambridge, PA 15003. An application for a major permit modification for a Radiation Protection Plan, for a resource recovery processing facility in Harmony Township, **Beaver County** was received in the Regional Office on February 4, 2002.

**Applications received, denied, withdrawn or returned 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.**

*Northwest Region: Regional Solid Waste Manager; 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit Application No. 101602. Seneca Landfill Transfer Station**, P. O. Box 1080, Mars, PA 10046, Jackson Township, **Butler County**. This is a major permit modification for a Radiation Protection Plan and modification of the Waste Analysis and Classification Plan. The application was received by the Northwest Regional Office on February 1, 2002.

Comments concerning the application should be directed to A. Patrick Boyle, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office at (814) 332-6848. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

## AIR QUALITY

### NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one

time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities.

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 Department 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 Department 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 the Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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—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.**

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

**48-309-119: ESSROC Cement Corp.** (3251 Bath Pike, Nazareth, PA 18064-8928) for installation of an air cleaning device on the existing cement transfer system at the Nazareth Plant I in Lower Nazareth Township, **Northampton County**.

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

**05-03010A: New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) for installation of a triple deck vibrating screen controlled by wet suppression at the existing limestone crushing and screening plant in Snake Spring Township, **Bedford County**. This facility is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

**06-05063A: Boyertown Foundry Co.** (P. O. Box 443, New Berlinville, PA 19545-0443) for construction of a molding, pouring and shakeout line to be controlled by various fabric collectors at its gray iron foundry in Boyertown Borough and Colebrookdale Township, **Berks County**. The foundry is a Title V facility.

**36-03136A: K and M Woodworking** (82 South Groffdale Road, Leola, PA 17540) for construction of a surface coating operation for the painting of wood cabinets and furniture at its facility in Upper Leacock Township, **Lancaster County**.

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

**53-00003A: National Fuel Gas Supply Corp.** (P. O. Box 2081, Erie, PA 16512) for construction of an 8,070 horsepower natural gas-fired reciprocating internal combustion compressor engine and associated air cleaning device (an oxidation catalyst) at the Ellisburg Compressor Station in Allegany Township, **Potter County**. This engine is subject to the Federal Prevention of Significant Deterioration regulations as well as the Department's New Source Review regulations.

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

**65-858A: American Video Glass Co.** (777 Technology Drive, Mt. Pleasant, PA 15666) on January 31, 2002, for installation of Funnel Lehr Line 2 at the New Stanton Facility in Mt. Pleasant Township, **Westmoreland County**.

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**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.**

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*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.*

**46-0227: W. A. Schmidt, Inc.** (38 Souderton Pike, Franconia, PA 18924) for installation of a spray paint conveyor system, which includes two spray paint booths with associated air cleaning devices in Franconia Township, **Montgomery County**. This modification will result in net increase in emissions of volatile organic compounds (VOCs) by 22 tons per year (TPY) and of particulate matter (PM). The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**09-0150: Rotoflex Technology, Inc.** (180 Penn Am Drive, Quakertown, PA 18951) for installation of a chrome plating line in Richland Township, **Bucks County**. The facility is a non-Title V (State only) facility. This installation is for a chrome plating line and will result in the in emission of: 2.63 pounds of chromium compounds per year; 12.4 pounds of PM per year; 0.39 ton of copper compounds per year; and 1.01 tons of nickel compounds per year. The chrome plating line will comply with 40 CFR Part 63, Subpart N, regarding the National Emission Standards for Hazardous Air Pollutants. The Plan Approval and Operating Permit will contain additional

recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirement.

**46-0108A: Highway Materials, Inc.** (P. O. Box 1667, Blue Bell, PA, 19422) for modification of a batch asphalt plant in Marlborough Township, **Montgomery County**. This modification allows the asphalt plant to use natural gas, No. 4 fuel oil, No. 5 fuel oil and "on-specification" waste derived liquid fuel (WDLF). This installation will not result in any increase in emissions of VOCs or oxides of nitrogen (NOx). The facility is a minor facility and shall remain so. The Plan Approval will require the company to perform stack tests with WDLF and No. 5 fuel approved under this proposal within 180 days of issuance of the Plan Approval. Every shipment of WDLF will be analyzed and it must meet the "on-specification" requirement.

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

**35-318-085: Gentex Optics, Inc.** (P. O. Box 336, Carbondale, PA 18407) for installation and operation of a new Lens Coating Operation (Fastrack Line) in Fell Township, **Lackawanna County**. The facility currently has a Title V Operating Permit No. 35-00047. The plan approval limits VOC emissions from the new line not to exceed 3.54 TPY. Also, the annual VOC emissions from the facility shall not exceed 50.0 TPY on a 12-month rolling sum. The operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. This plan approval will be incorporated into the Title V operating permit through an amendment.

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

**38-3036A: Cargill, Inc.** (320 North 16th Street, Lebanon, PA 17406) for construction of a baghouse aspiration system for grain cleaning at its Animal Nutrition plant in Lebanon City, **Lebanon County**. This construction will result in emissions of less than 1 TPY of Particulate Matter. Standard recordkeeping and operating restrictions will be included to keep the facility operating within all applicable air quality requirements.

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

**53-329-011: Tennessee Gas Pipeline Co.** (9 Greenway Plaza, 1626B, Houston, TX 77046) for construction of a natural gas booster station, comprised of two 4-stroke lean burn natural gas-fired internal combustion reciprocating compressor engines rated at 2,365 brake-horsepower and a 4-stroke rich burn natural gas-fired internal combustion reciprocating engine rated at 250 brake-horsepower incorporating a 180 kilowatt generator, at their site located in Genesee Township, Potter County. In addition to the air contaminant sources previously listed, the subject booster station will also incorporate eight space heaters, one HVAC unit and five storage tanks. Additionally, the subject booster station will also be a source of fugitive VOCs.

The Ellisburg Booster Station will be a minor facility when constructed.

The information provided by the applicant, as well as the Department's own analysis, indicates that the natural gas booster station will have the potential to emit 33.4

tons of NOx per year, 25.2 tons of carbon monoxide (CO) per year, 34.2 tons of VOCs per year and 12.0 tons of hazardous air pollutants per year, of which 9.1 tons would be formaldehyde. Additionally, although the booster station will have the potential to emit particulate matter and oxides of sulfur, the corresponding emission of these air contaminants will be insignificant.

A preliminary review of the information submitted by the applicant indicates that the proposed natural gas booster station will meet all applicable air quality requirements including the "best available technology" requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to approve the application and issue a plan approval.

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

- Each of the two compressor engines shall incorporate "clean burn" electronic control systems and be equipped with an Engelhard oxidation catalyst to control the air contaminant emissions from the respective compressor engine. Additionally, the oxidation catalysts should be capable of reducing the CO, VOC and formaldehyde emissions by 80%, 40% and 50%, respectively.
- The air contaminant emissions from each compressor engine shall not exceed the following limitations:

NOx, expressed as NO <sub>2</sub>	3.65 pounds per hour
CO	2.61 pounds per hour
VOCs	2.82 pounds per hour
Oxides of sulfur (SOx)	0.01 pound per hour
PM	0.167 pound per hour
Total combined hazardous air pollutants	1.37 pounds per hour
Formaldehyde	1.04 pounds per hour

- The air contaminant emissions from the emergency generator shall not exceed the following limitations:

NOx, expressed as NO <sub>2</sub>	5.51 pounds per hour
CO	20.94 pounds per hour
VOCs	0.25 pound per hour
SOx	0.05 pound per hour
Particulate matter	0.001 pound per hour

- The compressor engines and the emergency generator shall be fired on only pipeline quality natural gas.
- The emergency generator shall not be operated more than 500 hours per year.
- The total combined fugitive VOC emissions from the booster station shall not exceed 9.5 TPY.
- The total combined air contaminant emissions from the booster station shall not exceed the following limitations:

NOx, expressed as NO <sub>2</sub>	33.4 TPY
CO	25.2 TPY
VOCs	34.2 TPY
Total combined hazardous air pollutants	12.0 TPY
Formaldehyde	9.0 TPY

- The company shall maintain comprehensive and accurate records of the number of hours the compressor engines and the emergency generator are operated for each month.
- The company shall perform stack testing upon each compressor engine and the emergency generator to demonstrate compliance with the emission limitations identified herein.

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

**20-145A: PPG Industries, Inc—Works #8** (Kebert Industrial Park, R. D. 2, Meadville, PA 16335) for modification of Line 1 Glass Melting Furnace in Greenwood Township, **Crawford County**. The facility currently has a Title V Operating Permit (No. 20-00145). This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This modification will result in a reduction of approximately 930.5 TPY of NOx emissions.

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

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

**35-00041: Interstate Safety Service, Inc.** (P. O. Box O, Clark Summit, PA 18411) for a Natural Minor Operating Permit for quarry operations in Dickson City, **Lackawanna County**.

**39-00044: Houghton International, Inc.** (Madison and Van Buren Avenues, P. O. Box 930, Valley Forge, PA 19482) for a Natural Minor Operating Permit for metal working fluids in Upper Macungie Township, **Lehigh County**.

**39-00047: Hampshire House Apartments** (1500 Hamilton Street, Allentown, PA, 18102) for a Natural Minor Operating Permit for boiler operation in Allentown, **Lehigh County**.

**39-00061: Electro Chemical Engineering and Manufacturing Co.** (750 Broad Street, Emmaus, PA 18049) for a Natural Minor Operating Permit for coating and engraving in Emmaus Borough, **Lehigh County**.

**40-00058: Summit Precision Polymers** (Crestwood Industrial Park, P. O. Box 99, 1050 Crestwood Drive, Mountaintop, PA 18707) for a Synthetic Minor Operating Permit for Plastic Production in Mountaintop, **Luzerne County**.

**40-00059: Reilly Finishing Technologies** (130 Alden Road, Nanticoke, PA 18634) for a Natural Minor Operating Permit for plating and polishing in Nanticoke, **Luzerne County**.

**40-00064: Federal Business Products** (150 JayCee Drive, Valmont Industrial Park, West Hazleton, PA 18201) for a Synthetic Minor Operating Permit for manifold business forms in Wright Township, **Luzerne County**.

**40-00065: The Quaker Oats Co.** (750 Oak Hill Road, Mountaintop, PA 18707) for a Synthetic Minor Operating Permit for bottled/canned drinks in Wright Township, **Luzerne County**.

**40-00069: Gemark Corp.** (99 Stevens Lane, Exeter, PA 18643) for a Synthetic Minor Operating Permit for plastic products in Exeter Borough, **Luzerne County**.

**45-00008: The Salt Institute** (P. O. Box 250, Swiftwater, PA 18370) for a Synthetic Minor Operating Permit for biological preparation in Pocono Township, **Monroe County**.

**45-00020: Cooper Industries** (Cooper Power Systems, 80 North Burson Street, East Stroudsburg, PA 18301) for a Natural Minor Operating Permit for wiring devices in East Stroudsburg, **Monroe County**.

**48-00040: Broad and Wood Realty** (7540 Windsor Drive, Suite 111, Allentown, PA 18195) for a Natural Minor Operating Permit for boilers in City of Bethlehem, **Northampton County**.

**48-00042: Molded Acoustical Products of Easton, Inc.** (3 Danforth Drive, Easton, PA 18045) for a Natural Minor Operating Permit for mold fiberglass in Palmer Township, **Northampton County**.

**48-00056: Northampton Farm Bureau Cooperative Association** (300 Bushkill Street, P. O. Box 400, Tatamy, PA 18085) for a Natural Minor Operating Permit for petroleum plant in Tatamy, **Northampton County**.

**48-00065: Ungerer and Co.** (110 North Commerce Way, Bethlehem, PA 18017) for a Natural Minor Operating Permit for flavoring extracts and syrups in Hanover Township, **Northampton County**.

**54-00044: Middleport Materials** (P. O. Box 189, Telford, PA 18969) for a Natural Minor Operating Permit for sand and gravel in Middleport Township, **Schuylkill County**.

**54-00048: ISG Resources, Inc.** (1000 Cobb Place Blvd., Bldg. 400, Kennesaw, GA 30144) for a Natural Minor Operating Permit for Nonmetallic minerals in Porter Township, **Schuylkill County**.

**54-00049: Federal Corrections Institute—FCI Schuylkill** (P. O. Box 700, Minersville, PA 17954) for a Natural Minor Operating Permit for boilers in Butler Township, **Schuylkill County**.

**64-00004: Honesdale Woodcraft Corp.** (R. R. 2, Box 1320, Honesdale, PA 18431) for a Natural Minor Operating Permit for wood furniture manufacturing in Cherry Ridge Township, **Wayne County**.

**64-00009: Laovshaw An ITW Co.** (P. O. Box 83, Route 296, South Canaan, PA 18459) for a Natural Minor Operating Permit for Manufacture print and packaging equipment in South Canaan Township, **Wayne County**.

**58-313-001A: Envirocycle, Inc.** (Route 81, Exit 230, P. O. Box 899, Hallstead, PA 18822) for operation of a materials blending and conveying system and the associated air cleaning device at the facility in Great Bend Township, **Susquehanna County**.

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

**01-03011: Dal-Tile Corp.** (211 North Fourth Street, Gettysburg, PA 17325-1694) for operation of its ceramic floor and wall tile products facility in Bendersville Borough, **Adams County**. The facility has the potential to emit around 32 TPY of SO<sub>x</sub>, 17 TPY of PM, 15 TPY of CO, 3 TPY of NO<sub>x</sub>, 2 tons of VOCs and 2 TPY of hydrogen fluoride (all after control). The Natural Minor operating permit shall contain additional testing, monitoring, record keeping and reporting requirements, emis-

sion restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**37-00185: Universal Refractories, Inc.** (915 Clyde Street, Wampum, PA 16157) for a Natural Minor Permit to operate a magnesium oxide processing line and a refractory manufacturing facility in Wampum Borough, **Lawrence County**.

**25-00891: Corry Contract Inc.** (21 Maple Avenue, Corry, PA 16407) for a Synthetic Minor Permit to operate an office furniture manufacturing facility in the City of Corry, **Erie County**.

## 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 Control Disposal 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.*

**54020201. Stoudt's Ferry Preparation Co., Inc.** (P. O. Box 279, St. Clair, PA 17970), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 30.0 acres, receiving stream: none (no discharge). Application received: January 29, 2002.

**54020101. Summit Anthracite, Inc.** (R. R. 1 Box 12A, Klingerstown, PA 17941), commencement, operation and restoration of an anthracite surface mine operation in Porter Township, **Schuylkill County** affecting 300.0 acres, receiving stream: East Branch Rausch Creek—classified for the following use: cold water fishery. Application received: January 30, 2002.

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

**03010104. Blackridge Associates, Inc.** (R. D. 7, Box 375B, Kittanning, PA 16201). Application for commencement, operation and reclamation of a bituminous surface mining site located in Gilpin Township, **Armstrong County**, proposed to affect 60.2 acres, is hereby cancelled. Receiving streams: unnamed tributaries to Allegheny River and to Allegheny River. Application received: August 23, 2001. Application cancelled: February 5, 2002.

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

**32860106 and NPDES Permit No. PA0597643. Kent Coal Mining Company**, P. O. Box 219, Shelocta, PA 15774, permit renewal for reclamation for continued restoration of a bituminous surface mine in Blacklick Township, **Indiana County**, affecting 233.1 acres. Receiving streams: four unnamed tributaries to Aultmans Run and Aultmans Run classified for the following uses: Trout Stock Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 5, 2002.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**1475-37010102-E-1. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributaries 4A but no closer than 25 feet and within 100 feet of tributary 4B but no closer than 55 feet in Wayne Township, **Lawrence County**, classified for the

following uses: Statewide water uses: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Receiving streams: unnamed tributary to Beaver Run. Application received: February 5, 2002.

#### *Noncoal Applications Received*

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

**18022801. Clinton County Solid Waste Authority**, P. O. Box 209, McElhattan, PA 17748-0209. Commencement, operation and restoration of a Small Industrial Minerals Permit (10,000 Tons) in Wayne Township, **Clinton County** affecting 5 acres. Receiving streams: West Branch Susquehanna River, tributary to Susquehanna River. Application received: January 8, 2002.

**08020801. Jerry L. Johnson**, R. R. 1, Box 179A-1, Wyalusing, PA 18853. Commencement, operation and restoration of a Small Industrial Minerals Permit in Wilnot Township, **Bradford County** affecting 5.0 acres. Receiving streams: unnamed tributary to Sugar Run Creek, tributary to Sugar Run. Application received: January 16, 2002.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**37020301 and NPDES Permit No. PA 0242071. William H. Mayberry** (R. R. 1, Box 155, New Castle, PA 16101-9515). Commencement, operation and restoration of a sand and gravel operation in North Beaver Township, **Lawrence County** affecting 120.7 acres. Receiving streams: unnamed tributary to Beaver River, classified for the following uses: Statewide water uses: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received: January 31, 2002.

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

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**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)).**

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**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E39-409. Whitehall Township**, 3219 MacArthur Road, Whitehall, PA 18052, in Whitehall Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 352 foot long twin cell concrete box stream enclosure having cell dimensions of 17 feet x 4 feet in a tributary to Coplay Creek (CWF). The project is located in the Whitehall Township Municipal Complex immediately southeast of the intersection of S.R. 0145 (MacArthur Road) and Municipal Drive. (Cementon, PA, Quadrangle N: 5.7 inches; W: 1.0 inch).

**E54-294. West Penn Township**, R. R. 1, Box 100D, New Ringgold, PA 17960, in West Penn Township, **Schuylkill County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a precast concrete bridge, having a span of 24 feet and an approximate underclearance of 6.7 feet across Mahoning Creek (CWF). The project is located on Berry Road (T-954) immediately south of the intersection with Mill Head Road (T-952). (Nesquehoning, Quadrangle N: 5.0 inches; W: 13.2 inches).

**E54-293. West Penn Township**, R. R. 1, Box 100D, New Ringgold, PA 17960, in West Penn Township, **Schuylkill County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a precast concrete bridge, having a span of 19 feet and an approximate underclearance of 5 feet across Mahoning Creek (CWF). The project is located at the intersection of Valley Park Road (T-932) and Mahoning Creek. (Tamaqua, Quadrangle N: 2.9 inches; W: 0.9 inch).

**E45-424. Brier Crest Woods Property Association**, P. O. Box 236, Blakeslee, PA 18347, in Tunkhannock Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 6-inch diameter water intake structure in Brier Crest Woods Lake (HQ-CWF) to be used as a dry hydrant for fire protection. The project is located along Elk Drive approximately 0.5 mile southwest

of the intersection of S.R. 0903 and S.R. 0115. (Blakeslee, Quadrangle N: 4.5 inches; W: 3.8 inches).

**E48-321. Brian and Sandra Lower**, One Cambridge Place, Catasauqua, PA 18032-1010, in Allen Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To maintain a private foot bridge having a single span of 34 feet and underclearance of approximately 4.2 feet across Catasauqua Creek (CWF). The project is located 450 feet southeast of Township Road T-482 (Bullshead Road), approximately 0.4 mile south of S.R. 3017 (Weaversville Road). (Catasauqua, Quadrangle N: 10.6 inches; W: 11.0 inches).

**E54-295. Branch/Cass Regional Sewer Authority**, P. O. Box 309, Llewellyn, PA 17944, in Branch Township, **Schuylkill County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain five sanitary sewer utility line stream crossings of West Creek (CWF) which are associated with the proposed 13 mile joint regional sewer system. (Minersville, Quadrangle N: 4.0 inches; W: 7.5 inches).

**E48-320. Plainfield Township**, 6292 Sullivan Trail, Nazareth, PA 18064, in Plainfield Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain twin 12-foot x 4.5-foot concrete box culverts in Waltz Creek (TSF). The project is located along Township Road T-666 (Bocce Club Road), just west of its intersection with T-664 (Jory Road). (Bangor, Quadrangle N: 19.1 inches; W: 16.8 inches).

**E58-246. Pennsylvania Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501, in Rush Township, **Susquehanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a 2-span prestressed spread box beam bridge, having clear normal spans of approximately 81 feet each and an underclearance of approximately 32 feet, across East Branch Wyalusing Creek (CWF). The project is located along S.R. 3023, Section 570, approximately 500 feet south of the intersection of S.R. 0706 and S.R. 3023. (Lawton, Quadrangle N: 5.8 inches; W: 6.2 inches).

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

**E05-301. Earl Neiderhiser, Pennsylvania Department of Transportation District 9-0**, 1620 N. Juniata Street, Hollidaysburg, PA 16648 in West St. Clair Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a single span concrete bridge over Dunning Creek (WWF) on SR 0056, Segment 0170, Offset 0000 and to fill in 0.10 acre of wetland in order to realign Chestnut Market Ridge Road (T-554) and Dunning Creek (T-671) within the 100-year floodplain of Dunning Creek located about 1.3 miles southwest of Pleasantville Borough (Alum Bank, PA Quadrangle N: 7.62 inches; W: 12.65 inches) in West St. Clair Township, Bedford County.

**E07-356. Earl Neiderhiser, Pennsylvania Department of Transportation District 9-0**, 1620 N. Juniata Street, Hollidaysburg, PA 16648 in Logan Township, **Blair County**, ACOE Baltimore District.

To remove the existing two span steel I-beam bridge and to construct and maintain a single span prestressed

adjacent box beam bridge across Burgoon Run (TSF) on 58th Street near its intersection with Valley Avenue (Hollidaysburg, PA Quadrangle N: 20.12 inches; W: 8.15 inches) in Logan Township, Blair County.

**E21-336. John Bard**, Shippensburg Township, 81 Walnut Bottom Road, Shippensburg, PA 17257 in Shippensburg Township, **Cumberland County**, ACOE Baltimore District.

To maintain a previously constructed salt storage shed in the floodway of Burd Run (CWF) located on the north side of Walnut Bottom Road about 800 feet west of its intersection with Cleaversburg Road (LR 21050) (Walnut Bottom, PA Quadrangle N: 10.7 inches; W: 17.4 inches) in Shippensburg Township, Cumberland County.

**E36-724. Lancaster County Commissioners**, 50 N. Duke Street, Lancaster, PA 17606 in Lancaster Township, **Lancaster County**, ACOE Baltimore District.

To remove an existing two span steel through truss bridge and construct and maintain a two span prestressed concrete box beam replacement bridge across the Little Conestoga Creek (WWF) at a point along School House Road approximately 300 feet northwest of the intersection of School House Road and Stone Mill Road along School House Road (Lancaster, PA Quadrangle N: 5.2 inches; W: 13.5 inches) in Lancaster Township, Lancaster County.

**E36-725. Lancaster County Commissioners**, 50 N. Duke Street, Lancaster, PA 17606 in Manor Township, **Lancaster County**, ACOE Baltimore District.

To remove an existing 46-foot span concrete through girder bridge and construct and maintain a 70-foot span prestressed concrete box beam replacement bridge across the Little Conestoga Creek (WWF) at a point along Owl Bridge Road (T-583) approximately 1,800 feet northeast of the intersection of Sheep Lane and Owl Bridge Road along Owl Bridge Road (Safe Harbor, PA Quadrangle N: 19.8 inches; W: 0.4 inch) in Manor Township, Lancaster County.

**E38-131. Robin Hemperly, Myerstown Borough**, 101 East Washington Avenue, Myerstown, PA 17067 in Myerstown Borough, **Lebanon County**, ACOE Baltimore District.

To construct and maintain a stream restoration project (approximately 800 feet) within Tulpehocken Creek (CWF) for the purposes of stream bank stabilization, improved sediment transport, establishment of riparian buffers and improved aquatic habitat while implementing a natural stream channel design approach consisting of the following construction activities: channel relocation, stream and floodway excavation and filling, installation of rock vanes, cross vanes and J-hooks, riprap, root wad and log spur placement to be located at a point or points within the Myerstown Borough Community Park (Richland, PA Quadrangle N: 21.5 inches; W: 7.4 inches) in Myerstown Borough, Lebanon.

#### DAM SAFETY

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

**D36-295. Elizabethtown College**, One Alpha Drive, Elizabethtown, PA 17022. To operate and maintain Lake Placida Dam across Conoy Stream (TSF), for the purpose of aesthetics and water supply for fire protection (Elizabethtown, PA Quadrangle N: 5.0 inches; W: 12.7 inches) in Elizabethtown Borough, **Lancaster County**.

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## ACTIONS

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### 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.

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

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

**NPDES Permit No. PA-0070386**, Sewage, **Shenandoah Municipal Sewer Authority**, 15 West Washington Street, Shenandoah, PA 17976. This proposed facility is located in West Mahanoy Township, **Schuylkill County**.

Description of Proposed Action/Activity: to renew permit to discharge treated wastewater to Shenandoah Creek.

**WQM Permit No. 4501408**, Sewerage, **Pinecrest Development Corporation**, P. O. Box 760, Pocono Pines, PA 18350. This proposed facility is located in Tobyhanna Township, **Monroe County**.

Description of Proposed Action/Activity: The expansion of its existing STP from 49,000 gpd to 100,000 gpd. The upgrade will include the construction of a second SBR, a 35,000 gallon influent equalization tank and an additional tertiary filter.

**WQM Permit No. 3901402**, Sewerage, **Lehigh Valley Water Company, LLC (Arcadia West Industrial Park)**, 54 South Commerce Way, Suite 175, Bethlehem, PA 18017-8966. This proposed facility is located in Weisenberg Township, **Lehigh County**.

Description of Proposed Action/Activity: Construction of wastewater collection and treatment system.

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

**NPDES Permit No. PA0086151**, Sewerage, **P. C. S. Chadaga, Harmony Estates Mobile Home Park**, 110 Inverness Drive, Blue Bell, PA 19422. This proposed facility is located in North Middleton Township, **Cumberland County**.

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

**WQM Permit No. 0601409**, Sewerage, **Birdsboro Municipal Authority**, 113 East Main Street, Birdsboro, PA 19508. This proposed facility is located in Birdsboro Borough, **Berks County**.

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

**WQM Permit No. 2101412**, Sewerage, **Upper Allen Township**, 100 Gettysburg Pike, Mechanicsburg, PA 17055-5698. This proposed facility is located in Upper Allen Township, **Cumberland County**.

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

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

**WQM Permit No. 1901403**, Sewerage, **Columbia Montour Area Vo-Tech School**, 5050 Sweppenheiser Drive, Bloomsburg, PA 17815. This proposed facility is located in South Centre Township, **Columbia County**.

Description of Proposed Action/Activity: Construction of a sewage treatment plant to replace the existing plant serving the Vo-Tech School.

**NPDES Permit No. PA0114715**, Sewerage 4952, **Hemlock Municipal Sewer Cooperative**, P. O. Box 243, Bloomsburg, PA 17851. This existing facility is located in Montour Township, **Columbia County**.

Description of Proposed Action/Activity: Renewal of permit for municipal wastewater treatment facilities.

**NPDES Permit No. PA0111058**, Sewerage 4952, **TravelCenters of America**, 5600 Nittany Valley Drive, P. O. Box 278, Lamar, PA 16848-0278. This existing facility is located in Porter Township, **Clinton County**.

Description of Proposed Action/Activity: renewal of permit for nonmunicipal wastewater treatment facilities.

**NPDES Permit No. PA0209325**, Industrial Waste 2851, **Chemcoat Inc.**, 2801 Canfields Lane, P. O. Box 188, Montoursville, PA 17754-0118. This proposed facility is located in Loyalsock Township, **Lycoming County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated ground water from remediation.

**WQM #5901404 New**, Sewerage Publicly Owned—Municipal, **Elkland Borough Authority**, 105 Parkhurst

St, Elkland, PA 16920-1140. This proposed facility is located in Elkland Borough, **Tioga County**.

Description of Action: Water Quality Management Part II, Sewage.

**WQM #1401408 New**, Sewerage Nonpublicly Owned—Nonmunicipal, **Donald Basalla**, 1557 Bush Hollow Road, Julian, PA 16844. This proposed facility is located in Union Township, **Centre County**.

Description of Action: Water Quality Management Part II, Sewage.

**NPDES #PA0209457 Transfer**, Industrial Waste, **Craftmaster Mfg. Inc.**, P. O. Box 311, Towanda, PA 18848. This existing facility is located in Wysox Township, **Bradford County**.

Description of Action: NPDES Permit Industrial Wastewater Discharge Minor.

**NPDES #PA0228044 Amendment**, Sewerage Nonpublicly Owned—Nonmunicipal, **Steve Petuck**, 35 Connecticut Ave, Greenwich, CT 06830. This existing facility is located in Bradford Township, **Clearfield County**.

Description of Action: NPDES Permit for New and Existing Sewage Discharger, Municipal, Minor.

**NPDES #PA0228478 New**, Sewerage Publicly Owned—Municipal, **East Chillisquaque Township**, 305 James St, Milton, PA 17847. This proposed facility is located in East Chillisquaque Township, **Northumberland County**.

Description of Action: NPDES Permit for New and Existing Sewage Discharger, Municipal, Minor.

**WQM #4901405 New**, Sewerage Publicly Owned—Municipal, **East Chillisquaque Township**, 305 James St, Milton, PA 17847. This proposed facility is located in East Chillisquaque Township, **Northumberland County**.

Description of Action: Water Quality Management Part II, Sewage.

**WQM #0895201 Transfer**, Industrial Waste, **Craftmaster Mfg Inc.**, P. O. Box 311, Towanda, PA 18848. This existing facility is located in Wysox Township, **Bradford County**.

Description of Action: Water Quality Management Part II, Industrial Wastewater.

**WQM #4901201 New**, Industrial Waste, **Merck & Co. Inc.**, P. O. Box 1000, North Wales, PA 19454-1099. This proposed facility is located in Riverside Borough, **Northumberland County**.

Description of Action: Water Quality Management Part II, Industrial Wastewater.

**WQM #0897202 Transfer**, Industrial Waste, **Craftmaster Mfg. Inc.**, P. O. Box 311, Towanda, PA 18848. This existing facility is located in Wysox Township, **Bradford County**.

Description of Action: Water Quality Management Part II, Industrial Wastewater.

**WQM #0897201 Transfer**, Industrial Waste, **Craftmaster Mfg Inc.**, P. O. Box 311, Towanda, PA 18848. This existing facility is located in Wysox Township, **Bradford County**.

Description of Action: Water Quality Management Part II, Industrial Wastewater.

**WQM #0897201 Transfer**, Industrial Waste, **Craftmaster Mfg. Inc.**, P. O. Box 311, Towanda, PA 18848. This existing facility is located in Wysox Township, **Bradford County**.

Description of Action: Water Quality Management Part II, Industrial Wastewater.

**NPDES #PA0008451 Amendment**, Industrial Waste, **Sunbury Generation LLC**, 677 Baeten Rd, Green Bay, WI 54304. This existing facility is located in Monroe Township, **Snyder County**.

Description of Action: NPDES Permit for New and Existing Industrial Discharger, Major.

**NPDES #PA0111066 New**, Industrial Waste, **USR Metals Inc**, 4150B Old Berwick Rd, Bloomsburg, PA 17815-3413. This proposed facility is located in South Centre Township, **Columbia County**.

Description of Action: NPDES Permit Industrial Wastewater Discharge Minor.

**NPDES #PA0114324 Renewal**, Sewage Nonpublicly Owned—Nonmunicipal, **Demorgan Acres**, R. R. 2 Box D38, Canton, PA 17724-9802. This existing facility is located in Canton Township, **Bradford County**.

Description of Action: NPDES Permit Sewage Discharges Nonmunicipal—Minor.

**WQM #4173406T1 Transfer**, Sewage Nonpublicly Owned—Nonmunicipal, **Andrew W. Charles**, 3078 Rt. 42 Hwy, Unityville, PA 17774. This existing facility is located in Jordan Township, **Lycoming County**.

Description of Action: Water Quality Management Part II, Sewage.

**WQM #1401409 New**, Sewage Nonpublicly Owned—Nonmunicipal, **Michael Read**, 1870 Sunnyside Rd, Port Matilda, PA 16870. This proposed facility is located in Worth Township, **Centre County**.

Description of Action: Water Quality Management Part II, Sewage.

**NPDES #PA0112607 Renewal**, Sewage Nonpublicly Owned—Nonmunicipal, **Pepper Hills LTD**, R. R. 4 Box 139A, Danville, PA 17821-9804. This existing facility is located in Cooper Township, **Montour County**.

Description of Action: NPDES Permit Sewage Discharges Nonmunicipal—Minor.

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

**NPDES Permit No. PA0094510**, Industrial Waste, **U. S. Steel, Mon Valley Works**, 13th and Braddock Avenues, Braddock, PA 15104 is authorized to discharge from a facility located at the Edgar Thomson Plant, North Braddock Borough, **Allegheny County** to receiving waters named Monongahela River.

**Permit No. 0401405**, Sewerage, **Gary Norton**, 1308 Slippery Rock Road, Slippery Rock, PA 16057. Construction of a single residence sewage treatment facility located in Big Beaver Borough, **Beaver County** to serve the Norton Single Family Residence Sewage Treatment Facility.

**Permit No. 2601404**, Sewerage, **Luzerne Township Sewage Authority**, 415 Hopewell Road, Brownsville, PA 15417-9542. Construction of pump station, force main, gravity sewers, pressure sewers, sewage treatment facilities located in Luzerne Township, **Fayette County** to serve the Villages of LaBelle, Dutch Hill and Maxwell.

**Permit No. 6501411**, Sewerage, **John E. Hixon**, 100 Greensburg Street, Delmont, PA 15626. Construction of STP to serve commercial establishment located in Washington Township, **Westmoreland County** at John E. Hixon Small Flow STP.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

<i>NPDES No. Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G407	Commonwealth Construction and Development, Inc. 101 Steeplechase Circle Phoenixville, PA 19460	Chester	UNT to French Creek (HQ-TSF-MF)	Same

<i>NPDES No. Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G496	Stephen E. Cushman P. O. Box 294 Thorndale, PA 19372	Chester	Birch Run (HQ)	Same

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

<i>NPDES No. Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Y063	Harry Fox, Jr. 241 Old York Road Dillsburg, PA 17019	York	Fairview Township	Tributary to Silver Lake (WWF)

**APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS**

The following parties have submitted: (1) Notices of Intent for Coverage under (1) General NPDES Permits to Discharge Wastewater into the Waters of this Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in this Commonwealth; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of this 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 &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lower Makefield Township Bucks County	PAR10D513	Quakertown Group Bucks, LP 1103 Laurel Oak, Suite 105 Voorhees, NJ	Brock Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Middletown Township Bucks County	PAR10565	JDA Development Company 29 South Main Street Hartford, CT	Mill Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Buckingham Township Bucks County	PAR10D570	Kenneth B. Coles P. O. Box 245 Holicong, PA 18925	Watson Creek (CWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Makefield Township Bucks County	PAR10D574	Keith D. Brown P. O. Box 70 Newtown, PA	Tributary to Core Creek (CWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Chalfont Borough Bucks County	PAR10D579	Select Properties 2312 North Broad Street Colmar, PA 18915	UNT to Neshaminy Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Makefield Township Bucks County	PAR10D581	Reverend Samuel Shoemaker 999 Reading Avenue Yardley, PA 19067	Delaware River (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAR10D583	Ronald Mintz 242 Bristol Road Warrington, PA 18976	UNT to Neshaminy Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAR10D592	Pennridge School District 1506 North 5th Street Perkasie, PA 18944-2295	Pleasant Spring Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAR10D594	Heritage Building Group 3326 Old York Road Furlong, PA 18925	Pleasant Spring Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Solebury Township Bucks County	PAR10D595	Lucus Construction Company 21 Marian Circle Chalfont, PA 18914	Delaware River (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Plumstead Township Bucks County	PAR10D603	Frank J. Kelly 203 Bucks Road Holland, PA 18923	North Branch Neshaminy Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Buckingham Township Bucks County	PAR10D604	Toll Brothers, Inc. 3103 Philmont Avenue Huntingdon Valley, PA	Mill Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAR10D614	Red Stone Woods, LP 2421 Bristol Road Warrington, PA 18976	Little Neshaminy Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Doylestown Borough Bucks County	PAR10D616	GPH Richland Corporation 721 Dresher Road Horsham, PA 19044	Cooks Run/Neshaminy Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Middletown Township Bucks County	PAR10D617	Bariatric Care Centers 24 Frank Lloyd Wright Drive Ann Arbor, MI	Queen Ann Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warwick Township Bucks County	PAR10D620	Warwick Township 1733 Township Greene Jamison, PA	Neshaminy Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
New Britain Township Bucks County	PAR10D626	Holland Enterprises 139 Buck Road, Suite 201 Holland, PA	Rail Road Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Northampton Township Bucks County	PAR10D365-1	DeLuca Enterprises 114 Main Street, New Hole, PA 18938	Mill Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Franklin Township Chester County	PAR10G456	Brandolini 1200 Burning Bush Lane West Chester, PA 19380	Tributary East Branch White Clay Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Caln Township Chester County	PAR10G427	Pennsylvania Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Beaver Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Caln Township Chester County	PAR10G433	St. Martha Nursing Home 470 Manor Avenue Downingtown, PA	Beaver Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
New Garden Township Chester County	PAR10G466	Charles Wilkinson 1020 Broad Run Road Landenberg, PA 19320	White Clay (TSF-MF-CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Plymouth Township Montgomery County	PAR10T826	Pennsylvania Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Tributary to Plymouth Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Montgomery Township Montgomery County	PAR10T771	Heritage Building Group, Inc. 3326 Old York Road Furlong, PA 18925	Neshaminy Creek (TSF-M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Whitpain Township Montgomery County	PAR10T772	Henkels and McCoy, Inc. 985 Jolly Road Blue Bell, PA 19422	Tributary to Stony Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Limerick Township Montgomery County	PAR10T777	Heritage Building Group 3326 Old York Road Furlong, PA 18925	Landis Brook Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Hanover Township Montgomery County	PAR10T751	Mark Jones 310 West 12th Avenue Conshohocken, PA 19428	UNT to Stony Run Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Towamencin Town- ship Montgomery County	PAR10T803	Greene Tweed and Company P. O. Box 305 Kulpsville, PA 19443	Tributary to Skippack Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Monroe County Smithfield Township	PAR10S033	Twin Lake Estates Property Owners Assn. P. O. Box 671 Marshalls Creek, PA 18335	Unnamed tributary to Sambo Creek CWF, MF	Monroe County Conservation District (570) 629-3060
Schuylkill County Wayne Township	PAR105832	Pusti Margia Vashnar Samaj of North America Praven Desai 15 Manor Rd. Schuylkill Haven, PA 17972	Unnamed tributary to Lower Little Swatara Creek CWF	Schuylkill County Conservation District (570) 622-3742
East Lampeter Township Lancaster County	PAR10O517	River Bend Limited Partnership 2130 Marietta Pike Lancaster, PA 17607	Mill Creek/CWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
West Hempfield Township Lancaster County	PAR10O520	Centerville Assocs. LTD 987 Chapel Forge Court Lancaster, PA 17601	West Branch Little Conestoga Creek/TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Hempfield Township Lancaster County	PAR10O527	Community Fellowship Church 216 Bethel Dr. Lancaster, PA 17601	Little Conestoga Creek/ WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Penn Township Lancaster County	PAR10O549	Noah Kreider 1461 Lancaster Rd. Manheim, PA 17545	UNT Chickies Creek/ WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Upper Allen Township Cumberland County	PAR10H275	Hugh Simpson Gray Drive L.P. 619 South Market St. Mechanicsburg, PA 17055	UNT to Cedar Run CWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
East Pennsboro Township Cumberland County	PAR10H037-R1	Mike Green Floribunda Associates, L.P. 4075 Market Street Camp Hill, PA 17011	Conodoquinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Wrightsville Borough York County	PAR10Y569	Wrightsville Elementary School Eastern York School District P. O. Box 150 Cool Creek Road Wrightsville, PA 17368	Susquehanna River WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Berwick Borough Salem Township Columbia County	PAR102151	Berwick Area School District 500 Line St. Berwick, PA 18603	Thompson Run Susquehanna River CWF	Columbia County Conservation District 702 Sawmill Rd. Suite 105 Bloomsburg, PA 17815 (570) 784-1310
<i>General Permit Type—PAG-3</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lehigh County Allentown City	PAR232210	AERC.com, Inc. 2591 Mitchell Avenue Allentown, PA 18103-6609	Trout Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711
Juniata County Delaware Township	PAR223528	Triangle Pacific Corp. Old Route 22 Thompsontown, PA 17904	UNT to Juniata River / CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Derry Township	PAR123536	Hershey Food Corporation 100 Crystal A Drive P. O. Box 810 Hershey, PA 17033-0810	UNT to Swatara Creek	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Girard Township Clearfield County	PAR224820	Kovalick Lumber Company R. R. 1, Box 258 Frenchville, PA 16836	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Westfield Township Tioga County	PAR134803	Westfield Tanning Company 360 Church Street Westfield, PA 16950	Mill Creek (TSF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Curwensville Borough Clearfield County	PAR134804	Wickett & Craig of America Inc. 120 Cooper Road Curwensville, PA 16833	Storm Drain to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Troy Township Bradford County	PAR224823	Oak Hill Veneer, Inc. P. O. Box 304 Troy, PA 16947	North Branch Sugar Creek (TSF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Wayne Township Clinton County	PAG504804	Clinton County Solid Waste Authority P. O. Box 209, SR 1005 McElhattan, PA 17748-0209	UNT to West Branch Susquehanna River (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
City of Williamsport Lycoming County	PAR604807	Staiman Brothers, Inc. P. O. Box 1235 Williamsport, PA 17703	West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Delaware Township Northumberland County	PAR214814	Watsonstown Brick Co. P. O. Box 68 Watsonstown, PA 17777- 0068	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Williamsport City Lycoming County	PAR804808	Bureau of Transportation 1500 W. Third St. Williamsport, PA 17701	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Clinton Township Lycoming County	PAR224836	Springs Window Fashions, LP P. O. Box 500 Montgomery, PA 17752- 0500	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
West Burlington Township Bradford County	PAR504803	Northern Tier SWA P. O. Box 10 Burlington, PA 18814- 0010	Morris Run Coal Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
West Burlington Township Bradford County	PAR504802	Northern Tier SWA P. O. Box 10 Burlington, PA 18814- 0010	Sugar Creek Mill Creek (TSF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Rome Township Bradford County	PAR224829	Mountain Hardwoods Inc. R. R. 3 Box 3130 Rome, PA 18837	Wysox Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Clinton Township Lycoming County	PAR224807	Springs Window Fashions, LP P. O. Box 500 Montgomery, PA 17752-0500	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
McClure Borough Snyder County	PAR204805	Lozier Corp. 6336 Pershing Dr. Omaha, NE 68110	S. Branch Middle Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Armstrong Township Lycoming County	PAR804814	Gulf Oil LTD Partnership P. O. Box 9151 Chelsea, MA 02150-9151	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Wysox Township Bradford County	PAR224806	Craftmaster Mfg. Inc. P. O. Box 311 Towanda, PA 18848	UNT to Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Point Township Northumberland County	PAR704803	Viking Energy Northumberland R. R. 2, Box 482D Northumberland, PA 17857-9622	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Muncy Township Lycoming County	PAR114801	Andritz Inc. 35 Sherman St. Muncy, PA 17756-1227	UNT to West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Delaware Township Northumberland County	PAR234810	FB Leopold Co. 227 S. Division St. Zelienople, PA 16063-1397	UNT to Spring Run (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Plum Borough Allegheny County	PAR236118	Industrial Terminal Systems Inc. P. O. Box 4127 New Kensington, PA 15068	Allegheny River	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 &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Anthony Township Montour County	PAG044903	Sandra and William Malinich R. R. 1 Box 132 Turbotville, PA 17772-9513	UNT to McKee Run (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Union Township Centre County	PAG045127	Donald Basalla 1557 Bush Hollow Road Julian, PA 16844	UNT to Bush Hollow Run (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Washington Township Snyder County	PAG044937	Jeanette and Richard Moore 160 W. 84th St. New York, NY 10024-4665	Dry Run (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Orange Township Columbia County	PAG044945	William Bullock R. R. 5 Box 468 Bloomsburg, PA 17815-8958	UNT to W. Branch Briar Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Worth Township Centre County	PAG045132	Michael Read 1870 Sunnyside Rd. Port Matilda, PA 16870	UNT to Sunnyside Hollow Run (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Jordan Township Lycoming County	PAG045134	Andrew W. Charles 3078 Rt. 42 Hwy. Unityville, PA 17774	UNT to W. Branch Muncy Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Madison Township Columbia County	PAG044914	Robert and Shirley Hack R. R. 9 Box 239 Bloomsburg, PA 17815-9788	Mud Creek (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Big Beaver Borough Beaver County	PAG046246	Gary Norton 1308 Slippery Rock Road Slippery Rock, PA 16057	Tributary to Wallace Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-7*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Benner Township Centre County	PAG074826	University Area Joint Authority 1576 Spring Valley Rd. State College, PA 16801-8401	UAJA Sewage Treatment Plant— Spring Creek PCF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

*General Permit Type—PAG-8*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Earl Township Lancaster County	PAG083566	New Holland WWTP Borough of New Holland 436 East Main Street New Holland, PA 17557		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Ulysses Township Potter County	PAG084825	Ulysses Municipal Authority 522 Main St. Ulysses, PA 16948-0392	Ulysses Municipal Authority Sewage Treatment Plant	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3655 Bill Hanczar

*General Permit Type—PAG-9*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Wilmot Township Bradford County	PAG094827	Lewis B. Crawford Crawford's Septic Cleaning R. R. 1, Box 49 Sugar Run, PA 18846-9723	Crawford's Septic Cleaning Wilmot Township Potter County	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3655 Bill Hanczar

*General Permit Type—PAG-9 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Todd Township Fulton County	PAG093536	Ramsey's Septic Service 6834 Cito Road McConnellsburg, PA 17233	Clevenger Farm Todd Township Fulton County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200 (717) 705-4707

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Tulpehocken Township Berks County	PAG123528	Clair H. Wenger 67 New Schaefferstown Road Bernville, PA 19506	UNT to Little Northkill Creek/CWF	DEP Southcentral Region Office 909 Elmerton Avenue Harrisburg, PA 17110- 8200
Northeast Madison Township Perry County	PAG123527	Taylor E. Miller III (Ted Miller Farm CAFO) R. R. 1, Box 144C Ickesburg, PA 17037	UNT to Bixler Run/CWF	DEP Southcentral Region Office 909 Elmerton Avenue Harrisburg, PA 17110- 8200
Terry Township Bradford County	PAG124810	Gerald Vargason R. R. 2 Wyalusing, PA 18853	UNT to Sugar Run (CWF)	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 these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER****Actions taken 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. 3801503 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>City of Lebanon Authority</b>
Municipality	City of Lebanon
County	<b>Lebanon</b>
Type of Facility	Relocation of the ammonia feed point from the combined filter effluent to the clearwell effluent.
Consulting Engineer	Gene C. Koontz, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Permit to Operate Issued:	February 6, 2002

**Permit No. 5001501, Public Water Supply.**

Applicant	<b>Republic Development Corp.</b>
Municipality	Newport Borough

County **Perry**

Type of Facility Construction Permit 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.

Consulting Engineer Gene C. Koontz, P.E.  
Gannett Fleming, Inc.  
P. O. 67100  
Harrisburg, PA 17106-7100

Permit to Construct February 6, 2002  
Issued:

**Permit No. 2101505**, Public Water Supply.

Applicant **Pennsylvania American Water Company of Pennsylvania**

Municipality Hampden Township

County **Cumberland**

Type of Facility Construction of the Whelan Crossing and Westbury booster pump stations.

Consulting Engineer Gene C. Koontz, P.E.  
Gannett Fleming, Inc.  
P. O. Box 67100  
Harrisburg, PA 17106-7100

Permit to Construct February 6, 2002  
Issued:

*Northcentral Region: Water Supply Management Program Manager; 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**Permit No. Minor Amendment**, Public Water Supply.

Applicant **Houtzdale Municipal Authority**

Township Rush Township

County **Centre**

Type of Facility PWS—approval for construction of new upper and lower intakes on Mountain Branch of Moshannon Creek to replace existing intakes.

Consulting Engineer Uni-Tec Consulting Engineers, Inc.  
2007 Cato Avenue  
State College, PA 16801

Permit to Construct February 6, 2002  
Issued

**STORMWATER MANAGEMENT**

**Action on plans submitted under the Stormwater Management Act of October 4, 1978 (32 P. S. § 680.9).**

*Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555.*

**Plan No. SWMP 089:09, Delaware River (North)**, Stormwater Management Plan Update, as submitted by **Bucks County**, was approved on January 16, 2002.

**Plan No. SWMP 315:09, Tohickon Creek**, Stormwater Management Plan Update, as submitted by **Bucks County**, was approved on January 16, 2002.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5).**

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Sewickley Township	c/o Lois E. Brandstetter, Secretary 361 Mars Hill Road Herminie, PA 15642	Westmoreland County

Plan Description: The approved plan provides for the sewerage of Andrews Run Watershed (Herminie Area) and the construction of a new sewage treatment plant. 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.

**HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988**

**NOTICE OF PROPOSED INTERIM RESPONSE TRI-STATE RECOVERY, KENNEDY TOWNSHIP, ALLEGHENY COUNTY**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1305), is proposing an interim response at Tri-State Petroleum Recovery Site (Site). The Site is located at 12 Creek Road, Kennedy Township, Allegheny County, PA.

Tri-State Petroleum Recovery, Inc. (Tri-State) purchased the facility from City Waste & Road Oil Service in 1989. The name was changed to Tri-State on January 1, 1990. Tri-State operated an unpermitted waste oil transfer facility from 1989—1998. Tri-State has stored and processed millions of gallons of waste oil at its facility since 1989. A residual waste transfer station permit was issued to Tri-State by the Department on June 16, 1998. Tri-State is presently engaged in accepting nonhazardous aqueous, solid and semisolid oil materials for recycling into industrial alternative fuels and lubricants.

Inspections conducted from 1996—2000 revealed numerous violations of the Solid Waste Management Act and The Clean Streams Law, including processing, transferring and disposing of used oil/waste oil at the Site without a permit. Areas of the Site were observed to be visibly contaminated and approximately 250 drums were observed onsite. Tri-State also indicated that transformers were dismantled at the site prior to 1989.

The Department and Tri-State signed a Consent Order and Agreement (COA) on December 22, 1997, to address the previously noted violations. The COA required Tri-State to obtain a transfer permit, construct a new containment area for future operations, characterize and remove all drummed wastes onsite, conduct a Site investigation and submit a Notice of Intent to Remediate based on the investigation. Tri-State has not complied with all of the conditions of the COA.

A site investigation plan was submitted and sampling was conducted by Tri-State in August 2000. The Site

investigation revealed the presence of hazardous substances in the Site soils and groundwater.

The Department is currently negotiating a second COA with Tri-State. This COA will require Tri-State to provide monthly payments to the Department until the costs of the Department's response actions are recovered. The COA will also require Tri-State to issue a notice on the property deed acknowledging the presence of hazardous materials on the Site and place a lien on the property for the cost of the Department's response actions.

The Department has considered several alternatives for a response at the Site including: no action; restricting the site; and conducting an investigation.

The Department has determined that conducting a further investigation at the Site is the appropriate alternative. The Department chose this alternative because it complies with section 501(a) of the HSCA and is the only alternative that is protective of human health and the environment. An investigation would provide the Department with the information required to determine if additional remediation efforts are necessary at the Site to protect human health and the environment. The Department's proposed action is intended to fully characterize the Site and enable the Department to determine the most appropriate method to remediate the Site.

This notice is being provided under section 506(b) of the HSCA. The administrative record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The administrative record is located at the Department's Southwest Regional Office in Pittsburgh and is available for review Monday through Friday from 8 a.m. to 4 p.m.

The administrative record will be open for comment from February 23, 2002, until May 24, 2002. Persons may submit written comments into the record during this time only by sending the comments to Kevin Halloran, Environmental Cleanup Program, 400 Waterfront Drive, Pittsburgh, PA 15222 or by delivering them to the Southwest Regional Office in person.

Persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on April 10, 2002, at 7 p.m. at the Kennedy Township Municipal Building, 304 Forest Grove Road, Coraopolis, PA 15108. Persons wishing to present comments at the hearing must register before March 25, 2002, with Betsy Mallison, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4000.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings should call Betsy Mallison at (412) 442-4000 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**SETTLEMENT UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT AND THE HAZARDOUS SITES CLEANUP ACT**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA); the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C.A. §§ 9601—9675) (CERCLA); and section 1917-A of The Administrative Code of 1929 (71 P. S. § 510-17) has entered into a

proposed settlement with Norfolk Southern Railway Company and Pennsylvania Lines LLC (collectively Settlers).

The proposed settlement resolves claims of the Department with the Settlers under the HSCA and under the CERCLA for response costs incurred and to be incurred by the Department at the Raymark Manheim Lower Landfill Site (Site) located in Manheim Borough, Lancaster County, PA.

Based upon the information that the Department has obtained concerning the Settlers and the Site and based upon the information certified by the Settlers, the Department has determined that the Settlers: (1) did not conduct or permit the generation, transportation, storage, treatment or disposal of any hazardous substances at the Site; (2) did not contribute to the release or threatened release of hazardous substances at the Site through any act or omission; and (3) acquired the right-of-way within the Site with no actual knowledge that the right-of-way was used for the generation, transportation, storage, treatment or disposal of any hazardous substances.

The Department believes that the Consent Order and Agreement (COA) is fair, reasonable, practicable, in the public interest and in furtherance of the statutory goals of and HSCA and CERCLA.

For a period of 60 days beginning with the February 23, 2002, publication date of this notice, the public is invited to review the COA, Monday through Friday, from 8 a.m. to 4 p.m., at the Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110 by contacting Richard Morgan at (717) 705-4844. The Consent Decree can also be reviewed at the Manheim Borough Building, 15 East High Street, Lancaster, PA 17545 from 8 a.m. to 4:30 p.m. by contacting Donna Lynn Lopez at (717) 665-2461.

After review, the public may submit written comments on the COA before April 23, 2002, by mailing them to Richard Morgan at the Department's Harrisburg Office at the address previously noted. A person adversely affected by the settlement may also file an appeal from the COA to the Environmental Hearing Board.

Questions concerning this notice should be directed to Richard Morgan at the telephone number and address previously noted.

**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 summa-

ries 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 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.*

**New Council Rock High School**, Northampton Township, **Bucks County**. Jeffrey K. Walsh, P.G., Gilmore & Associates, Inc., 184 W. Main St., Trappe, PA 19426, on behalf of The Council Rock School District, Robert McAuliffe, P.E., Business Mgr., 301 Twining Ford Rd., Richboro, PA 18954, has submitted a Final Report concerning remediation of site groundwater contaminated with lead, BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Richard Valerio Property**, East Coventry Township, **Chester County**. Robert Carey, Lewis Environmental Group, P. O. Box 639, Royersford, PA 19468, on behalf of Richard Valerio, 1894 Old Schuylkill Rd., Spring City, PA 19475, has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Olympic Motors Used Car Lot**, Ridley Township, **Delaware County**. Robert F. Murphy, RFM Environmental Consultants, 287 Peel Rd., Langhorne, PA 19047, on behalf of Lexis Lax, 1201 MacDade Blvd., Folsom, PA 19033, has submitted a Final Report concerning remediation of site soil contaminated with lead and BTEX. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Lehigh Valley Dairies, Inc.**, Upper Gwynedd and Towamencin Townships, **Montgomery County**. David Kile, Applied Engineering & Science, Inc., 2261 Perimeter Park Drive, Atlanta GA 30341, on behalf of Tuscan/Lehigh Dairies LP, Union, NJ 07083, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX, polycyclic aromatic hydrocarbons and MTBE. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Kellers Creamery**, Franconia Township, **Montgomery County**. Peter A. Malik, III, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Sodiaal North American Corp., East King St., Strasburg, VA 22657, has submitted a Final Report concerning remediation of site groundwater contaminated with lead, BTEX and solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Former Murata-Wiedemann Facility**, Upper Merion Township, **Montgomery County**. Peter A. Malik, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of 211 Gulrood Associates,

LP, 1200 River Rd., Suite 1303, Conshohocken, PA 19428, has submitted a combined Risk Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site groundwater contaminated with solvents.

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

**Maffeo Spill (Reading Blue Mountain and Northern Railroad Company Property)**, Cressona Borough, **Schuylkill County**. James Drasher, Manager of Environmental Services, Aqua-Terra Environmental, Ltd., P. O. Box 4099, Reading, PA 19606 has submitted a Final Report (on behalf of Carl Maffeo, N. Garfield Avenue, Schuylkill Haven, PA) concerning the remediation of soils, sediment and surface water found or suspected to have been contaminated with no. 2 fuel oil constituents. The report was submitted in order to demonstrate attainment of the Statewide health standard.

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

**Harrisburg International Airport/Middletown Airfield**, Lower Swatara Township and Middletown Borough, **Dauphin County**. Susquehanna Area Regional Airport Authority, 513 Airport Drive, Middletown, PA 17057 submitted a final report concerning the remediation of site soils and groundwater contaminated with PCBs, heavy metals, solvents and PAHs. The report is intended to document remediation of the site to the Site Specific standard.

**Wawa Reading, Store No. 153**, City of Reading, **Berks County**. Groundwater and Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 (on behalf of Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19065) has submitted a final report concerning the remediation of site soils contaminated with lead, BTEX and PHCs. The report is intended to document remediation of the site to the Statewide Health standard.

**Former Powell Property**, Logan and Antis Townships, **Blair County**. Mountain Research, Inc., 825 25th Street, Altoona, PA 16601 (on behalf of Altoona-Blair County Development Corporation, 4500 Sixth Avenue, Altoona, PA 16602) has submitted a baseline environmental report concerning remediation of site soils contaminated with lead, heavy metals, solvents, BTEX and PAHs and groundwater contaminated with heavy metals. The applicant proposes to remediate the site to meet the special industrial area requirements.

**Esbenshade Residence**, Elizabeth Township, **Lancaster County**. Earth Data Northeast, Inc., 924 Springdale Drive, Exton, PA 19341 (on behalf of Lamar Esbenshade, 619 East 28th Division Highway, Lititz, PA 17543) submitted a final report within 90 days of a release concerning remediation of site soils contaminated with benzene, toluene, ethylbenzene, cumene, fluorine, naphthalene and phenanthrene. The report is intended to document remediation of the site to the Statewide Health standard.

**Martin Residence**, East Earl Township, **Lancaster County**. Earth Data Northeast, Inc., 924 Springdale Drive, Exton, PA 19341 (on behalf of V. Lorraine Martin, 1257 East Earl Road, East Earl, PA 17519) submitted a final report within 90 days of a release concerning remediation of site soils contaminated with benzene, toluene, ethylbenzene, cumene, fluorine, naphthalene and phenanthrene. The report is intended to document remediation of the site to the Statewide Health standard.

**United States Postal Service Bernville**, Borough of Bernville, **Berks County**. Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Penn Eagle Industrial Park, Bellefonte, PA 16823 (on behalf of Cunningham Associates, 8633 South Bay Drive, Orlando, FL 32819-0498) 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.

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

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

The Department has received the following final reports:

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

**PPL Electric Utilities Distribution Pole #67659S42272**, Richland Borough, **Bucks County**. Walter M. Novitsky, PPL Services Corp., Two N. Ninth St., Allentown, PA 18101, on behalf of PPL Electric Utilities Inc., Two N. Ninth St., Allentown, PA 18101, has submitted a Final Report concerning the remediation of site soil contaminated with PCBs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 27, 2001.

**SEPTA Parking Lot Site**, Perkasio Borough, **Bucks County**. Michael S. Kozar, P.G., O'Brien & Gere, 1777 Sentry Parkway West, Gwynedd Hall, Suite 302, Blue Bell, PA, on behalf of SEPTA, Leased by Borough of Perkasio, 311 S. 9th St., Perkasio, PA 18944, has submitted a Final Report concerning the remediation of site soil contaminated with lead, metals, polycyclic aromatic hydrocarbons and TPH. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 4, 2002.

**Orleans Corporation**, Warwick Township, **Bucks County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Orleans Corp., 333 Street Rd., Suite 101, Bensalem, PA 19020, has submitted a Final Report concerning the remediation of site soil contaminated with pesticides. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 10, 2002.

**Former SPS Technologies, Inc.**, Upper Dublin Township, **Montgomery County**. William D. Zimmerman, P.G., Environmental Strategies Corp., 11911 Freedom Dr., Suite 900, Reston, VA 20190, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with solvents and BTEX. The Final Report did not demonstrate attainment of the Statewide Health nor Site-Specific Standards and was disapproved by the Department on January 4, 2002.

**4800 Pine Street Apartments**, City of Philadelphia, **Philadelphia County**. William G. Murray, URS Corp., 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 Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 21, 2001.

**Riverfront Towers**, City of Philadelphia, **Philadelphia County**. Bruce W. Pringle, S. T. Hudson Engineers, Inc., 800 Hudson Square, P. O. Box 9106, Camden, NJ 08101, on behalf of Isle of Capri Associates, LP, 242 S. 17th St., Philadelphia, PA, has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons. The report was approved by the Department on December 21, 2001.

**McDonald's Restaurant Site**, City of Philadelphia, **Philadelphia County**. Keith T. D'Ambrosio, P.E., Whitestone Associates, Inc., 1120 Welsh Road, Suite 100, North Wales, PA 19454, on behalf of McDonald's Corp., 150 S. Warner Rd., Suite 470, King of Prussia, PA 19406, has submitted a Remedial Investigation/Cleanup Plan concerning remediation of site soil and groundwater

contaminated with solvents. The combined report was approved by the Department on January 3, 2002.

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

**Schuylkill County Housing Authority—Coaldale Family Housing Development**, Coaldale Borough, Schuylkill County. Jennifer Risser, Project Manager, Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522 submitted a Final Report (on behalf of Schuylkill County Housing Authority, 245 Parkway, Schuylkill Haven, PA 17972) concerning the remediation of soils found or suspected to have been contaminated with no. 2 fuel oil constituents. The report demonstrated attainment of remediation of the site under the Statewide health standard and was approved on February 4, 2002.

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

**Capital City Airport Harrisburg Jet Center**, Fairview Township, York County. Marshall Miller and Associates, 3913 Hartzdale Drive, Camp Hill, PA 17011 (on behalf of Harrisburg International Airport, 113 Airport Drive, New Cumberland, PA 17070 and Dana Transport Systems, 210 East Essex Avenue, Avenel, NJ 07001) submitted a Final Report concerning remediation of site soils contaminated with BTEX and PAHs. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on January 30, 2002.

**Blackberry Substation**, City of Harrisburg, Dauphin County. PPL Electric Utilities, Two North Nine Street, Allentown, PA 18101 submitted a Final Report concerning remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on February 4, 2002.

**Laurel Run Park**, Muhlenberg Township, Berks County. Muhlenberg Township Parks & Recreation, 702 Euclid Avenue, Temple, PA 19560-1541 submitted a Final Report concerning remediation of site soils contaminated with lead. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on February 8, 2002.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Hazardous Waste Transporter License actions taken 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 Expired*

**Nortru, Inc.**, 515 Lycaste, Detroit, MI 48214. License No. **PA-AH 0451**. Effective January 31, 2002.

**Pure Tech Systems, Inc.**, 2727 Transport Road, Cleveland, OH. License No. **PA-AH 0647**. Effective January 31, 2002.

**Southco Enterprises, Inc.**, P. O. Box 35871, Greensboro, SC 27425. License No. **PA-AH 0645**. Effective January 31, 2002.

**Ensco, Inc. d/b/a Division Transport**, 309 American Circle, El Dorado, AR 71730. License No. **PA-AH 0322**. Effective January 31, 2002.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Infectious and Chemotherapeutic Waste Transporter License**, actions taken under the **Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003)** and the **Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6)** and regulations 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.*

*Infectious and Chemotherapeutic Waste Transporter License Expired*

**Pinnacle Health Hospitals**, 111 South Front Street, Harrisburg, PA 17101. License No. **PA-AH 0083**. Effective January 31, 2002.

#### RESIDUAL WASTE GENERAL PERMITS

**Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and 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 Application No. WMGR079, Pennsy Supply, Inc.**, 1001 Paxton Street, Harrisburg, PA 17104-3331.

General Permit numbered WMGR079 for the processing and beneficial use of waste asphalt shingles as aggregate in the production of asphalt paving material and as a sub-base for road and driveway construction was issued by Central Office on February 6, 2002.

Persons interested in reviewing the general permit may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

**General Permit No. WMGR026, Industrial Fluid Recycling, Inc.**, 1 Morgan Lane, New Hartford, NY 13413. General Permit No. WMGR026 authorized processing of spent water soluble industrial cutting fluids in mobile processing units for the purpose of reconditioning spent cutting fluids. Coverage under the permit for Industrial Fluid Recycling, Inc. was revoked at the request of the permittee by Central Office on January 29, 2002.

Persons interested in reviewing the general permit may contact Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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

**Permit renewed 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.**

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

**Permit No. 101509. New Morgan Landfill Company, Inc.,** P. O. Box 128, Morgantown, PA 19543, New Morgan Borough, Berks County. The permit renewal is for the operation of the Conestoga Landfill. The permit modification was approved by the Southcentral Regional Office on February 11, 2002.

Persons interested in reviewing the general permit may contact Keith Kerns, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

**AIR QUALITY**

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

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

**GP5-14-03: Mid East Oil Co.** (P. O. Box 1378, Indiana, PA 15705) on January 17, 2002, to authorize construction and operation of a 145 horsepower natural gas-fired reciprocating internal combustion compressor engine under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at the Tract 706 site in Burnside Township, **Centre County**.

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

**GP 24-123: Superior Greentree Landfill** (635 Toby Street, Kersey, PA 15846) on January 3, 2002, for operation of a portable nonmetallic mineral processing plant in Fox Township, **Elk County**.

**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.**

*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.*

**09-0050: Better Materials Corp.** (852 Swamp Road, Penns Park, PA 18943) on February 1, 2002, for operation of one crusher and two conveyor belts in Wrightstown Township, **Bucks County**.

**15-0064A: QVC, Inc.** (1200 Wilson Drive, West Chester, PA 19380) on February 7, 2002, for operation of three emergency generators in West Goshen Township, **Chester County**.

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

**35-303-011C: Dunmore Materials** (Division of Haines and Kibblehouse, P. O. Box 196, 2052 Lincoln Road, Skippack, PA 19474) on February 6, 2002, for modification of a batch asphalt plant and associated air cleaning device on Dunham Drive in Dunmore Borough, **Lackawanna County**.

**48-303-006A: A B E Materials** (Easton Division of Haines and Kibblehouse, P. O. Box 196, Skippack, PA 19474) on February 6, 2002, for modification of a batch asphalt plant and associated air cleaning device at the Easton Asphalt Plant in Lower Mount Bethel Township, **Northampton County**.

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

**06-05024A: Reliant Energy Mid Atlantic Power, LLC** (1001 Broad Street, Johnstown, PA 15907-1050) on February 4, 2002, for modification of a coal handling operation controlled by covers and wet suppression at its Titus Station in Cumru Township, **Berks County**.

*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) on January 28, 2002, for installation of an air cleaning device (a screw-in prechamber system) on a 2,000 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine 7) at the Sabinsville Compressor Station in Clymer Township, **Tioga County**.

**53-00004B: Dominion Transmission Corp.** (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on January 28, 2002, for installation of air cleaning devices (screw-in prechamber systems) on five natural gas-fired reciprocating internal combustion compressor engines (Engines 2—6) at the Harrison Compressor Station in Harrison Township, **Potter County**.

**49-00024A: Sunbury Property, LLC, owner and Knight-Celotex, LLC, operator** (P. O. Box 267, Sunbury, PA 17801) on January 31, 2002, to modify a fiberboard laminating operation and revise a previously-established reasonably available control technology determination by increasing the allowable VOC emissions from 3 pounds per hour, 15 pounds per day and 2.7 tons per 12 consecutive month period to 8 pounds per hour, 96 pounds per day and 10 tons per 12 consecutive month period in the City of Sunbury, **Northumberland County**.

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

**25-069G: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) on December 13, 2001, for construction of a dust collector in Erie, **Erie County**.

**10-087A: Du-Co Ceramics, Inc.** (155 South Rebecca Street, Saxonburg, PA 16056) on December 19, 2001, for construction of a tunnel kiln in Jefferson Township, **Butler County**.

**43-170D: Werner Co.—Greenville Division** (93 Werner Road, Greenville, PA 16125) on December 19, 2001, for modification of the pultrusion process in Sugar Grove Township, **Mercer County**.

**24-016A: Keystone Powdered Metal, Inc.** (1935 State Street, St. Marys, PA 15857) on December 28, 2001, for construction of an induction heat treating furnace for powdered metal parts in St. Marys, **Elk County**.

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**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.**

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*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.*

**23-0077A: County of Delaware** (340 N. Middletown Road, Lima, PA 19037) on January 18, 2002, for operation of a gas-fired generator in Middletown Township, **Delaware County**.

**23-0063A: Department of Corrections—SCI Chester** (500 East 4th Street, Chester, PA 19013) on January 18, 2002, for operation of three boilers and three diesel generators in City of Chester, **Delaware County**.

**46-0205: Tyco Electronics Corporation** (2940 Turnpike Drive, Hatboro, PA 19040) February 4, 2002, for operation of three-bed carbon adsorption system in Upper Moreland Township, **Montgomery County**.

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

**49-399-007A: Reagent Chemical and Research, Inc.** (R. R. 1, Box 208, Coal Township, PA 17866) on February 4, 2002, to authorize the use of an additional paint on a skeet target production line and to establish appropriate recordkeeping requirements in Coal Township, **Northumberland County**.

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

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

**65-00634: Dominion Transmission, Inc.** (625 Liberty Avenue, Pittsburgh, PA 15222) for renewal of operating permit for the operation of Natural Gas Transmission at Tonkin Station in Murrysville Township, **Westmoreland County**.

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

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

**48-00035: CENTEC Roll Corp.** (1275 Daly Avenue, Bethlehem, PA 18015) on February 7, 2002, for operation of a Natural Minor Permit in Bethlehem, **Northampton County**.

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

**65-00219: Jeannette City School District** (P. O. Box 418, Park Street, Jeannette, PA 15644) for operation of a CNG Tri-Fuel Boiler in Jeannette Borough, **Westmoreland County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**10-00011: Castle Rubber Co.** (P. O. Box 589, Butler, PA 16003) for a Natural Minor operating permit for the manufacture of custom rubber components in East Butler Borough, **Butler County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Edward Braun, Chief, (215) 685-9476.*

**95-027: Model Finishing, Inc.** (4949 Cottman Avenue, Philadelphia, PA 19135) on February 5, 2002, for surface coating miscellaneous metal parts in the City of Philadelphia, **Philadelphia County**. The synthetic minor facility's air emission sources include three spray booths, one vapor degreaser, miscellaneous solvent cleaning, one 0.8 mmBtu/hr bake oven, one 1.6 mmBtu/hr water heater, one 0.5 mmBtu/hr drying oven and one 1.6 mmBtu/hr conveyor oven.

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**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.**

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

**08-399-032: OSRAM SYLVANIA Products Corp.** (Hawes Street, Towanda, PA 18848) on January 11, 2002, to authorize operation of a tantalum carbide sifter and the use of an existing air cleaning device (a fabric collector) to control its particulate matter emissions in North Towanda Township, **Bradford County**.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).

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*Coal Permits Actions*

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

**17950116 and NPDES Permit No. PA02201983. Hill-top Coal Company**, R. D. 1, Box 347, Houtzdale, PA 16651. Renewal of an existing bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 14 acres. Receiving streams: unnamed tributaries of Upper Morgan Run to Clearfield Creek; and Alexander Run to Clearfield Creek; Clearfield Creek to West Branch Susquehanna River. Application received: October 26, 2001. Permit issued: January 29, 2002.

**17960122 and NPDES Permit No. PA0220493. Forcey Coal, Inc.**, P. O. Box 225, Madera, PA 16661. Renewal of an existing bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 118 acres. Receiving streams: Muddy Run and Banian Run to Muddy Run, Muddy Run to Clearfield Creek, Clearfield Creek to West Branch Susquehanna River. Application received: December 7, 2001. Permit issued: February 1, 2002.

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

**65-01-06 and NPDES Permit No. PA0250023. Coal Loaders, Inc.** (P. O. Box 556, Ligonier, PA 15658). Government Financed Construction Contract issued for reclamation of approximately 21.0 acres of abandoned mine lands located in Unity and Mount Pleasant Townships, **Westmoreland County**. Receiving stream: Brinker Run. Application received: September 17, 2001. Contract issued: February 5, 2002.

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

**56980107. Dunamis Resources, Inc.**, One Energy Place, Suite 4000, Latrobe, PA 15650. Permit Revision to change the post-mining land use from forestland to unmanaged natural habitat in Milford Township, **Somerset County**, affecting 277.0 acres. Receiving streams: unnamed tributaries to/and Casselman River and South Glade Creek classified for the following uses: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 17, 2001. Permit issued: February 4, 2002.

**32860106 and NPDES Permit No. PA0597643. Kent Coal Mining Company**, P. O. Box 219, Shelocta, PA 15774, permit renewal for reclamation for continued restoration of a bituminous surface mine in Blacklick Township, **Indiana County**, affecting 233.1 acres. Receiving streams: four unnamed tributaries to Aultmans Run and Aultmans Run classified for the following uses: Trout Stock Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 5, 2002. Permit issued: February 5, 2002.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**10000104. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Revision to an existing bituminous strip operation to add blasting in Slippery Rock and Cherry Townships, **Butler County** affecting 33.6 acres. Receiving streams: unnamed tributary to Slippery Rock Creek. Application received: December 10, 2001. Permit Issued: January 31, 2002.

*Noncoal Permits Actions*

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

**01010801. Phillip E. Justice** (1431 Water Street, Fairfield, PA 17320), Small Noncoal (granite) Mining Permit in Mount Joy Township, **Adams County**, affecting 5.0 acres. Receiving stream: unnamed tributary to Rock Creek. Application received: October 3, 2001. Permit issued: February 4, 2002.

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**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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**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.**

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*Blasting Permits Actions*

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

**21024004. John W. Gleim, Jr., Inc.** (90 Stover Drive, Carlisle, PA 17013), construction blasting in Carlisle Borough, **Cumberland County** with an expiration date of April 29, 2002. Permit issued: February 4, 2002.

**21024005. T. J. Angelozzi, Inc.** (7845 Kabik Court, Woodbine, MD 21797), construction blasting in Silver Springs Township, **Cumberland County** with an expiration date of March 31, 2002. Permit issued: February 4, 2002.

**36024002. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Carriage Court Development in East Cocalico Township, **Lancaster County** with an expiration date of February 28, 2007. Permit issued: February 4, 2002.

**36024003. H. L. Wiker & Sons** (709A Hartman Station Road, Lancaster, PA 17601), construction blasting for Village Square Commons at Mayfield Development in East Donegal Township, **Lancaster County** with an expiration date of July 31, 2004. Permit issued: February 4, 2002.

**38024001. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in North Londonderry Township, **Lebanon County** with an expiration date of March 31, 2002. Permit issued: February 4, 2002.

**45024006. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Smithfield Township, **Monroe County** with an expiration date of August 8, 2002. Permit issued: February 4, 2002.

**45024007. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Smithfield Township, **Monroe County** with an expiration date of August 8, 2002. Permit issued: February 4, 2002.

**45024008. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Smithfield Township, **Monroe County** with an expiration date of August 8, 2002. Permit issued: February 4, 2002.

**45024009. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in

Smithfield Township, **Monroe County** with an expiration date of August 8, 2002. Permit issued: February 4, 2002.

**58024001. Powers Stone, Inc.** (R. R. 5, Box 124, Montrose, PA 18801), construction blasting in Forest Lake Township, **Susquehanna County** with an expiration date of February 28, 2003. Permit issued: February 4, 2002.

**67024003. H. L. Wiker & Sons** (709A Hartman Station Road, Lancaster, PA 17601), construction blasting for Bentley Croft Housing Development in Manchester Township, **York County** with an expiration date of March 31, 2003. Permit issued: February 4, 2002.

**15024003. Rock Work, Inc.** (1257 DeKalb Pike, R. R. 2, Blue Bell, PA 19422), construction blasting in West Vincent Township, **Chester County** with an expiration date of March 7, 2003. Permit issued: February 5, 2002.

**15024004. Brubacher Excavating, Inc.** (825 Reading Road, Bowmansville, PA 17507), construction blasting in Upper Uwchlan Township, **Chester County** with an expiration date of March 7, 2003. Permit issued: February 5, 2002.

**21024008. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013-0608), construction blasting in Dickinson Township, **Cumberland County** with an expiration date of February 28, 2007. Permit issued: February 5, 2002.

**22024001. Brubacher Excavating, Inc.** (825 Reading Road, Bowmansville, PA 17507), construction blasting in West Hanover Township, **Dauphin County** with an expiration date of February 28, 2003. Permit issued: February 5, 2002.

**01024003. Conewago Enterprises, Inc.** (660 Edgegrove Road, Hanover, PA 17331), construction blasting in Cumberland Township, **Adams County** with an expiration date of January 12, 2003. Permit issued: February 7, 2002.

**01024004. T. J. Angelozzi, Inc.** (7845 Kabik Court, Woodbine, MD 21797), construction blasting in Germany Township, **Adams County** with an expiration date of March 15, 2002. Permit issued: February 7, 2002.

**01024006. MR Ronca & Sons** (179 Mikron Road, Bethlehem, PA 18020), construction blasting in Hamilton Township, **Adams County** with an expiration date of November 30, 2002. Permit issued: February 7, 2002.

**01024007. Bernard Hasara** (1125 E. Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting in Hamilton Township, **Adams County** with an expiration date of November 30, 2002. Permit issued: February 7, 2002.

**21024006. ITGroup/NEP** (245 Butler Avenue, Lancaster, PA 17601), blasting for Cumberland County Landfill expansion in Newton Township, **Cumberland County** with an expiration date of April 30, 2002. Permit issued: February 7, 2002.

**28024003. T. J. Angelozzi, Inc.** (7845 Kabik Court, Woodbine, MD 21797), construction blasting in Antrim Township, **Franklin County** with an expiration date of March 15, 2002. Permit issued: February 7, 2002.

**38014028. Joao & Bradley Construction Co., Inc.** (4421 Tracy Lane, Bethlehem, PA 18020), construction blasting in the City of Lebanon, **Lebanon County** with an expiration date of June 30, 2002. Permit issued: February 7, 2002.

**01024005. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Cumberland Township, **Adams County** with an expiration date of July 31, 2002. Permit issued: February 8, 2002.

**22024002. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Hummelstown Borough, **Dauphin County** with an expiration date of March 31, 2003. Permit issued: February 8, 2002.

**38024002. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in South Londonderry Township, **Lebanon County** with an expiration date of March 31, 2003. Permit issued: February 8, 2002.

**21024007. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013-0608), construction blasting in South Middleton Township, **Cumberland County** with an expiration date of January 31, 2007. Permit issued: February 8, 2002.

**48024001. Chrin Brothers, Inc.** (400 South Greenwood Avenue, Easton, PA 18045), construction blasting in the City of Easton, **Northampton County** with an expiration date of May 7, 2002. Permit issued: February 8, 2002.

**67024001. Stewart & Tate, Inc.** (1020 North Hartley Street, York, PA 17405), construction blasting in Springettsbury Township, **York County** with an expiration date of April 30, 2002. Permit issued: February 8, 2002.

**67024004. Fitz & Smith, Inc.** (P. O. Box 178, Dallostown, PA 17313), construction blasting in North Codorus Township, **York County** with an expiration date of March 31, 2002. Permit issued: February 8, 2002.

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

**26024001. Shallenberger Construction, Inc.** (2611 Memorial Boulevard, Connellsville, PA 15425). Permit issued for construction of a sanitation ditch line located in Dunbar Township, **Fayette County**, with an expected duration of 60 days. Permit issued: February 5, 2002.

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**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 §§ 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

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

**E48-306. Northampton County**, 669 Washington Street, Easton, PA 18042. Forks and Palmer Townships, **Northampton County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a prestressed concrete beam bridge, known as County Bridge No. 62, having a single span of 70 feet and an underclearance of approximately 10.1 feet across Bushkill Creek. The project is located along Township Road T499 (Newlins Mill Road), just north of S.R. 2019 (Bushkill Drive) (Easton, PA Quadrangle N: 18.8 inches; W: 16.9 inches).

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

**E22-417. Hess Enterprises**, 13 Aberdeen Shopping Plaza, Aberdeen, MD 21001 in Londonderry Township, **Dauphin County**, ACOE Baltimore District

To construct and maintain: (1) Enclosure #1, a 140-foot long reinforced concrete, rigid frame and open bottom arch culvert stream enclosure having a clear span of 14.0 feet and an underclearance of 8.0 feet in an unnamed tributary to Swatara Creek (WWF); (2) a 170-foot long reinforced concrete, rigid frame and open bottom arch culvert stream enclosure having a clear span of 12.0 feet and an underclearance of 8.0 feet in an unnamed tributary to Swatara Creek (WWF) about 1,500 feet upstream from Enclosure #1; (3) a 48-inch to 54-inch diameter storm sewer crossing of a wetland; (4) a potable waterline that will cross Iron Run (WWF) at Stations 27+00 and 28+50; and five associated wetland area crossings at Stations 36+30, 32+50, 59+50, 48+00 and 49+75 (5) a sanitary sewer line in the floodway/floodplain of Swatara Creek (WWF); crossing of Iron Mine Run (WWF) at Station 7+75; crossing an unnamed tributary to Swatara Creek (WWF) between manholes WT MH 15 and LF MH 14; crossing an unnamed tributary to Swatara Creek (WWF) between manholes WT MH LF 17A and WT MH LF 17 and crossings of two unnamed tributaries to Swatara Creek (WWF) at Stations 23+25, 29+00; (6) four rock stormwater outfalls in unnamed tributaries to Swatara Creek (WWF) at one on the south side of Harrisburg Pike SR 0230 at Blue Creek Drive, endwall EW-4 and endwall EW-16B; (7) construct 840 linear feet of channel (Swale F) in the floodway of Swatara Creek (WWF) to convey stormwater to Swatara Creek; (8) waive permit requirements for fill in watercourses at Bull Creek Drive, Station 10+50; Lytle Farm Drive at Stations 3+75 and 32+00; Hayden Circle, Station 11+50; Denver Drive, Station 19+00 and a sewer line crossing at manhole MH LF 91; and (9) construct four 48-inch reinforced concrete culvert pipes at the outlet of Swale F under Swatara Creek Road (T-496) all for the purpose of developing Phase I of Lytle Farms, a residential/commercial/industrial development, located at the intersection of Colebrook Road and SR 0230 (Middletown, PA Quadrangle N: 13.0 inches; W: 6.0 inches) in Londonderry Township, Dauphin County. The permittee is required to provide 620 linear feet of onsite stream restoration to composite for the stream impacts of the two stream enclosures.

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

**E18-330. Mill Hall Borough**, 215 Beech Creek Avenue, Mill Hall, PA 17751. Water Obstruction and Encroachment Permit application, in Mill Hall Borough, **Clinton County**, ACOE Susquehanna River Basin District (Mill Hall, PA Quadrangle N: 20.53 inches; W: 15.21 inches).

To remove three existing structures and construct and maintain two 8-foot by 40-foot baseball dugout structures and a 20-foot by 24-foot press box all of which are located

in the floodway of Fishing Creek located along SR 0150 in Mill Hall Borough, Clinton County. This permit was issued under § 105.13(e) "Small Projects."

**E41-495. Thomas Wagner**, 3249 Route 87 Highway, Montoursville, PA 17754. Small Projects Water Obstruction and Encroachment Joint Permit Application, in Lewis Township, **Lycoming County**, ACOE Susquehanna River Basin District (Trout Run, PA Quadrangle N: 9.15 inches; W: 0.21 inch).

To remove an existing wooden structure and construct and maintain a 7.67-foot diameter by 21 foot long steel culvert in Shoemaker Run, which is located 1/2 mile east of the intersection of SR 0014 and SR 1004 along SR 1004, in Lewis Township, Lycoming County. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**ENVIRONMENTAL ASSESSMENTS**

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

**EA08-004. United States Fish and Wildlife Service**, Bentley Creek WWF in Ridgebury Township, **Bradford County**, ACOE Baltimore District (Bentley Creek, PA Quadrangle N: 13.94 inches; W: 12.44 inches).

The project begins approximately 1,000 feet upstream of SR 4013 bridge and continues downstream 5.1 miles to the confluence of the Chemung River in Ashland, NY. This assessment covers the Commonwealth portion of the project (19,465 feet) in Ridgebury Township, Bradford County. The purpose of the project is to conduct stream restoration activities that will address bank erosion, grade control and sediment transport. The project will reconstruct the channel and floodplain to proper bank full elevations by grading embankments and placing control structures in the channel. The entire project will disturb four acres.

**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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
02-17-002	Robert L. Coons Wickett & Craig of America Inc. 120 Coopers Road Curwensville, PA 16833	Clearfield	Curwenville	Five ASTs storing hazardous substances	24,500 gallons total
02-04-001	Donald W. Zahn The Valvoline Company Packaging Plant 501 Railroad Street Rochester, PA 15074	Beaver	Rochester Township	Four ASTs storing lubricating oils	30,000 gallons each
02-51-009	Jane M. Besch Westway Terminal Company 365 Canal Street New Orleans, LA 70130	Philadelphia	Philadelphia City	Three 3 ASTs storing Trichloroethylene	170,000 gallons total

[Pa.B. Doc. No. 02-302. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Availability of Technical Guidance**

Technical guidance documents are on the Department of Environmental Protection's (DEP) website (www.dep.state.pa.us) at the Public Participation Center page. The "December 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 2002.

*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*

This document contains 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.

*Final Technical Guidance*

DEP ID: 385-2000-011 Title: Pennsylvania Combined Sewer Overflow (CSO) Policy Description: This guidance is written to plan and provide an effective and efficient program for NPDES permitting of combined sewer overflows in the Commonwealth. Effective Date: March 1,

2002 Contact: Trudy Troutman at (717) 783-3795 or e-mail: trutroutma@state.pa.us.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-303. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Public Notice of Availability of Pennsylvania Combined Sewer Overflow (CSO) Policy and Associated CSO General NPDES Permit (PAG-6) for Discharges from CSO Systems**

The Department of Environmental Protection (Department) by this notice makes available the following two final NPDES documents related to Pennsylvania Combined Sewer Overflows (CSOs):

1. Pennsylvania CSO Policy (DEP Doc. No. 385-2000-011)

—The Pennsylvania CSO Policy formalizes final revisions to the Department's July 2, 1996, CSO Strategy and addresses all comments received on a proposed draft document published for public comments on September 1, 2001. Region III of the United States Environmental Protection Agency (EPA) also reviewed and provided comments on the document. The policy was also discussed at the November 14, 2001, Water Resources Advisory Committee meeting. A comment and response document is available from the Department upon request.

2. NPDES General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (PAG-6)—The final CSO general permit reflects revisions to the Department's August 12, 2000, CSO general permit and addresses all comments received on the proposed draft revised permit documents published for comment on May 26, 2001. For consistency, the Department has made changes to its August 12, 2000, CSO general permit to reflect the final revisions made to the CSO Policy described in paragraph 1. The revised permit will expire on March 16, 2007, and is now available for use. Region III of the EPA has reviewed and has no comments on the proposed permit documents. A comment and response document is available from the Department.

Both the final revised CSO Policy and the CSO general permit documents are now available and have been posted on the Department's website at: [http://www.dep.state.pa.us/dep/deputate/watermgt/Wqp/Forms/Forms\\_Home.htm](http://www.dep.state.pa.us/dep/deputate/watermgt/Wqp/Forms/Forms_Home.htm). The package may also be obtained by contacting the Department of Environmental Protection, Bureau of Water Supply and Wastewater Management, Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774, 11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184, e-mail address: trutroutman@state.pa.us.

DAVID H. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-304. Filed for public inspection February 22, 2002, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### State Surplus Property

The Department of General Services, State Surplus Property is seeking contractors to remove mixed scrap metals, scrap drum, batteries, aluminum, waste oil/antifreeze and tires from State agencies throughout this Commonwealth. Some of these contracts begin on July 1, 2002. For more information, call (717) 787-4085 or write to the Department of General Services, State Surplus Property, Room G-12, 2221 Forster St., Harrisburg, PA 17125 or e-mail mthrush@state.pa.us before March 31, 2002.

KELLY POWELL LOGAN,  
*Secretary*

[Pa.B. Doc. No. 02-305. Filed for public inspection February 22, 2002, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, March 13, 2002, at 10 a.m., in Room 907 Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Joseph May at (717) 772-5298, for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-306. Filed for public inspection February 22, 2002, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Colossal Crazy 8's 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 Colossal Crazy 8's.

2. *Price:* The price of a Pennsylvania Colossal Crazy 8's instant lottery game ticket is \$5.00.

### 3. *Play Symbols:*

(a) Each Pennsylvania Colossal Crazy 8's instant lottery game ticket will contain eight play areas known as Game 1, Game 2, Game 3, Game 4, Game 5, Game 6, Game 7 and Game 8. Each game is played separately.

(b) The play symbols and their captions located in the play area for Game 1 are: \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$8<sup>00</sup> (EGT DOL), \$10<sup>00</sup> (TEN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$18\$ (EGHTN), \$20\$ (TWENTY), \$28\$ (TWY EGT), \$32\$ (TRY TWO), \$88\$ (ETY EGT), \$188 (HUNETYEGT) and \$106,656 (\$8,888/MTH/YR).

(c) The play symbols and their captions located in the "Your" and "Their" areas for Game 2 and Game 3, in the play areas for Game 4 and Game 6, and in the "Lucky Number" area and the "Your Numbers" area for Game 8 are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE).

(d) The play symbols and their captions located in the play area for Game 5 are: Money Symbol (MONEY), Moneybag Symbol (MNYBG), Pot of Gold Symbol (PTGLD), Gold Bar Symbol (GOLD), Coins Symbol (COINS), Coin Symbol (COIN), Crown Symbol (CROWN), Rabbit Foot Symbol (RBTFT), Horse Shoe Symbol (SHOE), Star Symbol (STAR), Diamond Symbol (DIMND) and Dollar Sign Symbol (DLRSN).

(e) The play symbols and their captions located in the "Fast \$18" area for Game 7 are: \$18\$ (EGHTN) and TRY AGAIN.

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" areas for Games 2, 3, 4, 5, 6 and 8 are: \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$8<sup>00</sup> (EGT DOL), \$10<sup>00</sup> (TEN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$18\$ (EGHTN), \$20\$ (TWENTY), \$28\$ (TWY EGT), \$32\$ (TRY TWO), \$88\$ (ETY EGT), \$188 (HUNETYEGT) and \$106,656 (\$8,888/MTH/YR).

5. *Prizes:* The prizes that can be won in this game are \$5, \$6, \$8, \$10, \$12, \$15, \$18, \$20, \$28, \$32, \$88, \$188 and \$106,656 (\$8,888 a month for 1 year). A player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:*

Approximately 3,600,000 tickets will be printed for the Pennsylvania Colossal Crazy 8's instant lottery game.

### 7. *Determination of Prize Winners:*

(a) Determination of prize winners for Game 1 are:

(1) Holders of tickets with three matching play symbols of \$106,656 (\$8,888/MTH/YR) in the play area on a single ticket, shall be entitled to a prize of \$106,656.

(2) Holders of tickets with three matching play symbols of \$188 (HUNETYEGT) in the play area on a single ticket, shall be entitled to a prize of \$188.

(3) Holders of tickets with three matching play symbols of \$88\$ (ETY EGT) in the play area on a single ticket, shall be entitled to a prize of \$88.

(4) Holders of tickets with three matching play symbols of \$32\$ (TRY TWO) in the play area on a single ticket, shall be entitled to a prize of \$32.

(5) Holders of tickets with three matching play symbols of \$28\$ (TWY EGT) in the play area on a single ticket, shall be entitled to a prize of \$28.

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

(7) Holders of tickets with three matching play symbols of \$18\$ (EGHTN) in the play area on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets with three matching play symbols of \$15\$ (FIFTN) in the play area on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets with three matching play symbols of \$12\$ (TWELV) in the play area on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets with three matching play symbols of \$10<sup>00</sup> (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets with three matching play symbols of \$8<sup>00</sup> (EGT DOL) in the play area on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets with three matching play symbols of \$6<sup>00</sup> (SIX DOL) in the play area on a single ticket, shall be entitled to a prize of \$6.

(13) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(b) Determination of prize winners for Game 2 and Game 3 are:

(1) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$106,656 (\$8,888/MTH/YR) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$106,656.

(2) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$188 (HUNETYEGT) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$188.

(3) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$88\$ (ETY EGT) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$88.

(4) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$32\$ (TRY TWO) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$32.

(5) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$28\$ (TWY EGT) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$28.

(6) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$20\$ (TWENTY) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$18\$ (EGHTN) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and

a prize play symbol of \$15\$ (FIFTN) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$12\$ (TWELV) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$12.

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

(11) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$8<sup>00</sup> (EGT DOL) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets where the "Your" number is greater than the "Their" number, in the same Game, and a prize play symbol of \$6<sup>00</sup> (SIX DOL) appears in the "Prize" area for that Game, on a single ticket, shall be entitled to a prize of \$6.

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

(c) Determination of prize winners for Game 4 are:

(1) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$106,656 (\$8,888/MTH/YR) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$106,656.

(2) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$188 (HUNETYEGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$188.

(3) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$88\$ (ETY EGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$88.

(4) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$32\$ (TRY TWO) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$32.

(5) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$28\$ (TWY EGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$28.

(6) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$20\$ (TWENTY) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$18\$ (EGHTN) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$15\$ (FIFTN) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$12\$ (TWELV) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$8<sup>00</sup> (EGT DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$6<sup>00</sup> (SIX DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$6.

(13) Holders of tickets with three matching 8 (EIGHT) play symbols in the same row, column or diagonal and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$5.

(d) Determination of prize winners for Game 5 are:

(1) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$106,656 (\$8,888/MTH/YR) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$106,656.

(2) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$188 (HUNETYEGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$188.

(3) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$88\$ (ETY EGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$88.

(4) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$32\$ (TRY TWO) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$32.

(5) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$28\$ (TWY EGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$28.

(6) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$20\$ (TWENTY) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$18\$ (EGHTN) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$15\$ (FIFTN)

appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$12\$ (TWELV) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$10<sup>.00</sup> (TEN DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$8<sup>.00</sup> (EGT DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$6<sup>.00</sup> (SIX DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$6.

(13) Holders of tickets with three matching play symbols in the play area and a prize play symbol of \$5<sup>.00</sup> (FIV DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$5.

(e) Determination of prize winners for Game 6 are:

(1) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$106,656 (\$8,888/MTH/YR) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$106,656.

(2) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$188 (HUNETYEGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$188.

(3) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$88\$ (ETY EGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$88.

(4) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$32\$ (TRY TWO) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$32.

(5) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$28\$ (TWY EGT) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$28.

(6) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$20\$ (TWENTY) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$18\$ (EGHTN) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$15\$ (FIFTN) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of

\$12\$ (TWELV) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$10<sup>.00</sup> (TEN DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$8<sup>.00</sup> (EGT DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$6<sup>.00</sup> (SIX DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$6.

(13) Holders of tickets with two matching play symbols of 8 (EIGHT) in the play area and a prize play symbol of \$5<sup>.00</sup> (FIV DOL) appearing in the "Prize" area for the Game, on a single ticket, shall be entitled to a prize of \$5.

(f) Holders of tickets with a \$18\$ (EGHTN) play symbol in the "Fast \$18" area for Game 7, on a single ticket, shall be entitled to a prize of \$18.

(g) Determination of prize winners for Game 8 are:

(1) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$106,656 (\$8,888/MTH/YR) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$106,656.

(2) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$188 (HUNETYEGT) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$188.

(3) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$88\$ (ETY EGT) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$88.

(4) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$32\$ (TRY TWO) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$32.

(5) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$28\$ (TWY EGT) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$28.

(6) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol 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.

(7) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$18\$ (EGHTN)

appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol 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.

(9) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$12\$ (TWELV) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$10.<sup>00</sup> (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.

(11) Holders of tickets upon which any one of the "Your

Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$8.<sup>00</sup> (EGT DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(12) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$6.<sup>00</sup> (SIX DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(13) Holders of tickets upon which any one of the "Your Numbers" play symbols matches the "Lucky Number" play symbol and a prize play symbol of \$5.<sup>00</sup> (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.

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

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,600,000 Tickets</i>
\$5	\$5	1:10.17	354,000
\$6	\$6	1:30	120,000
\$8	\$8	1:60	60,000
\$5 x 2	\$10	1:200	18,000
\$10	\$10	1:300	12,000
\$6 x 2	\$12	1:200	18,000
\$12	\$12	1:300	12,000
\$5 x 3	\$15	1:200	18,000
\$15	\$15	1:300	12,000
Fast \$18	\$18	1:12.50	288,000
\$6 x 3	\$18	1:600	6,000
\$18	\$18	1:600	6,000
\$6 x 2 + \$8	\$20	1:600	6,000
\$5 x 4	\$20	1:600	6,000
\$5 x 2 + \$10	\$20	1:600	6,000
\$10 x 2	\$20	1:600	6,000
\$20	\$20	1:600	6,000
\$5 + \$8 + \$15	\$28	1:600	6,000
\$6 x 3 + \$5 x 2	\$28	1:600	6,000
\$20 + \$8	\$28	1:600	6,000
\$8 x 2 + \$12	\$28	1:600	6,000
\$28	\$28	1:600	6,000
\$20 + \$12	\$32	1:4,000	900
\$8 x 4	\$32	1:2,000	1,800
\$12 x 2 + \$8	\$32	1:2,000	1,800
\$10 x 2 + \$6 x 2	\$32	1:2,000	1,800
\$32	\$32	1:4,000	900
Fast \$18 + \$10 x 7	\$88	1:4,800	750
Fast \$18 + \$20 x 3 + \$5 x 2	\$88	1:4,800	750
\$28 + \$10 x 6	\$88	1:8,000	450
\$88	\$88	1:12,000	300
Fast \$18 + \$28 x 5 + \$15 x 2	\$188	1:120,000	30
\$88 x 2 +	\$188	1:120,000	30

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,600,000 Tickets</i>
\$6 x 2			
\$32 x 5 + \$28	\$188	1:120,000	30
\$20 x 5 + \$88	\$188	1:120,000	30
\$188	\$188	1:120,000	30
\$8,888/Month/ 1 Year	\$106,656	1:1,200,000	3

- Game #1—Get 3 Like Amounts, Win That Prize
- Game #2—When Your Number Beats Their Number, Win Prize Shown
- Game #3—When Your Number Beats Their Number, Win Prize Shown
- Game #4—Get Three “8” Symbols In A Row, Column Or Diagonal, Win Prize Shown
- Game #5—Get Three Like Symbols, Win Prize In The Prize Box
- Game #6—Get Two “8” Symbols, Win Prize Shown
- Game #7—Reveal \$18 Prize Amount, Win \$18 Instantly
- Game #8—When Any Of Your Numbers Match The Lucky Number, Win Prize Shown Under The Matching Number

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Colossal Crazy 8’s, prize money from winning Pennsylvania Colossal Crazy 8’s 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 Colossal Crazy 8’s 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.

11. *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.

12. *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 Colossal Crazy 8’s or through normal communications methods.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 02-307. Filed for public inspection February 22, 2002, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

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

The Department of Transportation (Department), under to the authority contained in section 2002(c) of The Administrative Code (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Jerry Thorpe, seeking to lease highway right-of-way located on the easterly side of relocated East Street at the intersection with Mt. Pleasant Road in the City of Pittsburgh, Allegheny County, containing 66,612± square feet or 1.5292± acres adjacent to SR 0279, for purposes of landscaping, erection of a small fence along the right-of-way for Mt. Pleasant Road for litter/noise prevention and maintenance of adjacent property.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Ray S. Hack, P.E., District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4835.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 02-308. Filed for public inspection February 22, 2002, 9:00 a.m.]

### Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of section 3368 of the Vehicle Code (code) (75 Pa.C.S. § 3368), published at 31 Pa.B. 7078 (December 29, 2001) a notice of speed timing devices and maintenance and calibration stations approved for use until the next comprehensive list is published and subject to interim amendment.

The notice requires additional clarification. The list of electronic speed-timing devices approved, for use only by members of the State Police, included devices identified as KR-10 and KR-10SP Stationary Radar manufactured

by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66214. Prior to July 30, 1990, KR-10 and KR-10SP Stationary Radar were manufactured under the corporate name of Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214, and were approved speed-timing devices.

Since the devices currently in use may indicate either of these manufacturer names on the device housing, dependent on the device's date of manufacture, the Department includes both manufacturer names in the notice for the purpose of clarity.

By the authority contained in section 3368(c)(2) of the code, the Department hereby gives notice of the addition of the following speed-timing devices to the list of approved electronic speed timing devices (radar) when used in the stationary mode only:

(1) KR-10, Stationary Radar (identified on the housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

(2) KR-10SP, Stationary Radar (identified on the housing as KR-10SP). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 31 Pa.B. 7078.

Comments, suggestions or questions may be directed to Peter Gertz, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-5842.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 02-309. Filed for public inspection February 22, 2002, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Firstenergy Nuclear Operating Company v. DEP;  
EHB Doc. No. 2002-023-R**

Firstenergy Nuclear Operating Company has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0025615 (December 27, 2001) to same for a facility in Shippingport, Beaver County.

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

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

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code

§ 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 02-310. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Reliant Energy Northwest Management Company  
v. DEP; EHB Doc. No. 2002-021-R**

Reliant Energy Northwest Management Company has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0002062 (December 27, 2001) to same for a facility in Plumcreek Township, Armstrong County.

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

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

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

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 02-311. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Reliant Energy Northwest Management Company  
v. DEP; EHB Doc. No. 2002-022-R**

Reliant Energy Northwest Management Company has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0005011 (December 27, 2001) to same for a facility in West Wheatfield Township, Indiana County.

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

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

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code

§ 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 02-312. Filed for public inspection February 22, 2002, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The following meetings of the Health Care Cost Containment Council (Council) have been scheduled: Wednesday, March 6, 2002, Data Systems Committee Meeting—10 a.m., Education Committee Meeting—1 p.m., Mandated Benefits Review Committee Meeting—3 p.m.; Thursday, March 7, 2002, Council Meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,  
*Secretary*

[Pa.B. Doc. No. 02-313. Filed for public inspection February 22, 2002, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Considered by the Historic Preservation Board

The Historic Preservation Board (Board) meeting will be held at 9:45 a.m. on March 12, 2002, in the 5th Floor Board Room, State Museum, 3rd and North Streets, Harrisburg, PA. Individuals with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to participate should contact Dan Deibler at (717) 783-8946 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can accommodate their needs. Individuals with questions or comments should contact the Bureau for Historic Preservation at (717) 783-8946.

#### Anthracite Region and Poconos

1. *Wyoming Monument*, Wyoming Avenue and Susquehanna Street, U. S. Route 11, Wyoming Borough, Luzerne County.

2. *Milford Historic District (Boundary Increase)*, roughly bounded by portions of Sawkill Avenue, L. R. 746, Water Street, Mill Street, East and West Harford (State Route 209), Ann, Catherine, High, George, John and Sarah Streets, 2nd—10th Streets, Broad, Mott and James Streets, and Cranberry, Blackberry, Gooseberry, Raspberry, Currant, Elderberry and Chestnut Alleys, Milford Borough, Milford Township and Dingman Township, Pike County.

#### Southwestern Pennsylvania

3. *Stephenson-Campbell Property*, end of Tomahawk Claim Lane off Reissing Road, Cecil Township, Washington County.

4. *Fulton Building*, 107 Sixth Street, Pittsburgh, Allegheny County.

5. *H. J. Heinz Company*, roughly bounded by Chestnut Street, River Avenue, South Canal Street, Progress Street and Heinz modern manufacturing facilities, Pittsburgh, Allegheny County.

#### Great Valley and Piedmont Region

6. *Ann Cunningham Evans House*, 6132 28th Division Highway, Caernarvon Township, Lancaster County.

7. *Cuttalossa Historic District*, Cuttalossa Road from Sagan Road and the Delaware River, Solebury Township, Bucks County.

8. *Willow Mill Complex*, 559, 569 and 570 Bustleton Pike, Northampton Township, Bucks County.

#### Allegheny Plateau, Ridge and Valley

No nominations.

BRENT D. GLASS,  
*Executive Director*

[Pa.B. Doc. No. 02-314. Filed for public inspection February 22, 2002, 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>
#16A-4610	State Board of Dentistry Administration of General Anesthesia, Deep Sedation, Conscious Sedation and Nitrous Oxide/ Oxygen Analgesia	2/7/02	1/7/04

(31 Pa.B. 6691 (December 8, 2001))

**State Board of Dentistry Regulation No. 16A-4610**

**Administration of General Anesthesia, Deep Sedation, Conscious Sedation and Nitrous Oxide/Oxygen Analgesia**

**February 7, 2002**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The State Board of Dentistry (Board) must respond to these comments when it submits the final-form regulation. If the final-form regulation is not delivered by January 7, 2004, the regulation will be deemed withdrawn.

**1. Section 33.335(a). Requirements for unrestricted permit.—Protection of Public Health, Safety and Welfare; Clarity; Reasonableness.**

*Subsection (a)(1)*

This subsection requires a dentist to have “Successfully completed at least 1 year in a postgraduate program for advanced training in anesthesiology and related academic subjects that conforms to Part II of the American Dental Association’s (ADA) *Guidelines for Teaching the Comprehensive Control of Pain and Anxiety in Dentistry. . .*” To be consistent with the current Part II of the ADA’s guidelines, the Board should change this phrase to “successful completion of at least 2 years.” (Emphasis added).

*Subsection (a)(2)*

Commentators have indicated the organization referenced in subsection (a)(2) should read, “Fellow of the American Dental Society of Anesthesiology,” rather than, “Fellow of the American Society of Dental Anesthesiology.” We suggest that the Board consider their concern.

Commentators also have indicated that one certification option was not included. Did the Board consider adding, “be certified as a Diplomat of the American Dental Board of Anesthesiology”?

**2. Section 33.335(c). Administration of anesthesia to children.—Clarity.**

This subsection requires an applicant to attest to conformance with the American Academy of Pediatric Dentistry’s (AAPD) *Guidelines for the Elective Use of Conscious Sedation, Deep Sedation and General Anesthesia in Pediatric Dental Patients* when treating “children age 10 and under.” How did the Board determine age 10 as the cutoff for conforming with the AAPD guidelines?

**3. Sections 33.335(d) and 33.336(d). Office inspection requirements.—Protection of Public Health, Safety and Welfare; Clarity.**

*Subsection (d)(1)*

This subsection, along with § 33.336(d)(1), states, “at least every 6 years, or more frequently, as necessary.” It appears that the phrase, “or more frequently, as necessary” is not necessary and could be deleted.

*Subsection (d)(1) and (2)*

First, the House Professional Licensure Committee (Committee) commented that it is unclear whether the office inspections and clinical evaluations in subsection (d)(1) and (2), as well as § 33.336(d)(1) and (2), apply to current permit holders or just to first-time applicants. The Committee recommends that these requirements

apply to current permit holders, as well as new applicants. The Committee further recommends that the regulation include dates by which current permit holders must complete office inspections and clinical evaluations as a condition of permit renewal.

We agree with the Committee that the regulation is unclear. Is it the Board’s intent to apply the office inspection and clinical evaluation requirements to both current permit holders and first-time applicants? If so, what are the time frames for compliance? The final-form regulation should be amended to clearly reflect the Board’s intent.

Second, these two subsections, as well as other sections, use the term “authorized agents.” Commentators suggest that the “authorized agents” should be dental professionals holding permits in the same specialty as the person subject to the office inspection and clinical evaluation. The final-form regulation should identify the “authorized agents” of the Board and their qualifications, and clarify whether the same “authorized agents” perform the office inspections and the clinical evaluations.

Third, we question whether the Board intends to require a dentist, who does not perform general anesthesia or conscious sedation, to undergo a clinical evaluation. Would the clinical evaluation of the itinerant anesthesiologist be sufficient? In either case, when will the clinical evaluation occur? The Board should clarify these points in the final-form regulation.

Finally, it is unclear if the inspections and the clinical evaluations are completed prior to the receipt of a permit by a dentist. This should be clarified in the final-form regulation.

*Subsection (d)(2)*

The Committee notes that the language in subsection (d)(2), as well as § 33.336(d)(2), seems to exempt permit holders, who do not maintain their own offices, from clinical evaluations. The Committee recommends that the regulation be clarified to require all permit holders to undergo clinical evaluations. We agree that the Committee’s recommendation would enhance protection of the public health, safety and welfare.

Finally, as printed in the *Pennsylvania Bulletin*, this subsection states, “through its authorized agents be in accordance. . .” It appears that the word “be” is unnecessary and could be deleted.

**4. Section 33.337. Requirements for restricted permit II.—Reasonableness.**

Under subsection (a)(1), a dentist must complete 20 hours of undergraduate or postgraduate instruction and clinical experience as a requirement for obtaining a restricted permit II. The existing regulation requires 40 hours of instruction and clinical experience. What is the basis for reducing the hours of instruction and clinical experience from 40 to 20?

**5. Section 33.338. Expiration and renewal of permits.—Clarity.**

Subsection (b)(2) requires a dentist, who wants to renew a permit, to submit “The permit renewal fee.” However, the regulation does not list the permit renewal fees. For clarity, these fees should be included in the final-form regulation.

**6. Section 33.340. Duties of dentists who are unrestricted permit holders.—Reasonableness; Need; Protection of the Public Health, Safety and Welfare; Economic Impact; Clarity.**

*Subsection (a)(1)*

Paragraph (1) requires a “history” to be taken prior to the administration of anesthesia. Paragraph (2)(xvii) refers to “patient history.” It appears that both terms refer to the patient’s medical history. If so, paragraphs (1) and (2)(xvii) should be revised to use the term “patient medical history.” The same change should be made in §§ 33.340a(a)(1) and (2)(xvii) and 33.340b(a)(1) and (2)(xi).

*Subsection (a)(2)*

First, paragraph (2)(iv) refers to “appropriate oropharyngeal suction.” The term “appropriate” is vague and open to interpretation. For improved clarity, the Board should specify the factors used to determine “appropriate oropharyngeal suction,” such as the patient’s age, size and medical condition. The same clarification should be added to §§ 33.340a(2)(iv) and 33.340b(2)(iv).

Second, paragraph (2)(xii) requires monitoring equipment, procedures and documentation to conform to certain guidelines established by the American Association of Oral and Maxillofacial Surgeons and the AAPD. However, the ADA *Guidelines for the Use of Conscious Sedation, Deep Sedation and General Anesthesia for Dentists* is not included as a standard. Why are the ADA guidelines excluded from paragraph (2)(xii) and §§ 33.340a(a)(2)(xii) and 33.340b(a)(2)(x)?

Third, paragraph (2)(xiii)—(xvi) list specific monitoring equipment that is required in the permit holder’s dental office. Monitoring of expired carbon dioxide concentration is not included in the requirements. However, the AAPD guidelines specify monitoring of expired carbon dioxide when deep sedation or general anesthesia is administered. The Board should include this requirement in the final-form regulation, or explain why it is unnecessary.

Fourth, paragraph (2)(xvi) and § 33.340a(a)(2)(xvi) require the dental office to have an automatic external defibrillation (AED) device. Commentators have noted that AEDs are not recommended for children, and suggest that the regulation simply require a “defibrillator.” The Board should consider adopting the commentators’ suggestion to ensure that appropriate equipment is present for the type of patient being treated.

Finally, paragraph (2)(xviii) requires “Signed patient consent” prior to administration of anesthesia. The Committee recommended that this requirement be changed to “written informed consent of a patient.” The Committee further recommended that when the patient is a minor, consent should be obtained from the parent or guardian. We agree that the Committee’s suggested language would add clarity, as well as health and safety protections for the patient and liability protections for the permit holder. The Board should consider adopting the Committee’s recommendation in paragraph (2)(xviii) and in §§ 33.340a(a)(2)(xviii) and 33.340b(a)(2)(xii).

*Subsection (a)(3)*

Paragraph (3)(iv) requires auxiliary personnel to maintain current certification in Advanced Cardiac Life Support (ACLS). This requirement is also contained in § 33.340a(a)(3)(iv). Commentators object to this requirement as unnecessary, and note that ACLS training includes instruction on administration of certain medications that auxiliary personnel are not licensed to administer. They suggest that auxiliary personnel be

required to maintain Basic Life Support (BLS) certification. We request the Board explain the process for obtaining BLS and ACLS certification. We further request the Board provide the rationale for requiring ACLS certification for auxiliary staff.

Additionally, some commentators have suggested that pediatric dentists be given the option of maintaining certification in Pediatric Advanced Life Support (PALS). Has the Board considered allowing PALS certification as an option?

*Subsection (a)(8)*

Under this subsection, general anesthesia requiring intubation must be administered by a qualified person, other than the person performing the dental work. Why is this requirement limited to general anesthesia provided with intubation? Will the public health be adequately protected if the person performing the dental work is simultaneously monitoring the provision of anesthesia?

*Subsection (a)(10)*

This subsection requires equipment transported to a nonpermit holder dentist’s office to be inspected by the Board’s “authorized agents.” Similar requirements are contained in §§ 33.340a(a)(9) and 33.341(a)(6). We have three concerns.

First, the reference to “authorized agents” is vague. The final-form regulation should identify the Board’s “authorized agents.”

Second, it is unclear when the equipment is inspected. The final-form regulation should specify whether the inspection occurs before or after transport.

Finally, the regulation does not state how often the equipment must be inspected. For example, is there an initial inspection and then a follow-up inspection after a certain amount of time? These details should be set forth in the final-form regulation.

**7. Section 33.340a. Duties of dentists who are restricted permit I holders.—Clarity.**

*Subsection (a)(2)*

Paragraph (2)(x) requires the dental office to contain “communications equipment.” The same requirement is contained in § 33.340b(a)(2)(ix). The final-form regulation should specify what type of equipment is required.

*Subsection (a)(4)*

Paragraph (4)(i) requires certified registered nurse anesthetists (CRNAs) to “Perform their duties under the direct on-premises supervision of the permit holder, who shall assume full responsibility for the performance of the duties.” A similar provision is contained in existing § 33.340(a)(4)(i).

The CRNA supervision requirements of this regulation are more stringent than the State Board of Nursing requirements at 49 Pa. Code § 21.17(3) and (4) and the Department of Health requirements at 28 Pa. Code § 123.7(c). The State Board of Nursing regulations authorize CRNAs to administer anesthesia “in cooperation with a surgeon or dentist.” These regulations further state, “In situations or health care delivery facilities where these services are not mandatory, the nurse anesthetist’s performance shall be under the overall direction of the surgeon or dentist responsible for the patient’s care.” Additionally, the CRNA “. . . shall have available to her by physical presence or electronic communication an anesthesiologist or consulting physician of her choice.”

The State Board of Nursing regulations do not contain a requirement for "direct on-premises supervision."

Under the Department of Health's Health Facilities regulations at 28 Pa. Code § 123.7(c), when a dentist and CRNA work together, without any physicians present, "... a physician shall be immediately available in case of an emergency..." That regulation also states that "immediately available may mean in the hospital or in the immediate proximity of the operative procedure area or within minutes of the operating suite."

We request the Board explain the reason for the differences in supervision requirements.

*Subsection (a)(5)*

Finally, the Board should consult § 6.10 of the *Pennsylvania Code and Bulletin Style Manual* with respect to the phrasing of subsection (a)(5).

**8. Section 33.340b. Duties of dentists who are restricted permit II holders.—Clarity.**

Subsection (a)(2)(xi) requires the dental office to maintain the "Results of patient history and physical evaluation." However, the preamble to the proposed regulation indicates that this requirement is not imposed on restricted permit II holders. This inconsistency between the preamble and the text of the regulation should be corrected in the final-form regulation.

**9. Section 33.341. Duties of dentists who are not permit holders.—Clarity; Reasonableness.**

*Subsection (a)(2)*

Subsection (a)(2) requires that the office of a nonpermit holding dentist must be inspected to meet the requirements in §§ 33.340(a)(2), 33.340a(a)(2) or 33.340b(a)(2). A commentator has indicated that he, as the itinerant anesthesiologist, supplies the monitoring and drug administration equipment. Is it the Board's intent that the nonpermit holder will provide all supplies and equipment required in the referenced sections? Must the items enumerated in those sections be in the nonpermit holder's office at the time of inspection? The Board should clarify this requirement in the final-form regulation.

This subsection also requires an office inspection prior to administration of anesthesia. However, there is no provision for reinspection. Does the Board intend to require a re-inspection every 6 years for dentists who are not permit holders, as is required for dentists who have an unrestricted permit or restricted permit I (found in §§ 33.335(d)(1) and 33.336(d)(1))? If so, the final regulation should contain the re-inspection provision. If not, the Board should explain why re-inspection is not necessary.

*Subsection (a)(4)*

The Committee notes that a CRNA is not authorized to administer anesthesia in the offices of nonpermit holders under § 33.341(a)(3). However, CRNAs are included in § 33.341(a)(4) relating to persons required to have ACLS certification. Was it the Board's intent to include CRNAs in subsection (a)(4)?

Additionally, we note that unlike §§ 33.340(a)(4) and 33.340a(a)(4), this subsection contains no supervision requirements for CRNAs. If it is the Board's intent to include CRNAs in subsection (a)(3) and (4), the final-form regulation should include supervision requirements consistent with §§ 33.340(a)(4) and 33.340a(a)(4). If it is not the Board's intent to include CRNAs in § 33.341(a)(3) and (4), the reference to CRNAs should be deleted from subsection (a)(4).

*Subsection (a)(6)*

Under this subsection, the equipment transported to a nonpermit holder's office "shall pass an inspection." The final-form regulation should specify whether the inspection occurs before or after transport, and how frequently inspection occurs.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 02-315. Filed for public inspection February 22, 2002, 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 regulations, contact the promulgating agency.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
#12-57	Department of Labor and Industry Uniform Construction Code Training and Certification for Code Administrators	2/07/02
#16A-658	State Board of Physical Therapy Examination Fees	2/11/02
#16A-5713	State Board of Veterinary Medicine Examinations, Application for Licensure and Certification, Fees	2/11/02

*Final-Omit*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
#11-214	Underground Storage Tank Indemnification Board Fees and Collection Procedures	2/7/02

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 02-316. Filed for public inspection February 22, 2002, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application for Increase in Underwriting Authority of a Domestic Mutual Property Insurance Company**

Washington Mutual Fire and Storm Insurance Company (Washington Mutual), a domestic mutual property insurance company, has filed an application to increase its classes of underwriting authorities. The classes of insurance that Washington Mutual has applied to add is as mentioned in 40 P. S. § 382(c)(5) Steam Boiler & Machinery, (c)(8) Water Damage and (c)(13) Personal Property Floater. Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*.

Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert A. Kotal, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax: (717) 787-8557 or e-mail: rkotal@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-317. Filed for public inspection February 22, 2002, 9:00 a.m.]

### Conseco Senior Health Insurance Company; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 25.0% for the long term care policy form D425 and the associated riders. This form was originally issued by J. C. Penny Life Insurance Company. The average premium will increase from \$1,028 to \$1,285 and will affect 551 Commonwealth policyholders.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-318. Filed for public inspection February 22, 2002, 9:00 a.m.]

### HealthAmerica; Rate Filing

On February 5, 2002, HealthAmerica submitted a community rating by class methodology for new and renewal rates beginning April 1, 2002, for employer groups with two or more eligible or enrolled employees. The filing submission proposes the use of demographic, area and industry factors.

This filing is available for public inspection during normal working hours at the Insurance Department's regional offices in Harrisburg, Pittsburgh and Erie.

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

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-319. Filed for public inspection February 22, 2002, 9:00 a.m.]

### Pennsylvania Professional Liability Joint Underwriting Association; Rules and Rates Filing For Supplemental Coverages

On February 12, 2002, the Insurance Department (Department) received a filing from the Pennsylvania Professional Liability Joint Underwriting Association (JUA) seeking approval of revised rules and rates to offer the following:

- Claims Made Coverage subject to factors applicable to occurrence coverage.
- Extended Reporting Period Coverage for non-JUA insureds which would replace coverage from another carrier who is not willing to provide the prior acts coverage.
- Tail Replacement Coverage for any insured who previously purchased a tail from an insolvent carrier.
- Excess Insurance Coverage for insureds who were previously covered under an occurrence policy issued by an insolvent carrier.

The filing proposes to adopt the revised rules and rates effective upon approval.

A copy of the filing is available for public inspection during normal working hours at the Department's regional office in Harrisburg.

M. DIANE KOKEN,  
*Secretary*

[Pa.B. Doc. No. 02-320. Filed for public inspection February 22, 2002, 9:00 a.m.]

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

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

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 William H. Breish; file no. 02-210-00113; Allstate Insurance Company; doc. no. PH02-02-004; March 8, 2002, at 11:30 a.m.

Appeal of David S. and Gwendolyn Rivers; file no. 01-265-06660; Hartford Insurance Group; doc. no. PH02-02-003; March 8, 2002, at 2 p.m.

Appeal of Mario Sileo; file no. 02-267-00085; Progressive Insurance Company; doc. no. PH02-02-009; March 28, 2002, at 12:30 p.m.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Edward C. and Amy L. Ober; file no. 02-182-00564; Old Guard Insurance Company; doc. no. P02-02-010; March 26, 2002, at 10 a.m.

Appeal of Sharon M. Simon and James. K. Kovich; file no. 02-181-00125; State Farm Mutual Automobile Insurance Company; doc. no. P02-02-008; March 27, 2002, at 1:30 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 may be subject to judicial review by the Commonwealth Court.

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

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 02-321. Filed for public inspection February 22, 2002, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Allegheny County, Wine & Spirits Shoppe #0291, 4058 William Penn Highway, Monroeville, PA 15146-2604.

*Lease Expiration Date:* September 30, 2006

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,500 net useable square feet of new or existing retail commercial space in a shopping center environment. The space should be near the intersection of Business Route 22 and Stretching Road and have rear access for tractor trailer deliveries.

*Proposals due:* March 15, 2002, at 12 noon

**Department:** Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222.

**Contact:** Thomas Deal, (412) 565-5130

JOHN E. JONES, III,  
Chairperson

[Pa.B. Doc. No. 02-322. Filed for public inspection February 22, 2002, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

Consumer Information Initiative for Common Carriers; Doc. No. M-00021598

Public Meeting held  
February 7, 2002

*Commissioners Present:* Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Kim Pizzingrilli, Abstaining; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

### Tentative Order

*By the Commission:*

Pursuant to section 1501 of the Public Utility Code, 66 Pa.C.S. § 1501, every public utility shall furnish and maintain adequate, efficient, safe and reasonable service and facilities. Such service and facilities shall be in conformity with the regulations and orders of the Commission. Every public utility shall observe, obey and comply with the Commission's regulations and orders. 66 Pa.C.S. § 501.

As an aid to the public and to help ensure compliance with our rules and regulations, we required Medallion taxicabs to display a Bill of Rights in their vehicles. *Medallion Program; Taxicab Patron's Bill of Rights*, Docket No. M-00001350 (Order entered April 27, 2000.) Further, we have mandated all non-medallion taxicabs display a Complaint Decal in their vehicles. *Call or Demand Service; Complaint Decals*, Docket No. M-00011476 (Order entered September 28, 2001.) Both of these initiatives have been successful in educating the public about their rights and the Commission's role in the regulation of the taxi industry.

At this point, we propose expanding the consumer education initiative beyond the taxicab industry. We propose requiring all other classes of carriers, with the exception of property carriers<sup>1</sup>, to provide the consumer with relevant information regarding service complaints. Given the wide variety of carrier classes, we do not believe that there is a 'one size fits all' notification solution. Rather, we believe that some carrier classes should post complaint decals, others should include complaint information on documentation provided to the shipper, and other carriers should be given a choice of how to provide the information. Therefore, we propose the following notice requirements.

<sup>1</sup> We believe that in the property area, the consumer/shipper is already familiar with its options to pursue a complaint against a carrier.

*Household Goods In Use Service*

Pursuant to 52 Pa. Code § 31.121, household goods in use carriers are required to provide the consumer with an 'Information for Shippers' form prior to preparation of a service order. The 'Information for Shippers' form details various rights and responsibilities of the shipper and the carrier. We believe that adding the following complaint information to this form is appropriate:

For complaints and information, contact the PA Public Utility Commission at 1-800-782-1100 or at [www.puc.paonline.com](http://www.puc.paonline.com). Include the company name and A-number for all complaints.

This language would appear at the bottom of the 'Information for Shippers' form.

*Scheduled Route Service; Group and Party Service; Airport Transfer Service; Paratransit Service*

The Commission proposes posting of a complaint decal in a conspicuous location inside the vehicle for these service classes. A sample decal follows and marked Appendix 'A'.

*Limousine Service*

The Commission proposes three options for carriers to choose from:

1. Post a complaint decal inside the vehicle. See Appendix 'A' for format.
2. Provide the following notice on the contract for service:

For complaints and information, contact the PA Public Utility Commission at 1-800-782-1100 or at [www.puc.paonline.com](http://www.puc.paonline.com). Include the company name and A-number for all complaints.

3. Provide the following notice on the receipt for service:

For complaints and information, contact the PA Public Utility Commission at 1-800-782-1100 or at [www.puc.paonline.com](http://www.puc.paonline.com). Include the company name and A-number for all complaints.

For options two and three, it is incumbent upon the carrier to provide it's A-number to the consumer on either the contract for service or the receipt for service.

Costs associated with the notice requirements will be borne by the industries. Complaint decals will be provided by the Commission for a nominal cost, consistent with the cost of production.<sup>2</sup>

We believe that the proposed notice requirements are designed to provide the public with sufficient notice without being unduly burdensome to the industries. We believe that providing consumer notice will aid the public and enhance transportation service.

*Therefore, It Is Ordered That:*

1. This Tentative Order shall be entered.
2. A copy of this Order shall be published in the *Pennsylvania Bulletin*.
3. An original and nine copies of any comments are to be filed and received by the Commission within 30 days of publication. Comments shall be filed with Secretary James McNulty, Pennsylvania Public Utility Commission,

<sup>2</sup> The current cost estimate is \$2 to \$3 per decal.

P. O. Box 3265, Harrisburg, PA 17105-3265. All Comments must note the caption and docket number of this proceeding. The contact person is John Herzog, Bureau of Transportation and Safety, (717) 783-3714.

JAMES J. MCNULTY,  
*Secretary*

**Appendix A**

For Complaints and Information  
Contact the PA Public Utility Commission  
<http://puc.paonline.com> or 1-800-782-1110

Include the Company Name & A-Number For All Complaints

This Company's A-Number Is

[Pa.B. Doc. No. 02-323. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before March 18, 2002, 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.

**Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.***

**A-00118596. Tamaqua Community Ambulance Association, Inc., t/d/b/a Tamaqua E.M.S. Advanced Life Support** (98 North Railroad Street, Tamaqua, Schuylkill County, PA 18252), a corporation of the Commonwealth of Pennsylvania, persons in paratransit service who require care or medical treatment between points: (1) in Schuylkill County as follows: the boroughs of Tamaqua, Coaldale, Shenandoah, Frackville and McAdoo, the city of Pottsville and the townships of West Penn, Rush, Walker, Schuylkill, Ryan and Kline; (2) in Carbon County as follows: the boroughs of Weatherly, Lansford, Leighton and the township of Banks; (3) in Luzerne County as follows: the city of Hazleton and points located within an airline radius of 15 statute miles of the limits of the city of Hazleton that are located within Luzerne County; and (4) in Lehigh County as follows: the township of Salisbury. *Attorney:* Jeffrey P. Bowe, P. O. Box 290, Tamaqua, PA 18252-0290.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-324. Filed for public inspection February 22, 2002, 9:00 a.m.]

**Telecommunications**

**A-311140F0005; A-310213F0007 and A-310125F0004. AT&T Broadband Phone of Pennsylvania, LLC,**

**AT&T Communications of Pennsylvania, Inc. and TCG Pittsburgh.** Application of AT&T Broadband Phone of Pennsylvania, LLC, AT&T Communications of Pennsylvania, Inc. and TCG Pittsburgh for approval of the transfer of certain cable telephony assets, facilities and equipment from AT&T Communications of Pennsylvania, Inc. and TCG Pittsburgh to AT&T Broadband Phone of Pennsylvania, LLC.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before March 11, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* AT&T Broadband Phone of Pennsylvania, LLC, AT&T Communications of Pennsylvania, Inc. and TCG Pittsburgh.

*Through and By Counsel:* Daniel Clearfield, Esquire, Alan Kohler, Esquire, Wolf, Block, Schorr and Solis-Cohen, 212 Locust Street, Suite 300, Harrisburg, PA 17101.

JAMES J. MCNULTY,  
*Secretary*

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Pennsylvania, LLC begins to furnish service as an interLATA and intraLATA interexchange toll reseller, interLATA and intraLATA interexchange toll facilities-based carrier; nonswitched competitive access provider; and competitive local exchange carrier; and for Winstar Wireless of Pennsylvania, LLC to abandon telecommunications services in this Commonwealth.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before March 11, 2002, under 52 Pa. Code (relating to public utilities).

*Applicants:* Winstar of Pennsylvania, LLC and Winstar Wireless of Pennsylvania, LLC.

*Through and By Counsel:* Jean L. Kiddoo, Esquire, Brett P. Ferenchak, Esquire, Swidler, Berlin, Shereff, Friedman, LLP, 3000 K Street, NW, Suite 300, Washington, DC 20007-5116.

JAMES J. MCNULTY,  
*Secretary*

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### Telecommunications

**A-310935F0006 and A-310200F0006. Verizon Pennsylvania, Inc. and Verizon Advanced Data, Inc.** Joint Application of Verizon Pennsylvania, Inc. and Verizon Advanced Data, Inc. for approval of the reintegration of Verizon Advanced Data Inc. services into Verizon Pennsylvania, Inc. including, inter alia, the transfer of assets.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before March 11, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Verizon Pennsylvania, Inc. and Verizon Advanced Data, Inc.

*Through and By Counsel:* Thomas J. Sniscak, Esquire, Malatesta Hawke and McKeon LLP, Harrisburg Energy Center, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105.

JAMES J. MCNULTY,  
*Secretary*

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### Telecommunications

**A-311171; A-311171F0002; A-311171F0003; A-311171F0004; and A-310280F2000. Winstar Wireless of Pennsylvania, LLC and Winstar of Pennsylvania, LLC.** Emergency Joint Application of Winstar Wireless of Pennsylvania, LLC and Winstar of Pennsylvania, LLC for approval of the assignment of assets and authorization to provide telecommunications services whereby Winstar of

### Water Service Without Hearing

**A-220008F2000. Borough of Bellefonte.** Application of the Borough of Bellefonte for approval of the abandonment of water service to the Townships of Spring, Benner and College, Centre County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before March 11, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* Borough of Bellefonte.

*Through and By Counsel:* Tracey Benson, Esquire, Miller, Kistler, Campbell, Miller, Williams and Benson, Inc., 124 North Allegheny Street, Bellefonte, PA 16823.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-328. Filed for public inspection February 22, 2002, 9:00 a.m.]

### Water Service Without Hearing

**A-212070F0003. The Newtown Artesian Water Company.** Application of The Newtown Artesian Water Company for approval of the right to begin to offer, render, furnish or supply water service to the public in a portion of Wrightstown Township, Bucks County, PA, east

and north of Route 413, east and south of Wrightstown-Taylorsville Road and west and north of Stoopville Road.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before March 11, 2002, under 52 Pa. Code (relating to public utilities).

*Applicant:* The Newtown Artesian Water Company.

*Through and By Counsel:* Thomas T. Niesen, Esquire, D. Mark Thomas, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500.

JAMES J. MCNULTY,  
*Secretary*

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