

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Agricultural Land Conservation Assistance Grant Program; Application Period

Notice is hereby given of the commencement of an application period for grants under the Agricultural Land Conservation Assistance Grant Program administered by the Department of Agriculture. The program is authorized by sections 7.1 and 7.3 of the act of June 18, 1982 (P. L. 549, No. 159) (3 P. S. §§ 1207.1 and 1207.3). Regulations for the program were published at 26 Pa.B. 5636 (November 16, 1996).

Applications for the program will be accepted by the Department of Agriculture beginning January 1, 1997, for a 45-day period ending February 14, 1997. Information and grant application forms may be obtained from Raymond Pickering, Bureau of Farmland Protection, Department of Agriculture, 2301 N. Cameron Street, Room 404, Harrisburg, PA 17110-9408.

CHARLES C. BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 96-2014. Filed for public inspection November 29, 1996, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending November 19, 1996.

#### BANKING INSTITUTIONS

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-12-96	The Drovers & Mechanics Bank York York County	Adjacent to Shipley Stores, Dover Square Intersection of East Canal Rd. and Main St. (Route 74) Dover York County	Opened
11-18-96	Penn Security Bank and Trust Company Scranton Lackawanna County	Northeast Corner of PA Rte. 447 and U. S. Business Rte. 209 East Stroudsburg Monroe County	Filed

##### Branch Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-18-96	S & T Bank Indiana Indiana County	<i>At:</i> 100 W. Mahoning St. Punxsutawney Jefferson County  <i>Into:</i> 232 Hampton Avenue Punxsutawney Jefferson County	Approved

##### Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
11-13-96	First County Bank (In Organization) Doylestown Bucks County	To change the number of shares to be purchased by each of the incorporators and to provide for a change in the initial directors.	Approved And Effective

#### SAVINGS ASSOCIATIONS

No activity.

## CREDIT UNIONS

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 96-2015. Filed for public inspection November 29, 1996, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Proposed Exchange of Lands

The Department of Conservation and Natural Resources, acting through the Bureau of Forestry, and Keith G. Boyer of New Hope, PA, are proposing to negotiate an exchange of lands in Clinton and Bucks Counties, PA.

The Bureau of Forestry is proposing to acquire from Keith G. Boyer approximately 0.50 acre of unimproved land on Trout Run near the Village of Hammersley Fork in Leidy Township, Clinton County. This property is bounded on the west, north and east by the Susquehannock State Forest.

In return, the Bureau of Forestry proposed to convey to Keith G. Boyer approximately 0.06 acre out of the Valley Forge State Forest in Solebury Township, Bucks County. This parcel adjoins Keith G. Boyer's existing ownership.

As is the policy of the Department of Conservation and Natural Resources, the public is hereby notified of this exchange. A 30-day period for public inquiry and/or comment will be in effect commencing December 2, 1996, and ending December 31, 1996. Oral or written comments or questions concerning this proposed exchange may be addressed to: Dr. James R. Grace, State Forester, Pennsylvania Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552; telephone (717) 787-2703. These oral and/or written comments will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department of Conservation and Natural Resources may schedule a public informational meeting.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 96-2016. Filed for public inspection November 29, 1996, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

### APPLICATIONS

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

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

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

The application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file and may be inspected and arrangements made for copying at the Field Office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**PA 0217476.** Sewage, **Edward L. Soloski**, 301 South Jefferson Street, Kittanning, PA 16201.

This application is for issuance of an NPDES permit to discharge treated sewage from the Audubon Estates Sewage Treatment Plant in East Franklin Township, **Armstrong County**.

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

Outfall 001: new discharge, design flow of 0.056 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub> (5-1 to 10-31) (11-1 to 4-30)	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	2 4			4 8
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.03			0.08
Dissolved Oxygen	not less than 6 mg/l			
pH	6.0—9.0			

The EPA waiver is in effect.

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

**PA 0051284.** Industrial waste, **Springfield Township**, 50 Powell Road, Springfield, PA 19064.

This application is for renewal of an NPDES permit to discharge leachate from an existing closed landfill in Springfield Township, **Delaware County**. This is an existing discharge to an unnamed tributary to Crum Creek.

The receiving stream is classified for warm water fish, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001, from date of permit issuance through completion of 18 months of permit issuance, based on an average flow of 10,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Iron	monitor/report	
Total Iron	monitor/report	
Color (Pt-Co Units)		100
Total Suspended Solids	monitor/report	
Total Dissolved Solids	monitor/report	
pH (STD Units)	6.0—9.0	
Magnesium	monitor/report	
Manganese	monitor/report	

The proposed effluent limits for Outfall 001 from completion of 18 months of permit issuance through expiration, based on an average flow of 10,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Iron	0.6	1.2	1.5
Total Iron	2.0	4.0	5.0
Color (Pt-Co Units)			100
Total Suspended Solids	30	60	75
Total Dissolved Solids	monitor/report		
pH	within limits of 6.0—9.0 standard units at all times		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Magnesium	monitor/report		
Manganese	2.0	4.0	5.0

The EPA waiver is in effect.

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

**PA 0033421.** Sewage. **Mercer/Grove City KOA Campground**, 1337 Butler Pike, Mercer, PA 16137-6211.

This application is for a renewal of an NPDES permit to discharge treated sewage to unnamed tributary to Pine Run in Findley Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stocked 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 Beaver Falls Municipal Authority on the Beaver River located at Beaver Falls, approximately 31.5 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 based on a design flow of 0.005 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor and report	
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	3.5	7
(11-1 to 4-30)	10.5	21
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0006441.** Industrial waste, SIC: 4011, **CSX Transportation, Inc.**, 500 Water Street, Jacksonville, FL 32202, telephone (904) 359-7527.

This application is for renewal of a Part I (NPDES) permit to discharge untreated stormwater and treated groundwater to the Mahoning Creek in Bell Township, **Jefferson County**. The discharges are existing.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating the effluent requirements for TDS, Nitrite-Nitrate, fluoride and phenolics, the existing water supply considered during the evaluation was the Allegheny River used by the Kittanning District Pennsylvania-American Water Company 67.05 miles downstream at Allegheny River mile 45.27.

The proposed discharge limits for Outfalls 001, 003, 004, 005 and 006, based on a design flow of 0.050 400 mgd, are:

<i>Discharge Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report		
BOD <sub>5</sub>	monitor and report		
COD	monitor and report		
TSS	30		60
Total Kjeldahl Nitrogen	monitor and report		
Total Phosphorus	monitor and report		
Total Iron	monitor and report		
Oil and Grease	15		30
pH (Outfall 001)	between 6.0—9.0 standard units at all times		
(Outfalls 003 through 006)	monitor and report		

The EPA waiver is in effect.

**PA 0222127.** Sewage. **Glade Run United Presbyterian Church**, 1091 Pittsburgh Road, Valencia, PA 16059.

This application is for a new NPDES permit to discharge treated sewage to unnamed tributary to Glade Run in Middlesex Township, **Butler County**. This is a new discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Connoquenessing Creek and Zelenople Water Works located at Zelenople, approximately 12 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 based on a design flow of 0.0015 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	2.5	5.0
(11-1 to 4-30)	7.5	15
Fecal Coliforms		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.18	0.4
Phosphorus		
(4-1 to 10-31)	2	4
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is not in effect.

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. 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 Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water 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 appealable to the Environmental Hearing Board.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other

accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

*Southcentral Regional Office, Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.*

*Beaver County Conservation District, District Manager, 1000 Third St., Ste. 202, Beaver, PA 15009-2026, telephone (412) 774-7090.*

**NPDES Permit PAS100239.** Stormwater. **Richard Hartung**, Danburry Farms Inc., 1120 Perry Highway, Pittsburgh, PA 15237 has applied to discharge stormwater from a construction activity located in New Sewickley Township, **Beaver County**, to UNT to Big Sewickley Creek and Brush Run.

*Bucks County Conservation District, District Manager, 924 Town Center, New Britain, PA 18901, telephone (215) 345-7577.*

**NPDES Permit PAS10D085.** Stormwater. **Faulkner-Ciocca Management**, 321 SW End Boulevard, Quakertown, PA 18951 have applied to discharge stormwater from a construction activity located in Richland Township, **Bucks County**, to Morgan Creek.

**NPDES Permit PAS10D086.** Stormwater. **Toll Brothers Inc.**, 3102 Philmont Avenue, Huntingdon Valley, PA 19006 has applied to discharge stormwater from a construction activity located in Lower Makefield Township, **Bucks County**, to Core Creek.

*York County Conservation District, District Manager, 118 Pleasant Acres Rd., York, PA 17402, telephone (717) 840-7430.*

**NPDES Permit PAS10Y055.** Stormwater. **Rose Brook**, Vincent Lebo, L & C Partnership, 990 S. Pleasant Avenue, Dallastown, PA 17313 have applied to discharge

stormwater from a construction activity located in Wind-sor Township, **York County**, to UNT to Kreutz Creek.

**NPDES Permit PAS10-5308.** Stormwater. **Philadelphia International Airport**, Division of Aviation, Philadelphia International Airport, Division of Aviation, Terminal E, Philadelphia, PA 19153, has applied to discharge stormwater from a construction activity located in City of Philadelphia, **Philadelphia County**, to Pennypack Creek.

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**WQM Permit No. 1096414.** Sewage, **Mary and Glenn Franceschina**, SRSTP, 132 Old Glade Mill Rd., Valencia, PA 16059. This project is for the construction of a single residence sewage treatment plant in Middlesex Township, **Butler County**.

**WQM Permit No. 6296411.** Sewage, **Leonard B. Riel**, SRSTP, R. D. 3, Box 101, Sugar Grove, PA 16350. This project is for the construction of a single residence sewage treatment plant in Farmington Township, **Warren County**.

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

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*Northeast Regional Office, Sanitarian Regional Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.*

**4596507.** Public water supply. **Pocono Plateau Mobile Home Park**, Larry Moyer, 32 Chipperfield Drive,

Effort, PA 18330. This proposal involves permitting of an existing system to allow for construction of a well house with disinfection facilities for treatment of raw water from one of the two currently utilized wells. Use of the second well will be discontinued. It is located in Tunkhannock Township, **Monroe County**.

*Engineer:* James T. Palumbo, P. E., 37 North Washington Street, Wilkes-Barre, PA 18701.

**5296504.** Public water supply. **The Escape**. This proposal involves chemical treatment for manganese sequestering at the Hilltop well. It is located in Palmyra Township, **Pike County**.

*Engineer:* Acker Associates, Inc., P. O. Box 899, Moscow, PA 18444.

**5296505.** Public water supply. **Hemlock Farms Community Association**, Bette A. Wesman Community Association Manager, Box 1007, Hemlock Farms, Hawley, PA 18428. This proposal provides for the modification and permitting of an existing public water supply system serving the residents of Hemlock Farms Community Association. It is located in Dingman and Porter Townships, **Pike County**.

**6496503.** Public water supply. **Holiday Park**, P. O. Box 2875, Branchville, NJ 07826. James Conner. This proposal involves permitting a system existing since 1973 serving 80 people. The system has a single well source, two hydropneumatic tanks, hypochlorinator, contact tank and distribution system. It is located in Cherry Ridge Township, **Wayne County**.

*Engineer:* James F. Knash, P. E., 1105 Court St., Honesdale, PA 18431.

**6496504.** Public water supply. **Woodland Hills Subdivision**, Barry J. Newcomer, HCR Box 202, Paupack, PA 18451. This proposal involves permitting of an existing system for installation of raw water disinfection facilities, a 2,800 gallon finished water storage tank booster pump facilities and hydropneumatic tanks. It is located in Paupack Township, **Wayne County**.

*Engineer:* Fred C. Shoenagel, Jr., P. E., R. R. 2, Box 15, Greentown, PA 18426.

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

**A. 1596506.** Public water supply. **Phillips Mushroom Farms**, James A. Angelucci, 1011 Kaolin Road, Kennett Square, PA 19348. This proposal involves the permitting of an existing water system in Kennett Township, **Chester County**.

**A. 1156439.** Public water supply. **Mangold Enterprises, Inc.**, 882 South Matlack Street, Suite H, West Chester, PA 19382. This proposal involves the permitting of a bottle water facility for distilled water in West Chester Borough, **Chester County**.

*Bureau of Water Supply and Community Health, Division of Drinking Water Management, 400 Market Street, Harrisburg, PA 17105. Contact: Godfrey C. Maduka; (717) 787-9037.*

**A. 9996440.** **Tug Hill Water, Inc.**, P. O. Box 338, Hagaman, NY 12086; Ralph M. Riposa, President. Applicant requests Department approval to sell bottled water in Pennsylvania under the brand name: Crystal Mountain Artesian Spring Water.

### **Acknowledgment of Notices of Intent to Remediate.**

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection 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 identifies 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 or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department must provide a brief description of the location of the site, a list of known 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 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 and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department of Environmental Protection has received the following Notices of Intent to Remediate:

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

**North Philadelphia Train Station**, City of Philadelphia, **Philadelphia County**. Robert A. LaRosa, P. E., Sr. Environmental Engineer, 30th St. Station, 5th Floor South, Philadelphia, PA 19104, has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons and diesel fuel. The applicant proposes to remediate the site to meet the Statewide health standard.

**Claymont Development Property**, Birmingham Township, **Delaware County**. Charles A. Ernst, III, 355 D. Lancaster Ave., Haverford, PA 19041, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and petroleum hydrocarbons; groundwater contaminated with lead, BTEX and petroleum hydrocarbons. The applicant proposes to remediate the site to meet background and Statewide health standards.

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

**Xerox Pittsburgh District Parts Center**, City of Pittsburgh, **Allegheny County**. Xerox Corporation, Xerox Square 04D, Rochester, NY 14644 has submitted a Notice of Intent to Remediate groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide Health standard.

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require

the Department of Environmental Protection 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 a site-specific standard or who intend to remediate a site in 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 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 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 and 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 cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified below, a municipality 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 below. During this comment period, a municipality may request that the person identified below, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department of Environmental Protection has received the following Notices of Intent to Remediate:

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

**Peco Hanover Substation**, Pottstown Borough, **Montgomery County**. Michael Heisler, P. E., Engineer, Environmental Affairs, 2301 Market St., Philadelphia, PA 19101-8699, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, heavy metals, BTEX, and polycyclic aromatic hydrocarbons; and groundwater additionally contaminated with solvents. The applicant proposes to remediate the site to meet a combination of site-specific and Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Mercury*, on October 30, 1996.

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

**Neville Island Industrial Park**, Neville Township, **Allegheny County**. Neville Island Associates, 733 Washington Avenue, Carnegie, PA 15106 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet a site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on October 10, 1996.

**Applications submitted 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.**

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

**A. 301220A. Soil Remediation of Philadelphia, Inc.**, 3201 South 61st Street, Philadelphia, PA 19153. Received application for a permit renewal and modification for Soil Remediation of Philadelphia. Facility located in the City of Philadelphia. Application received in the Southeast Regional Office November 7, 1996.

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

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

**A. 300001. Occidental Chemical Corporation**, Armond Hammer Blvd., P. O. Box 699, Pottstown, PA 19464. Application received for submission of a closure plan for the residual waste landfill operated by the above applicant. Closure plan being submitted in place of applicant seeking re-permitting under the residual waste regulations. Facility located in Lower Pottsgrove Township, **Montgomery County**. Application received in the Southeast Regional Office November 6, 1996.

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

**A. 100329. Lake View Landfill**, 851 Robison Road East, Erie, PA 16509. Major permit modification for the revision of the landfill's groundwater monitoring plan including deactivation/decommissioning of wells M14 and M20, discontinuance of monitoring of wells M37A and M39A and reduction of monitoring frequency for wells M3 and M5 to an annual vice quarterly schedule. The landfill is located in Summit Township, **Erie County**. Permit modification application accepted in the Regional Office on November 12, 1996.

**Applications received for Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contaminant sources.**

*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described below for the specified companies.

Permit: **46-320-027**

Source: Printing Facility

Company: **Gemplus Plastic Corporation**

Location: Montgomery

County: **Montgomery**

Permit: **23-399-027**

Source: Two Converting Lines and two Fabric Filters and one Venturi Scrubber

Company: **Kimberly-Clark Tissue**

Location: City of Chester

County: **Delaware**

**Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources.**

*Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**06-302-141C.** Modification of a boiler by **Sunsweet Growers, Inc.** (P. O. Box 608, Fleetwood, PA 19522) in Fleetwood, **Berks County**. The source is subject to 40 CFR 60, Subpart Dc, Standards of Performance for New Stationary Sources.

**06-312-010A.** Construction of a gasoline/distillate oil storage tank controlled by an internal floating roof by **Altoona-Scranton Terminal Corporation** (P. O. Box 2621, Harrisburg, PA 17105) in Sinking Spring, **Berks County**. The source is subject to 40 CFR 60, Subpart Kb, Standards of Performance for New Stationary Sources.

**05-2006.** The Department intends to issue a NOX RACT (Reasonably Available Control Technology) Air Quality Operating Permit to **Columbia Gas Transmission Corporation** (P. O. Box 1273, Charleston, WV 25325-1273) for two engines controlled by ENOX technologies and three gas turbines at their Artemas Compressor Station in Mann Township, **Bedford County**.

**36-308-021E.** The Department intends to issue an Air Quality Operating Permit to **C & D Charter Power Systems, Inc.** (82 East Main Street, Leola, PA 17540) for two battery grid casting machines in Leola, **Lancaster County**. The source is subject to 40 CFR 60, Subpart KK, Standards of Performance for New Stationary Sources.

**36-308-070B.** The Department intends to issue an Air Quality Operating Permit to **C & D Charter Power Systems, Inc.** (82 East Main Street, Leola, PA 17540) for the battery plate tank formation system in Leola, **Lancaster County**.

**36-308-081.** The Department intends to issue an Air Quality Operating Permit to **Kalas Manufacturing Incorporated** (P. O. Box 328, Denver, PA 17517) for lead battery terminal operations controlled by a fabric collector in East Cocalico Township, **Lancaster County**.

**67-2003.** The Department intends to issue an Air Quality RACT (Reasonably Available Control Technology) Synthetic Minor Operating Permit to **Mastercraft Specialties, Incorporated** (800 Maple Street, Red Lion, PA 17356) for a wood furniture manufacturing and finishing facility in Red Lion Borough, **York County**.

**Request for Variance**

The Bureau of Deep Mine Safety has approved a request for variance for **Canterbury Coal Company**. The following notification contains a summary of both this request and the Department's decision regarding approval. Complete copies of both the variance request



and the Department's decision may be obtained from Glen Ziegler by calling (717) 787-1376.

*Summary of the request:* Canterbury Coal Company is requesting a variance from section 221(d) of the Bituminous Coal Mining Laws of Pennsylvania. Canterbury's plan calls for the use of battery powered shuttle cars as the primary means of transportation for evacuation during a fan stoppage. The request proposes that during a fan stoppage the evacuation of men from the mine using electrically powered haulage equipment will be safer than having the workforce evacuate the mine on foot.

*Summary of the decision:* The basis for the Bureau's determination for approval can be summarized in the following statements:

1. In order for an explosion to occur, an ignition source (for example, a spark from battery powered haulage equipment) and fuel (methane gas) are needed.

At the Bureau's request, tests were performed on the mine atmosphere using MSA and CSE permissible Oxygen and Methane recording units. These tests were performed for an extended period of time (5 hours plus). Test results showed that no dangerous concentrations of methane or other gases accumulated along the track haulage entries during fan stoppage.

Additionally, during an evacuation due to fan stoppage, the mine atmosphere will be continually monitored utilizing approved gas detection devices. Such monitoring shall be conducted by certified personnel.

Without the presence of combustible gases (the fuel), evacuation using battery powered haulage equipment should provide a safe, efficient and expeditious means of escape for personnel working in the mine. The Bureau feels that a more expeditious evacuation of the workers is to the benefit of worker safety. According to tests, evacuation from the mine by battery powered haulage equipment is reduced to 45 minutes from approximately 2 hours (walking out).

2. The plan's evacuation procedures are those outlined in the 30 CFR 75.313.

Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects:

Project	Municipality	County	Acre
BF 405-101.1	Union Twp.	Washington	13
BF 409-101.1	Kittanning Twp.	Armstrong	2
BF 410-101.1	Export Borough	Westmoreland	35
BF 412-101.1	South Beaver Twp.	Beaver	4

Letters of interest must be received by Ernest F. Giovannitti, Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, P. O. Box 8476, Harrisburg, PA 17105-8476, no later than 4 p.m., December 31, 1996, to be considered.

Telephone inquiries shall be directed to B. P. Rao, Chief, Division of Acid Mine Drainage Abatement, at (717) 783-1311.

The following Dam Safety and Encroachment permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection.

In addition to permit applications, the Bureau of Dams, Waterways and Wetlands (BDWW) and the Regional Office Soils and Waterways Sections have assumed primary responsibility for processing requests for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), for projects requiring both a Dam Safety and Encroachments Permit, and a United States Army Corps of Engineers (ACOE) permit. Section 401(a) of the Federal Water Pollution Control Act requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1301—1303, 1306 and 1307, as well as relevant State requirements. Initial requests for 401 Certification will be published concurrently with the BDWW permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Bureau or Field Office indicated as the responsible office.

**Applications 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 requests for certification under section 401 of the Federal Water Pollution Control Act.**

*Southcentral Regional Office, Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.*

**E05-242.** Encroachment. **Department of Transportation**, Engineering District 9-0, Earl Neiderhiser, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a bridge having a clear span of 58.6 feet on a 55° skew with a minimum underclearance of 8.9 ft. across Scrubgrass Creek on SR 4034, Section 001, Segment 0030, offset 0759 located about 0.8 mile west of Imler Village (Alum Bank, PA Quadrangle N: 15.5 inches; W: 5.3 inches) in King Township, **Bedford County**.

*DEP Central Office, Bureau of Dams, Waterways and Wetlands, 400 Market Street, Floor 6, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.*

*Requests for Environmental Assessment approval under 25 Pa. Code § 105.15 and requests for certification under section 401 of the Federal Water Pollution Control Act.*

**EA09-010C0.** Environmental assessment. **Township of Middletown**, 2140 Trenton Road, Levittown, PA 19056. To construct and maintain a nonjurisdictional dam across a tributary to Neshaminy Creek (WWF, MF) impacting a de minimus area of wetland (PFO) equal to 0.05 acre for the purpose of recreation located approximately 1,200 feet northwest of the intersection West Maple Avenue (State Route 213) and Oakford Road (State Route 432) at the Middletown Township Country Club (Langhorne, PA Quadrangle N: 9.45 inches; W: 8.25 inches) in Middletown Township, **Bucks County**.

**EA67-008C0.** Environmental assessment. **R. Darin Ingool**, P. O. Box 112, Cardiff, MD 21024-0112. To construct and maintain a nonjurisdictional dam across a tributary to Muddy Creek (TSF) for the purpose of recreation located approximately 2,500 feet northwest of the intersection of Miller Road and Murphy Road (Airville, PA Quadrangle N: 4.5 inches; W: 2.0 inches) in Peach Bottom Township, **York County**.

*Northeast Regional Office, Regional Soils and Watersheds Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-5485.*

**E45-311.** Encroachment. **Pines Cafe, Inc.**, P. O. Box J, Pocono Pines, PA 18350. To place fill in approximately 0.11 acre of pem/ss wetlands for the purpose of expanding the existing parking lot of the Pines Cafe restaurant. The project is located at the northeast quadrant of the intersection of S. R. 0940 and S. R. 0423 (Pocono Pines, PA Quadrangle N: 19.2 inches; W: 12.9 inches) in Tobyhanna Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

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

**E46-755.** Encroachment. **Limekiln Partners, LP**, 2421 Bristol Rd., Warrington, PA 18975. To perform and maintain the following water obstructions and encroachments associated with the proposed Chestnut Creek Subdivision, located 1,800 feet southeast of the junction of Lower State Road and Limekiln Pike (SR 0152); (Ambler, PA Quadrangle N: 18.7 inches; W: 10.1 inches), in Horsham Township, **Montgomery County**.

1) To install 70 linear feet of 15-foot by 3.25-foot, roadway box culvert in and along a tributary to Little Neshaminy Creek and 0.15 acre of adjacent wetlands (PFO) for the proposed Stony River Road. Associated work includes: an 8-inch sanitary sewer line crossing of wetlands; a 12-inch utility line stream crossing; and a stormwater outfall.

2) To install 145 linear feet of twin 15-inch RCP roadway culverts in and along an unnamed tributary to Little Neshaminy Creek and 0.09 acre of adjacent wetland (PEM).

3) Construct a stormwater management facility (basin 2B), consisting of an earth fill dam and twin 30-inch outlet pipes impacting 0.35 acre of wetland (PSS) and 110 linear feet of watercourse.

4) Construct a stormwater management facility (basin 4), consisting of an earth fill dam and grading within the reservoir impacting 0.34 acre of wetland (PFO) and 194 linear feet of watercourse.

5) Construct an outfall structure associated with basins impacting 0.01 acre of wetland (PFO).

6) Install approximately 1,050 linear feet of sanitary sewer line crossing an estimated 0.25 acre of wetlands (PFO).

This project proposes impact to a total of 1.23 acres of wetland and approximately 549 linear feet of watercourse.

**E23-353.** Encroachment. **John Harper**, P. O. Box 384, Ridley Park, PA 19078. To perform the following water obstruction and encroachments associated with the proposed Morton Avenue Shopping Center redevelopment:

1) Remove 626 linear feet of 57 inch by 83 inch CMP stream enclosure which conveys an unnamed tributary of Little Crum Creek (WWF) under an existing parking area.

2) Install, operate and maintain 875 linear feet of 5-foot high by 10-foot wide stream enclosure conveying an unnamed tributary of Little Crum Creek in a relocated alignment.

3) Install and maintain a 10-inch PVC sanitary sewer line crossing of an unnamed tributary to Little Crum Creek.

4) Install and maintain an 18-inch stormwater outfall in the 100 year floodway of the aforementioned watercourse.

5) Construct, operate and maintain a stormwater management facility, consisting of an earth fill dam and grading within the reservoir which will impact 180 linear feet of watercourse and the portions of the 100 year floodway.

The project will impact approximately 1,055 linear feet of watercourse and is located along the east side of Morton Avenue at a point approximately 500 feet south of MacDade Boulevard (SR2006) (Lansdowne PA Quadrangle N: 1.8 inches; W: 11.1 inches) in Ridley Township, **Delaware County**. The downstream 54-foot long section of the aforementioned stream enclosure is located beneath Morton Avenue (SR2025), and will be separately reviewed under permit application No. E23-354 submitted by Department of Transportation.

**E23-354.** Encroachment. **Department of Transportation**, 200 Radnor Chester Road, St. Davids, PA 19087. To operate and maintain a 54-foot long section of a 5-foot high by 10-foot wide reinforced concrete box culvert stream enclosure in and along an unnamed tributary to Little Crum Creek (WWF). This enclosure section extends beneath Morton Avenue, and will have attached concrete endwalls and a gabion outlet apron. The project also includes construction, operation and maintenance of proposed storm sewer lines along Morton Avenue to improve drainage in this flood prone area. The project is located along Morton Avenue, at a point approximately 500 feet south of MacDade Boulevard (SR2006) (Lansdowne PA Quadrangle N: 1.8 inches; W: 11.1 inches) in Ridley Township, **Delaware County**. The aforementioned stream enclosure section will be connected, at its upstream end, to a stream enclosure proposed for approval by permit application E23-353, submitted by Harper Associates.

**E46-756.** Encroachment. **Montgomery County Commissioners**, P. O. Box 311, Norristown, PA 19404. To operate and maintain a 20-foot wide by 6-foot high precast reinforced concrete box culvert with wingwalls which was previously authorized under emergency permit EP4696317 located across Spring Mill Run (tributary to the Schuylkill River) at a point approximately 1,000 feet west of the intersection of Joshua Road and Ridge Pike (Norristown, PA Quadrangle N: 16.1 inches; W: 2.75 inches) in Whitmarsh Township, **Montgomery County**.

**E09-731.** Encroachment. **Joseph Faulkner, Gregg Ciocca**, Faulkner-Ciocca Management, 321 South Westend Blvd., Quakertown, PA 18951. To place and maintain fill in 8.6 acres of wetlands for the purpose of constructing an automotive sales and service center (autoplex) located on the southwest corner of the intersection of Tollgate Road and Route 309 (Quakertown, PA Quadrangle N: 7.35 inches; W: 13.5 inches) in Richland Township, **Bucks County**.

**E09-732.** Encroachment. **Cleveland Steel Container Corporation**, 350 Mill Street, Quakertown, PA 18951. To construct and maintain a stormwater management facility including 70 linear feet of 15-inch CMP in the 100-year floodway of Licking Creek (TSF). The site is located at 350 Mill Street, immediately southeast of the intersection of Mill Street and the Reading Railroad Track (Quakertown, PA Quadrangle N: 12.5 inches; W: 12.00 inches) in Quakertown Borough, **Bucks County**.

**E15-526.** Encroachment. **Steven Chambers**, 285 Chippenham Lane, Hockessin, DE 19707. To perform the following activities as described below:

1. to operate and maintain two existing off-stream ponds which have impacted 0.42 acre of wetland (PEM)
2. to modify and enlarge two existing off-stream ponds impacting 0.34 acre of wetland (PEM)
3. to maintain and modify approximately 320 feet of streambanks downstream of the existing minor road crossing along an unnamed tributary to the east branch of Red Clay Creek (CWF)

These activities are located at 135 Center Mill Road approximately 1,700 feet northeast of the intersection of Center Mill Road and Burnt Mill Road (Kennett Square, PA-DEL Quadrangle N: 15.1 inches; W: 2.15 inches) in Kennett Township, **Chester County**.

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

**E33-176.** Encroachment. **Jefferson County Commissioners**, Jefferson Place, 155 Main Street, Brookville, PA 15825. To remove the existing single span, pony truss bridge and to install and maintain an 80-foot single-span concrete box beam bridge across east branch Mahoning Creek. The east branch Mahoning Creek is HQ-CWF and stocked trout. The project identified as Jefferson County Bridge No. 5 is located on Henderson Township Road, T-622, approximately 4,200 feet south of the intersection of S. R. 0410 and T-622 (McGees Mills, PA Quadrangle N: 19.6 inches; W: 8.7 inches) located in Henderson Township, **Jefferson County**.

**E42-244.** Encroachment. **Sergeant Township Supervisors**, Box 1A, Star Route, Mount Jewett, PA 16740. To remove an existing 36-inch high by 64-inch wide stone slab bridge and to construct and maintain a 4-foot high by 13-foot wide box culvert road crossing across Bloomster Hollow (CWF). The bottom of the box culvert will be placed 2 feet below the stream bottom. The project is located on T-321 across Bloomster Hollow approximately 7,600 feet southwest of the intersection of S. R. 0006 and T-321 in the village of Kasson (Hazelhurst, PA Quadrangle N: 20.65 inches; W: 0.10 inch) located in Sergeant Township, **McKean County**.

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

**EA10-009NW.** Environmental assessment. **Dept. of Environmental Protection**, District Mining Operations, White Memorial Building, Knox, PA 16232. To construct and maintain two separate two-cell vertical flow wetlands utilizing Successive Alkaline Producing System (SAPS) technology and to construct a nonjurisdictional dam to provide treatment of several acid mine water discharges. Typical water sampling analysis results of the discharges indicate pH < 4.0, Mn 2.0 mg/l, Fe > 2.0 mg/l, and Al > 3.0 mg/l. Collectively these treatment facilities will be referred to as "Ferris Treatment Complex" and is located in the Slippery Rock Creek watershed (CWF). The project will impact 0.4 acre of wetland (PEM). This project is located east of Kohlmeyer Road at the intersection known as Ferris approximately 11,400 feet north of the village of Whiskerville (Hilliards, PA Quadrangle N: 18.5 inches; W: 14.9 inches) located in Venango Township, **Butler County**.

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## ACTIONS

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

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

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### Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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#### *Permits Issued*

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

**NPDES Permit No. PA0006297.** Industrial waste, **Menasha Corporation**, Route 70, P. O. Box 718, Yukon, PA 15698-0418 is authorized to discharge from a facility located at Yukon Plant, Sewickley Township, **Westmoreland County** to Sewickley Creek.

**NPDES Permit No. PA0204722.** Industrial waste, **Borough of Patton**, 800 Fourth Avenue, Patton, PA 16668 is authorized to discharge from a facility located at the Water Treatment Plant, Patton Borough, **Cambria County** to Chest Creek.

**NPDES Permit No. PA0044431.** Sewage, **Fairfield Manor, Inc.**, 4158 Old William Penn Highway, Murrysville, PA 15668 is authorized to discharge from a facility located at Fairfield Manor STP, Fairfield Township, **Westmoreland County** to unnamed tributary of Hendricks Creek.

**NPDES Permit No. PA0093165.** Sewage, **Claysville-Donegal Joint Municipal Authority**, 314 Main Street, P. O. Box 467, Claysville, PA 15323 is authorized to discharge from a facility located at Claysville Water Pollution Control Plant, Donegal Township, **Washington County** to Dutch Fork.

**NPDES Permit No. PA0205265.** Sewage, **Summerhill Volunteer Fire Company**, 524 Main Street, Summerhill, PA 15958 is authorized to discharge from a facility located at Summerhill Volunteer Fire Company STP, Summerhill Borough, **Cambria County** to Laurel Run.

**NPDES Permit No. PA0217441.** Sewage, **Robert D. Kalina**, R. D. 2, Boswell, PA 15531 is authorized to discharge from a facility located at Kalina Subdivision Sewage Treatment Plant, Jenner Township, **Somerset County** to unnamed tributary of Roaring Run.

**Permit No. 0296202.** Industrial waste. **BP Exploration and Oil Company**, 200 Public Square Building, Cleveland, OH 44114-2375. Construction of groundwater remediation plant located in Monroeville Borough, **Allegheny County** to serve the Former BP Gasoline Service Station.

**Permit No. 3295401.** Sewerage. **Burrell Township Sewer Authority**, P. O. Box 454, Blacklick. Construction of sewers, pump stations and forcemain located in Burrell Township, **Indiana County** to serve the Strangford Area.

**Permit No. 5696408.** Sewerage. **Municipal Authority of the Borough of Somerset**, 340 West Union Street, Somerset, PA 15501. Construction of parallel interceptor located in Somerset Borough, **Somerset County** to serve the Parsons Run Service Area.

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

**NPDES Permit No. PA0050679.** Industrial waste. **NVF Company**, P. O. Box 0516, Lafayette and Mulberry Streets, Kennett Square, PA 19348 is authorized to discharge from a facility located in Kennett Square Borough, **Chester County** into the west branch of Red Clay Creek.

**NPDES Permit No. PA0020397.** Amendment No. 2. Sewerage. **Bridgeport Borough**, 4th and Mill Streets, P. O. Box 148, Bridgeport, PA 19405 is authorized to discharge from a facility located in Upper Merion Township, **Montgomery County** into the Schuylkill River.

**NPDES Permit No. PA0011282.** Industrial waste. **Philadelphia Suburban Water Company**, 762 Lancaster Avenue, Bryn Mawr, PA 10910-3489 is authorized to discharge from a facility located in Springfield Township, **Delaware County** into Crum Creek.

**NPDES Permit No. PA0055948.** Amendment No. 1. Industrial waste. **Sun Refining and Marketing Company**, 1835 Market Street, Philadelphia, PA 19103 is authorized to discharge from a facility located in Horsham Township, **Montgomery County** into a storm sewer to Pennypack Creek.

**NPDES Permit No. PA0010847.** Industrial waste. **Henkel Corporation**, 300 Brookside Avenue, Ambler, PA 19002 is authorized to discharge from a facility located in Lower Gwynedd Township, **Montgomery County** into 001 and 002 Wissahickon Creek and 003 Houston Creek.

#### **Notices of Intent for Coverage Under NPDES General Permit for Construction Activities and Department Final Actions**

*Adams County Conservation District, District Manager, 57 N. Fifth Street, Gettysburg, PA 17325, telephone (717) 334-0636.*

*Allegheny County Conservation District, District Manager, 875 Greentree Rd., Rm. 208 Acacia Bldg., Pittsburgh, PA 15220, telephone (412) 921-1999.*

*Berks County Conservation District, District Manager, P. O. Box 520, Ag. Ctr., Leesport, PA 19533, telephone (610) 372-4657.*

*Bucks County Conservation District, District Manager, 924 Town Center, New Britain, PA 18901, telephone (215) 345-7577.*

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

*Chester County Conservation District, District Manager, Gov. Serv. Ctr., Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.*

*Dauphin County Conservation District, District Manager, 1451 Peters Mtn. Rd., Dauphin, PA 17018, telephone (717) 921-8100.*

*Lawrence County Conservation District, District Manager, Gov. Serv. Ctr., 430 Ct. St., New Castle, PA 16101, telephone (412) 652-4512.*

*Luzerne County Conservation District, District Manager, Courthouse Annex, 5 Water Street, Wilkes-Barre, PA 18711, telephone (717) 825-1844.*

*Mercer County Conservation District, District Manager, R. R. 2, Box 2055, Mercer, PA 16137, telephone (412) 662-2242.*

*Montgomery County Conservation District, District Manager, 1015 Bridge Rd., Ste. B, Collegetown, PA 19426, telephone (610) 489-4506.*

*Northampton County Conservation District, District Manager, R. R. 4, Nazareth, PA 18064, telephone (610) 746-1971.*

*York County Conservation District, District Manager, 118 Pleasant Acres Rd., York, PA 17402, telephone (717) 840-7430.*

The following parties have submitted Notices of Intent for coverage under NPDES General Permit PAG-2, General Permit for Discharges of Stormwater From Construction Activities. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection will authorize, subject to the terms and conditions contained in the general permit, the discharge of stormwater from eligible new and existing discharges.

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

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR100036	Donald and Alice Smith 450 Spangler Rd. New Oxford, PA 17350	Adams Co. Berwick Twp.	Pine Run
PAR100039	David Kuhn P. O. Box 95 Cashtown, PA 17310	Adams Co. Franklin Twp.	Muskrat Run

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10A193	Waste Management of Wilkinsburg 450 Brushton Ave. Wilkinsburg, PA 15208	Allegheny Co. Wilkinsburg Boro.	Nine Mile Run
PAR10C166	Centre Twp. Mun. Auth. 449 Bucks Hill Rd. Mohrsville, PA 19541	Berks Co. Centre Twp.	Irish Crk.
PAR10D279	Joseph Fluehr III 800 Newtown-Richboro Rd. Richboro, PA	Bucks Co. Northampton Twp.	Neshaminy Crk.
PAR10D281	Ehrhart Orix Wilkinson 100 N. Riverside Plz. Chicago, IL 60606	Bucks Co. Middletown Twp.	Queen Anne to Mill Crk.
PAR10F056	Frederick Kissinger 245 S. Allen St. State College, PA	Centre Co. College Twp.	Slab Cabin Run
PAR10G207	David Dellaporta 753 Applegate Ln. Bryn Mawr, PA 19010	Chester Co. Kennett Twp.	W. Br. Red Clay
PAR10I107	McNaughton Company 4400 Deerpath Rd. Harrisburg, PA 17110	Dauphin Co. Swatara Twp.	Swatara Crk.
PAR103720	Leo Golba 233 W. Parkside Dr. New Castle, PA 16105	Lawrence Co. Neshannock Twp.	UNT to Shanango
PAR10R099	Robert Mericle 600 Baltimore Dr. Wilkes-Barre, PA 18702	Luzerne Co. Hanover Twp.	UNT to Warrior Crk.
PAR10R097	Butler Twp. Supervisors R. R. 3, Box 796B Drums, PA 18222	Luzerne Co. Butler Twp.	Nescopeck Crk.
PAR104329	Borough of Grove City 123 W. Main St. Grove City, PA 16127	Mercer Co. Grove City Boro.	UNT to Wolf Crk.
PAR10T312	Elf Atochern North America Inc. 900 1st Ave. King of Prussia, PA 19406	Montgomery Co. U. Merion Twp.	Maschellmac Crk.
PAR10T316	Maple Village 2815 Byberry Rd. Hatboro, PA	Montgomery Co. U. Moreland Twp.	UNT to Pennypack
PAR10T313	Chadwick Place Devel. Corp. 401 City Ave. Bala Cynwyd, PA 19004	Montgomery Co. Worcester Twp.	UNT to Skippack
PAR10U059	Pa. Power & Light Co. P. O. Box 157 Martins Creek, PA 18063	Northampton Co. L. Mt. Bethel Twp.	Delaware River
PAR10U060	Pa. Power & Light Co. P. O. Box 157 Martins Creek, PA 18063	Northampton Co. L. Mt. Bethel Twp.	Oughoughton Crk.
PAR10Y229	Mark DiSanto 5351 Jaycee Ave. Harrisburg, PA 17112	York Co. Fairview Twp.	Fishing Crk.

**List of NPDES General Permits Issued by DEP's  
Water Management Deputate**

<i>NPDES General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Responsible Bureau</i>
PAG-2	Stormwater—Construction Activities	BLWC
PAG-3	Stormwater—Industrial Activities	BWQM

<i>NPDES General Permit No.</i>	<i>Short Title of General Permit</i>	<i>Responsible Bureau</i>
PAG-4	Single Residence Sewage Treatment Plant	BWQM
PAG-6	Combined Sewer Overflows	BWQM

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### NOI Received and Final Actions Under NPDES General Permits

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Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

*Northeast Regional Office, Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAR802229	3	ABF Freight System, Inc. P. O. Box 10048 Fort Smith, AR 72917	Luzerne Co. City of Wilkes-Barre	Solomon Creek	4213

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

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*Northeast Regional Office, Sanitarian Regional Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.*

**Permit No. 3995502.** Public water supply. **Valley View Estates, c/o Ian Roddick**, President, 1400-50 Route 100, Macungie, PA 18062. This proposal involves the permitting of an existing public water supply system consisting of one well, two 315 gallon pressure tanks, a calcium hypochlorite disinfection system and a distribution system for a maximum of 50 units in a mobile home park located in Lower Macungie Township, **Lehigh County**.

*Permit to operate:* October 21, 1996.

**Permit No. 4589527.** Public water supply. **Birchwood Mobile Home Park, c/o G. Susan Johnson**, P. O. Box 207, Sciota, PA 18354. This proposal involves the permitting of an existing community water supply serving the 36 dwellings within Birchwood Park in Ross Township, Monroe. The system consists of two wells, a 1,000 gallon hydropneumatic tank, and a 2-inch distribution system. The sources shall be chlorinated, metered and treated with soda ash to boost the pH.

*Permit to operate:* October 21, 1996.

**Permit No. 4594503.** Public water supply. **Country Club of the Poconos at Big Ridge, c/o Bryan Fisk**, P. E., Senior Vice President, Resorts USA, Inc., P. O. Box 447, Bushkill, PA 18324. This proposal involves the permitting of a new well and 200,000 gallon storage tank to be constructed within the existing public water system serving the Country Club of the Poconos at Big Ridge in Middle Smithfield Township, **Monroe County**.

*Permit to operate:* October 22, 1996.

**Permit No. 4596503.** Public water supply. **Crossings Factory Stores**, 285 Crossings Square, Tannerville, PA 18372. This proposal involves the installation of equipment to treat water with a phosphate inhibitor for corrosion control. It is located in Pocono Township, **Monroe County**.

*Permit to operate:* October 2, 1996.

**Permit No. 5496502.** Public water supply. **Lake Wynonah Municipal Authority**, 100 East Main Street, Rear, Schuylkill Haven, PA 17972. This proposal involves the addition of equipment to treat water from well 1 and

3 with a sequestering agent to control iron and manganese. It is located in South Manheim Township, **Schuylkill County**.

*Permit to operate:* October 2, 1996.

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

**Permit No. 0996514.** Public water supply. **Springfield Township Authority**, Donald C. Kucher, 2320 Township Road, Quakertown, PA 18951. A permit has been issued for existing corrosion feed equipment treating the water from three springs in Springfield Township, **Bucks County**.

*Type of Facility:* Water supply system.

*Consulting Engineer:* Pennoni Associates, Inc., 875 North Easton Road, Suite 10, Doylestown, PA 18901.

*Permit to Construct Issued:* November 6, 1996.

**Permit No. 0996510.** Public water supply. **Warwick Township Water and Sewer Authority**, Thomas Courduff, 2242 Old York Road, Jamison, PA 18929. A permit has been issued to construct a public water supply system. The project includes construction of three wells, an air stripper, a storage tank and a disinfection system in Warwick Township, **Bucks County**.

*Type of Facility:* Public water.

*Consulting Engineer:* R. F. Preston Engineers, Inc., 831 DeKalb Pike, Blue Bell, PA 19422.

*Permit to Construct Issued:* October 29, 1996.

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### Acknowledgment of the Submission of Final Reports

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The following final reports were submitted to the Department of Environmental Protection 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 to publish in the *Pennsylvania Bulletin* a notice of submission of any final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental

media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department has received the following final reports:

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

**Xerox Pittsburgh District Parts Center**, City of Pittsburgh, **Allegheny County**. Xerox Corporation, Xerox Square 04D, Rochester, NY 14644 has submitted a Final Report addressing groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide Health standard.

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

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

**PAD064375470. Advance Environmental Technical Services L.L.C. (AETS)**, 1050 West 11th Avenue, Coatesville, PA 19320. This Hazardous Waste permit for the storage and treatment of hazardous waste is re-issued to AETS, from Chemical Waste Management of PA, Inc. Facility located in Valley Township, **Chester County**. Permit issued in the Southeast Regional Office November 12, 1996.

**Permit modified 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, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

**General Permits No. WMGR002, WMGR002D001 and WMGR002D002** issued February 4, 1994, March 17, 1995, and February 13, 1996, respectively, for the beneficial use of paper and pulp mill wastewater treatment sludge as a soil additive to facilitate revegetation on disturbed land at permitted and at abandoned mine sites. The Department modified the permit by adding a condition that requires permittees to submit a chemical analysis for each new source of paper and pulp mill wastewater treatment sludge to the Department 15 days prior to waste application. The permits were modified in Central Office on November 5, 1996.

**Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.**

*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **OP-46-0068**

Source: VOC

Issued: October 31, 1996

Company: **Centennial Printing Corp.**

Location: Upper Merion

County: **Montgomery**

Permit: **OP-23-0010**

Source: Major VOC & Minor NOx Facility

Issued: October 31, 1996

Company: **Sun, Inc. (R & M)**

Location: Tinicum

County: **Delaware**

Permit: **OP-23-0011**

Source: Major VOC and Minor NOx Facility

Issued: October 31, 1996

Company: **Sun, Inc. (R & M)**

Location: Darby

County: **Delaware**

Permit: **OP-46-0015**

Source: NOx and VOC Sources

Issued: November 7, 1996

Company: **Occidental Chemical Corp.**

Location: Lower Pottsgrove

County: **Montgomery**

Permit: **OP-46-0069**

Source: Synthetic Minor NOx Facility

Issued: October 31, 1996

Company: **Corson Lime**

Location: Whitmarsh

County: **Montgomery**

Permit: **OP-15-0039**

Source: Synthetic Minor Facility

Issued: November 7, 1996

Company: **Ackworth Materials, Inc.**

Location: East Caln

County: **Chester**

Permit: **OP-09-0030**

Source: NOx and VOC Sources

Issued: November 7, 1996

Company: **PreFinish Metals, Inc.**

Location: Fall

County: **Bucks**

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

*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **15-307-024**

Source: Slab Caster Cut-Off Torch

Issued: October 30, 1996

Company: **Lukens Steel**

Location: Coatesville

County: **Chester**

Permit: **46-302-052A**

Source: Auxiliary Steam

Issued: October 31, 1996

Company: **PECO Energy Co.**

Location: Limerick

County: **Montgomery**

Permit: **15-310-039**

Source: Stone Crushing Plant

Issued: October 31, 1996

Company: **Devault Crushed Stone**

Location: Charlestown

County: **Chester**

Permit: **46-310-046**

Source: Pilot Rotary Calciner

Issued: October 31, 1996

Company: **PQ Corporation**

Location: Whitmarsh

County: **Montgomery**

Permit: **46-313-144**

Source: 6 Blending & Filling Stations

Issued: October 31, 1996

Company: **ITW Philadelphia**

Location: Montgomeryville

County: **Montgomery**

Permit: **46-399-100**

Source: Two Jet Fuel Storage Tanks

Issued: November 13, 1996

Company: **Department of the Air Force**

Location: Horsham

County: **Montgomery**

Permit: **46-302-202A**

Source: Two Boilers

Company: **Jet Plastica Industries, Inc.**

Location: Hatfield

County: **Montgomery**

Permit: **46-302-158**

Source: Keeler Boiler

Company: **Pottstown Memorial Medical Center**

Location: Pottstown

County: **Montgomery**

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

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*Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Department has issued the following air quality plan approvals for the specified companies described below:

Permit: **15-309-013A**

Source: Gas Fired Dryer

Issued: October 31, 1996

Company: **Refractory Minerals, Inc.**

Location: Avondale

County: **Chester**

Permit: **46-399-112**

Source: No-Bake Pump Mold and Casing

Issued: October 31, 1996

Company: **Hale Products, Inc.**

Location: Conshohocken

County: **Montgomery**

*Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**28-2005A.** On November 8, 1996, the Department issued a Plan Approval to **Frick Company** (100 C. V. Avenue, Waynesboro, PA 17268) for the installation of the No. 105 paint spray booth in Waynesboro Borough, **Franklin County**.

*Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA 17105-8476.*

**Bond Forfeiture Contracts Awarded:**

**No. BF 377-101.1.** Lawrence Township, **Clearfield County**. Abandoned Mine Land Reclamation Project, Eastern Energy Corporation, Lawrence Township, Clearfield County; Contractor: **Earthmovers Unlimited, Inc.**; Amount: \$108,858; Date of Award: November 7, 1996.

**No. BF 375-101.1.** Redstone Township, **Fayette County**. Abandoned Mine Land Reclamation, R.M.&L. Company, Redstone Township, Fayette County; Contractor: **J & J Svonavec Excavating**; Amount: \$53,289; Date of Award: October 28, 1996.

**No. BF 381-101.1.** Fairfield and Ligonier Townships, **Westmoreland County**. Abandoned Mine Land Reclamation Project, Old Home Manor, Inc., Fairfield and Ligonier Townships, Westmoreland County, PA; Contractor: **Maud Mining Company**; Amount: \$1,070,239; Date of Award: October 10, 1996.

**BF 371-101.1.** Springhill Township, **Fayette County**. Abandoned Mine Land Reclamation Project, R.M.&L. Company, Special Reclamation Project No. 205, Springhill Township, Fayette County, PA; Contractor: **Wayne K. Baker**; Amount: \$123,870; Date of Award: October 28, 1996.

**No. BF 28-103.1.** Somerset Township, **Washington County**. Abandoned Mine Land Reclamation Project, I.S.C., Inc., Somerset Township, Washington County; Contractor: **Maud Mining Company**; Amount: \$249,515; Date of Award: September 19, 1996.

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**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of the act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.5 and 691.402) and notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).**

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*Permits Issued and Actions on 401 Certification*

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

**E10-248.** Encroachment. **Middlesex Township Supervisors**, 133 Browns Hill Road, Valencia, PA 16059. To remove the existing structure and to construct and maintain an 11-foot wide by 4.25-foot high corrugated metal box culvert in Glade Run on Overbrook Road approxi-



mately 800 feet downstream of Glade Run Lake Dam (DEP File No. D10-060) (Valencia, PA Quadrangle N: 16.6 inches; W: 4.5 inches) located in Middlesex Township, **Butler County**. This permit was issued under section 105.13(e) "Small Projects". This permit also includes 401 Water Quality Certification.

**E25-540.** Encroachment. **Norman E. Mattson**, 347 Riley Drive, Girard, PA 16417. To construct and maintain a 48-inch diameter C. M. pipe culvert in a tributary to Raccoon Creek and to fill a total of 0.1 acre of wetland for construction of a private driveway extending south from S. R. 0020 approximately 1,200 feet west of Scott Road (T-336) (East Springfield, PA Quadrangle N: 15.0 inches; W: 8.5 inches) located in Springfield Township, **Erie County**. This project includes the construction of 0.1 acre of replacement wetland on site.

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

**E09-708.** Encroachment. **The Cutler Group, Inc.**, 5 Sentry Parkway West, Blue Bell, PA 19422. To perform the following activities associated with the construction of the Abom Tract Residential Subdivision:

1. To install and maintain a 36 inch twin reinforced concrete culvert, 72 feet in length, associated stormwater inlets and three 24-inch reinforced concrete pipes to support wetland hydrology along an unnamed tributary to the Little Neshaminy Creek (a.k.a. Southern Harvard Drive Crossing);

2. To install and maintain 66 linear feet of 53-inch by 34-inch-elliptical reinforced concrete culvert, associated stormwater inlets and one 19-inch by 30-inch elliptical concrete pipe to support wetland hydrology across an unnamed tributary to the Little Neshaminy Creek (a.k.a. Northern Harvard Drive Crossing);

3. To disturb a total of approximately 0.27 acre of wetlands associated with the construction of Harvard Drive;

4. To construct and maintain one 8-inch PVC sanitary sewer line and one 12-inch DIP water line associated with the Southern Harvard Drive Crossing.

5. To construct and maintain an 8 inch DIP water line associated with the Northern Harvard Drive Crossing.

This permit requires the construction of 0.27 acre of replacement wetlands. This site is situated approximately 1,000 feet west of the intersection of Street Road (S. R. 3001) and Elbow Lane (T-387) (Ambler USGS Quadrangle N: 20.7 inches; W: 4.8 inches) in Warrington Township, **Bucks County**.

[Pa.B. Doc. No. 96-2017. Filed for public inspection November 29, 1996, 9:00 a.m.]

### Advisory Board/Committee Meeting Schedules for 1997

The following is a list of 1997 meetings of the Department of Environmental Protection's (DEP) advisory boards and committees. Notice of these meetings is being given in accordance with the Sunshine Act.

These schedules and an agenda for each meeting will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

### *Agricultural Advisory Board*

The Agricultural Advisory Board meetings will be held in the First Floor Conference Room of the Rachel Carson State Office Building at 10 a.m. on the following dates:

February 26, 1997  
April 23, 1997  
June 25, 1997  
August 27, 1997  
October 22, 1997  
December 17, 1997

Contact: Dean Auchenbach, Bureau of Land and Water Conservation, (717) 772-5668, or e-mail [Auchenbach.Dean@a1.dep.state.pa.us](mailto:Auchenbach.Dean@a1.dep.state.pa.us).

### *Air and Water Quality Technical Advisory Committee*

The Air and Water Quality Technical Advisory Committee (AWQTAC) meetings will be held in the First Floor Conference Room of the Rachel Carson State Office Building beginning at 9:30 a.m. on the following dates:

February 20, 1997  
April 17, 1997  
June 19, 1997  
August 21, 1997  
October 23, 1997  
December 18, 1997

Contact: Keith Gentzler, Office of Water Management, at (717) 787-4686, or e-mail [Gentzler.Keith@a1.dep.state.pa.us](mailto:Gentzler.Keith@a1.dep.state.pa.us).

### *Cleanup Standards Scientific Advisory Board*

The Cleanup Standards Scientific Advisory Board (CSSAB) meetings will be held in the Rachel Carson State Office Building at 9 a.m. as follows:

January 29-30, 1997	14th Floor Conference Room
March 5-6, 1997	12th Floor Conference Room (March 5) 14th Floor Conference Room (March 6)
June 26, 1997	14th Floor Conference Room
September 25, 1997	14th Floor Conference Room
December 11, 1997	14th Floor Conference Room

Additional meetings may be scheduled to accommodate agenda items for the Committee.

Contact: Marilyn Wooding or Tom Fidler, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 783-7816, or e-mail [Wooding.Marilyn@a1.dep.state.pa.us](mailto:Wooding.Marilyn@a1.dep.state.pa.us) or [Fidler.Tom@a1.dep.state.pa.us](mailto:Fidler.Tom@a1.dep.state.pa.us).

### *Coastal Zone Advisory Committee*

The Coastal Zone Advisory Committee will meet in the 10th Floor Conference Room of the Rachel Carson State Office Building at 9:30 a.m. on the following date:

January 15, 1997

Contact: Robert S. Edwards, Bureau of Land and Water Conservation, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-2529, or e-mail [Edwards.Robert@a1.dep.state.pa.us](mailto:Edwards.Robert@a1.dep.state.pa.us).

### *Low-Level Waste Advisory Committee*

The Low-Level Waste Advisory Committee (LLWAC) meetings will be held at 9 a.m. (location to be announced at a later date) on the following dates:

March 14, 1997  
June 13, 1997  
September 12, 1997  
December 12, 1997

Contact: Marianne Hansen, Bureau of Radiation Protection, at (717) 787-2480, or e-mail Hansen.Marianne@a1.dep.state.pa.us.

*Mining and Reclamation Advisory Board*

The Mining and Reclamation Advisory Board meetings will be held in the 6th Floor Conference Room of the Rachel Carson State Office Building on the following dates:

April 24, 1997  
July 3, 1997  
October 23, 1997

Contact: Rod Kelley, Office of Mineral Resources Management, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 783-5338, or e-mail Kelley.Rodney@a1.dep.state.pa.us.

*Pennsylvania Bituminous Mine Safety Advisory Committee*

The Pennsylvania Bituminous Mine Safety Advisory Committee meetings will be held in the Fayette County Health Center in Uniontown at 10 a.m. on the following dates:

April 9, 1997  
July 9, 1997  
October 8, 1997

Contact: Allison Trader, Bureau of Deep Mine Safety, at (412) 439-7469, or e-mail Trader.Allison@a1.dep.state.pa.us.

*Radiation Protection Advisory Committee*

The Radiation Protection Advisory Committee (RPAC) will meet at 9 a.m. (location to be announced at a later date) on the following date:

September 24, 1997

Contact: Marianne Hansen, Bureau of Radiation Protection, at (717) 787-2480, or e-mail Hansen.Marianne@a1.dep.state.pa.us.

*Recycling Fund Advisory Committee—Annual Meeting*

The Recycling Fund Advisory Committee (RFAC) annual meeting will be held in the First Floor Conference Room of the Rachel Carson State Office Building on the following date:

July 10, 1997

Contact: Diana Welker, Bureau of Land Recycling and Waste Management, (717) 787-7381, e-mail Welker.Diana@a1.dep.state.pa.us or Keith Kerns at the same number or through e-mail at Kerns.Keith@a1.dep.state.pa.us.

*Sewage Advisory Committee*

The Sewage Advisory Committee (SAC) meetings will be held in Room G-50 of the Forum Building, Commonwealth and Walnut Streets, at 10 a.m. on the following dates:

March 19, 1997  
November 5, 1997

Contact: Milton Lauch, Bureau of Water Quality Management, at (717) 787-3481, or e-mail Lauch.Milton@a1.dep.state.pa.us.

*Solid Waste Advisory Committee*

The Solid Waste Advisory Committee (SWAC) meetings will be held the second Thursday of every other month; additional meetings may be scheduled to accommodate agenda items for the Committee. All meetings are expected to begin at 10 a.m. and will be held as follows:

January 9, 1997	1st Floor Conference Room, RCSOB, Harrisburg
March 13, 1997	1st Floor Conference Room, RCSOB, Harrisburg
May 8, 1997	1st Floor Conference Room, RCSOB, Harrisburg
July 10, 1997	RECYCLING FUND ADVISORY COMMITTEE 1st Floor Conference Room, RCSOB, Harrisburg
September 11-12, 1997	Kings Gap Environmental Education Center, Carlisle
November 13, 1997	1st Floor Conference Room, RCSOB, Harrisburg

Contact: Rose Prough or Gayle Leader, Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9871, or e-mail Prough.Rose@a1.dep.state.pa.us or Leader.Gayle@a1.dep.state.pa.us.

*Small Business Compliance Advisory Committee*

The Small Business Compliance Advisory Committee meetings will be held in the Delaware Room, 16th Floor of the Rachel Carson State Office Building at 10:30 a.m. on the following dates:

January 22, 1997  
April 23, 1997  
July 23, 1997  
October 22, 1997

Contact: Scott L. Kepner, Bureau of Air Quality, at (717) 787-1663, or e-mail Kepner.Scott@a1.dep.state.pa.us.

*Storage Tank Advisory Committee*

The Storage Tank Advisory Committee meetings will be held in the 10th Floor Conference Room of the Rachel Carson State Office Building from 10 a.m. to 2:30 p.m. on the following dates:

February 4, 1997  
June 12, 1997  
October 7, 1997

Times and location are subject to change. Please verify prior to each meeting.

Contact: Karl Sheaffer, Division of Storage Tanks, at 1 (800) 42-TANKS or (717) 772-5599, or e-mail at Sheaffer.Karl@a1.dep.state.pa.us.

*Technical Assistance Center for Small Water Systems*

The Technical Assistance Center for Small Water Systems meetings will be held in the 10th Floor Conference Room of the Rachel Carson State Office Building at 9:30 a.m. on the following dates:

February 11, 1997  
May 13, 1997  
August 12, 1997  
November 18, 1997

Contact: Donna Green, Bureau of Water Supply and Community Health, at (717) 787-9037, or e-mail Green.Donna@a1.dep.state.pa.us.

*Wetlands Protection Advisory Committee*

The Wetlands Protection Advisory Committee meetings will be held in the First Floor Conference Room of the Rachel Carson State Office Building at 10 a.m. on the following dates:

January 7, 1997  
 March 4, 1997  
 May 6, 1997  
 July 8, 1997  
 September 9, 1997  
 November 5, 1997

Contact: Shirley Rodrock, Bureau of Dams, Waterways and Wetlands, at (717) 787-6827, or e-mail Rodrock.Shirley@a1.dep.state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the individual listed for each board/committee or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

*Citizens Advisory Council to the Department of Environmental Protection*

The Citizens Advisory Council meetings will be held in the Rachel Carson State Office Building at 9 a.m. on the following dates:

January 14, 1997  
 February 11, 1997  
 March 17, 1997  
 April 14, 1997  
 May 19, 1997  
 June 16, 1997  
 July 14, 1997  
 September 15, 1997  
 October 20, 1997  
 November 17, 1997

Contact: Susan Wilson, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, (717) 787-4527, or e-mail Wilson.Susan@a1.dep.state.pa.us.

This schedule and an agenda for each meeting will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Susan Wilson directly or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Council may accommodate their needs.

*Environmental Quality Board*

The Environmental Quality Board (EQB) meetings will be held in the First Floor Conference Room of the Rachel Carson State Office Building. EQB meetings are held the third Tuesday of each month, unless otherwise noted, when agenda items are available for consideration. All 1997 meetings will begin at 10 a.m. on the following dates:

January 21, 1997  
 February 18, 1997  
 March 18, 1997  
 April 15, 1997  
 \*May 21, 1997  
 June 17, 1997  
 July 15, 1997  
 August 19, 1997  
 September 16, 1997  
 October 21, 1997  
 November 18, 1997  
 December 16, 1997

\*Please note the May meeting is scheduled for Wednesday due to Primary Election Day.

Contact: Sharon Freeman, Regulatory Coordinator, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, or e-mail Freeman.Sharon@a1.dep.state.pa.us.

This schedule and an agenda for each meeting will be available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Sharon Freeman directly or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-2018. Filed for public inspection November 29, 1996, 9:00 a.m.]

## Availability of Technical Guidance

### *Governor's Office List*

Once a year on the first Saturday in August, the Governor's Office publishes a list of the non-regulatory guidance documents of all State agencies in the *Pennsylvania Bulletin*. The first publication of this list was in the August 3, 1996 edition of the *Bulletin*.

### *DEP's Technical Guidance Document Inventory*

DEP publishes a list of its technical guidance documents in its Technical Guidance Document Inventory twice a year. The most recent Inventory was published June 1996. This Inventory is also posted on DEP's World Wide Web page. DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of the Inventory once on the DEP home page, persons should choose Public Participation Center/Recently Finalized Regulations and Legislation/Technical Guidance Document Inventory (6/12/96).

### *DEP's Technical Guidance Documents on the World Wide Web*

DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of DEP's Technical Guidance Documents once on the DEP home page, persons should choose the Public Participation Center. The Center has several menus; the Technical Guidance menu has links to the Inventory, Draft Technical Guidance Documents, Recently Finalized Technical Guidance Documents and Final Documents on the Web.

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

Persons can order a copy of the latest Inventory or a copy of any of the final documents listed on the Inventory by calling Elwyn Inc. (the printer) at 1 (800) 804-4020 if calling in Pennsylvania or (610) 497-5841 if calling from outside Pennsylvania.

### *Changes to Technical Guidance Documents*

Between publication of its Inventory, DEP announces changes to its technical guidance documents in its weekly newsletter, the *UPDATE* and the *Pennsylvania Bulletin*. Here is the current list of recently finalized documents, draft documents and notices of intended changes to technical guidance.

Persons who have any questions or comments should call Nina Huizinga at (717) 783-8727.

*Final Technical Guidance*

DEP ID: 362-2000-008 Title: Policy for Conducting Technical Reviews of Minor NPDES Renewal Applications Description: This policy outlines a process for accelerating the renewal of National Pollutant Discharge Elimination System (NPDES) permits for minor discharges upon satisfaction of specified criteria. Contact: Lou Bercheni at (717) 787-4317.

*Draft Technical Guidance*

DEP ID: 392-2134-011 Title: Soil Erosion and Sedimentation Control Manual for Agriculture Background: DEP plans to have current guidance for conservation plan development available and compatible with the nutrient management regulations. The program presented the draft manual to the Agricultural Advisory Board on October 23, 1996. A subcommittee of the Board is reviewing the draft. A copy of the current draft is on DEP's Web site at the Public Participation Center. Deadline for Submittal of comments: December 31, 1996 Contact: John J. Mank at (717) 783-7577.

*Notice of Intent to Develop—New Technical Guidance*

Title: Mining/Blasting near Utilities and Pipelines Background: This guidance establishes permitting procedures and safety guidelines which coal mine operators should follow to insure utility line protection from the affects of blasting. These guidelines are also intended to facilitate communication between operators and utility owners so that mining applications can be processed in a timely manner. Anticipated Effective Date: January 1, 1997 Anticipated Draft Development Date: October 30, 1996 Proposed Development and Review Process: We intend to involve the International Society of Explosive Engineers, the PA Coal Association and the PA Utility Contractors Association in the review of this document. Contact: Michael J. Getto at (717) 787-7846.

Title: Coal Refuse Disposal—Site Selection and Development Background: The Department is proposing to develop an official guidance explaining the way in which it applies the site selection and development requirements mandated by Act 114 of 1994. The Department has an existing guidance document which it developed in 1995 to serve this purpose; however, that document includes provisions which should be changed to address the recommendations for district office staff, program counsel and OSM. Anticipated Effective Date: March 1, 1997 Anticipated Draft Development Date: December 15, 1996 Proposed Development and Review Process: Plans are to draft the guidance internally with assistance from district mining staff and program counsel. The draft will be circulated among district offices, program counsel, the Policy Office, the PA Coal Association, the PA Anthracite Council, the Fish and Boat Commission, the Game Commission, the U. S. Fish and Wildlife Service, EPA and OSM. Contact: Harold Miller at (717) 783-8845.

*Notice of Intent to Revise Technical Guidance—Revisions to Existing Guidance*

DEP ID: 550-2100-003 Title: Technical Services Manual Background: DEP staff use this policy and procedures manual to review applications and issue permits for drilling and operating oil and gas wells, as well as considering other related permits and approvals. This is a bulky document containing procedures, forms, instructions, sample letters, as well as policy. The program plans to condense and rewrite the manual so that it contains only the policy or discretionary practice relating to the subject matter and to retitle it as "Policy Guidance on Oil

and Gas Well Permits and Related Permits and Approvals." The excised material (administrative procedures, forms and instructions, sample letters, and the like) will be placed in a staff procedural manual not listed on DEP's Inventory, but available upon request to the Bureau. Anticipated Effective Date: January 31, 1997 Anticipated Draft Date: November 30, 1996 Proposed Development and Review Process: The program plans to distribute the draft document to the program's standard distribution list and any party that requests a copy. Then, the program will consider the comments, revise the text and distribute the final version. Contact: Frank Bialas at (717) 772-0220.

DEP ID: 560-0700-304 Title: Surface Mine Review Background: This document establishes criteria for review of Surface Mine Applications on "High Quality Waters." The regulations for protection of special protection watersheds (High Quality and Exceptional Value) are being proposed for change by BWQM based on a Federal court order. Anticipated Effective Date: October 1997 (based upon effective date of the regulation change) Anticipated Draft Development Date: March 31, 1997 Proposed Development and Review Process: Plans are to draft the guidance internally with assistance from district mining staff and program counsel. The draft will be circulated to district offices, program counsel, the Policy Office, the PA Coal Association, the PA Anthracite Council, the PA Aggregates and Concrete Association and citizens groups. Contact: Thomas L. Whitcomb at (717) 783-8845.

DEP ID: 563-0300-101. Title: Engineering Manual for Coal Background: The engineering manual was published in July 1990 and explains areas of the coal mining activity permit applications that involve engineering technical review (for example, erosion and sediment control plans, water treatment plans). The manual is intended to be used by consultants, mine operators and Department personnel. Recent regulatory changes within 25 Pa. Code Chapter 86-90 require that the manual be updated. Anticipated Effective Date: July 1997 Anticipated Draft Development Date: February 1997 Proposed Development and Review Process: The Bureaus of Mining and Reclamation and District Mining Operations will develop a revised draft manual. A draft document will be presented to the Pennsylvania Mining Professionals, the Pennsylvania Coal Association and the Pennsylvania Anthracite Council and the public for review and comment. Contact: Alfred Dalberto at (717) 783-8845.

DEP ID: 563-2000-207 BMR PGM: II:2:7 Title: Application Review, Valid Existing Rights Background: This guidance concerns "valid existing rights," for example: the right of a mine operator to conduct operations in an otherwise restricted area. The guidance will need to be changed as a result of a pending regulation which will change the definition of the term "valid existing rights" to conform to the definition in Federal counterpart regulations. Anticipated Effective Date: December 1, 1997 Anticipated Draft Development Date: October 1, 1997 Proposed Development and Review Process: Plans are to draft a revised guidance with assistance from district mining staff and program counsel. The extent to which the draft is circulated outside the Department will depend on the source and nature of comments received during the rule change. Contact: Milton McCommons at (717) 787-4761.

DEP ID: 563-2000-208 BMR PGM: II:2:8 Title: Application Review, Right of Entry Background: This document establishes criteria for right of entry for mining operations. The coal regulations relating to right of entry are

being proposed for change under the Department's Regulatory Basics Initiative. Also, case law regarding use of deeds of severance for demonstrating right of entry warrant changes to this guidance. Anticipated Effective Date: November 1997 (based upon effective date of regulation change) Anticipated Draft Development Date: August 29, 1997 Proposed Development and Review Process: Plans are to draft the guidance internally with assistance from district mining staff and program counsel. The draft will be circulated to district offices, program counsel, Policy Office, PA Coal Association, PA Anthracite Council, PA Aggregates and Concrete Association and citizens groups. Contact: Thomas L. Whitcomb at (717) 783-8845.

DEP ID: 563-2000-602 BMR PGM: II:6:2 Title: Sewage Sludge Utilization for Reclamation of Active Surface Mines and Coal Refuse Disposal Operations Background: The Department encourages the use of sewage sludge of acceptable quality as a soil supplement for mine reclamation under the mining program. This policy has been in effect since June 1984. Amendments to the sewage sludge management regulations (25 Pa. Code Chapter 271) were approved by the EQB as final rulemaking on October 15, 1996 (will be effective upon publication in the *Pennsylvania Bulletin*). These amendments will require changes in this guidance. Anticipated Effective Date: May 1997 Anticipated Draft Development Date: January 1997 Proposed Development and Review Process: The Bureaus of Mining and Reclamation, District Mining Operations, Land Recycling and Waste Management, and Water Quality Management will be involved in the initial development of this guidance. A draft will be presented to the Pennsylvania Coal Association, Pennsylvania Anthracite Council and the Pennsylvania Mining Professionals and the public for review and comment. Contact: Alfred Dalberto at (717) 783-8845.

DEP ID: 563-2112-604 BMR PGM: II:6:4 Title: Auger Mining Background: This guidance establishes procedures for evaluating proposals for the auger mining of coal. The coal regulations relating to auger mining are being proposed for change under the Department's Regulatory Basics Initiative. The regulation change will require revisions to this guidance. Anticipated Effective Date: November 1997 (based upon anticipated effective date of regulation change) Anticipated Draft Development Date: October 1997 Proposed Development and Review Process: Draft of the revisions to be reviewed by the District Mining Offices and the Office of Chief Counsel. The draft guidance will be reviewed with the Pennsylvania Coal Association, Pennsylvania Mining Professionals, the Mining and Reclamation Advisory Board and the public. Contact: Nevin Strock at (717) 783-8845.

DEP ID: 563-2112-206 BMR PGM: II:2:6 Title: Fly Ash/Bottom Ash Disposal at Active Mine Sites Background: The technical guidance on the beneficial use of coal ash at mining activity sites has been in effect since August 1986. Amendments to the residual waste management regulations (25 Pa. Code Chapter 287) were approved by the EQB as final rulemaking on October 15, 1996 (will be effective upon publication in the *Pennsylvania Bulletin*). These amendments will require changes in this guidance. Anticipated Effective Date: July 1997 Anticipated Draft Development Date: December 1996 Proposed Development and Review Process: The Bureaus of Mining and Reclamation, District Mining Operations, Land Recycling and Waste Management and Abandoned Mine Reclamation will be involved in the initial development of this guidance. A draft will be presented to the Mining and Reclamation Advisory Board, the Pennsylvania

Coal Association, Pennsylvania Anthracite Council, Anthracite Region Independent Power Producers Association, Pennsylvania Electric Association, the Pennsylvania Mining Professionals and the public for review and comment. Contact: Alfred Dalberto at (717) 783-8845.

*Notice of Intent to Rescind Technical Guidance—Bureau of Air Quality*

Persons having questions about any of the Bureau of Air Quality technical guidance documents listed in this section should contact Ralph Scanlan at (717) 787-9702.

DEP ID: 273-4130-002 Title: Chapter 127 Penalty Policy Background: This document included information regarding the provision of penalties for violations of the Air Quality Permit regulations. It is being deleted as a separate document because these procedures were considered with the revised document 273-4130-003 (Civil Penalty Assessment Procedure).

*Notice of Intent to Remove Technical Guidance from the Inventory—Bureau of Radiation Protection*

Persons having questions about any of the Bureau of Radiation Protection technical guidance documents listed in this section should contact Ed Burtsavage at (717) 787-3720.

DEP ID: 292-0400-001 Title: Environmental Radiation Surveillance Manual Background: This document contains important factual information for staff, but it is not a policy document.

DEP ID: 291-2308-001 Title: X-Ray Machine Registration and Radioactive Material Licensing Procedures Background: These materials are only forms and instructions to complete the forms, rather than policies.

DEP ID: 294-0400-001 Title: Radon Division's Policy and Procedures and DEP ID: 294-3500-001 Title: Radon Certification Inspection Background: These documents have been revised and replaced by DEP ID: 294-2309-001.

*Notice of Intent to Rescind Technical Guidance—Bureau of Water Supply and Community Health*

Persons having questions about any of the Bureau of Water Supply and Community Health technical guidance documents listed in this section should contact Donna Pollinger at (717) 787-5017.

DEP ID: 382-2130-010 Title: Emergency Permits Background: This document was rescinded as a part of the Bureau's review of all its technical guidance.

DEP ID: 382-2130-011 Title: Memorandum of Understanding—Act 537/Water Allocation Permits Background: This document dates from a time prior to the decentralization of the Water Allocation Program. This MOU is no longer adhered to by regional program staff and has been replaced by standard permit coordination procedures currently in place in the regional offices.

*Notice of Intent to Rescind Technical Guidance—Bureau of Water Quality Management*

Persons having questions about any of the Bureau of Water Quality Management technical guidance documents listed in this section should contact Lou Bercheni at (717) 787-4317.

DEP ID: 360-0700-001 Title: Cooperation with Other Agencies Background: This document is obsolete. Deleting it will have no impact on the program.

DEP ID: 360-0700-002 Title: Correspondence Covering County Health Departments Background: This document

is obsolete. Deleting it will have no impact on the program.

DEP ID: 360-0900-001 Title: Initiating, Reviewing and Adopting Policies and Procedures Background: This document is obsolete and redundant. It has been superseded by DEP's policy on "Development, Approval and Distribution of New Regulations and Technical Guidance Documents." Its rescission will have no program impact.

DEP ID: 361-3200-001 Title: Stream Surveys Background: This document will be replaced by a standardized biological field collection document. Its rescission will have no program impact.

DEP ID: 361-3200-012 Title: Total maximum Daily Load/Waste Load Allocation Toxins Survey Background: This document is outdated. It has not been used for several years. Its rescission will have no program impact.

DEP ID: 363-0900-008 Title: Change of Tank Ownership Registration Procedures Background: The information in this document is being incorporated into the Division of Storage Tanks administrative procedures.

DEP ID: 363-0900-010 Title: Sump Tanks Background: This guidance has been incorporated into the proposed Certification Regulations (Chapter 245).

DEP ID: 363-0900-013 Title: Tank Tightness Testing—UST System Background: This guidance has been incorporated into the proposed Certification Regulations (Chapter 245).

DEP ID: 363-0700-001 Title: Regulatory Review Process, Interaction with SAC Background: This document is obsolete and redundant.

The Federal construction grants program is scheduled to phase out and terminate by September 30, 1998. All related documents listed here will be obsolete upon termination of the program. Therefore the rescission date for all of these documents is 9/30/98.

DEP ID	Title
364-5510-001	Processing Change Orders
364-5510-002	Construction Grants I/I Analysis and SSES
364-5510-003	Changes in Project Scope for EPA Construction Grants Projects
364-5510-004	Preparation of Federal Grant Agreement/Amendment Documents
364-5510-005	A/E Contracts Subagreements Review
364-5510-006	Operations/Maintenance/Management in the Construction Grants Program
364-5510-007	Construction Grant Payment Review and Outlay Management Procedures
364-5510-008	Force Account Review
364-5510-009	Federal Grants Project Close-out
364-5510-010	Management of Construction Grant Funds
364-5510-011	Wage Rates
364-5510-012	Approving Grant Increases

DEP ID: 364-3110-001 Title: STP Operation during Modification Background: This document will be included in the Domestic Wastewater Facilities Manual, which is a bureau publication. It will be deleted as a separate document once the Manual has been revised (anticipated date March 1, 1997).

DEP ID: 364-3110-002 Title: Mercury Seals for Tricking Filters and Comminutors Background: This document will be included in the Domestic Wastewater Facilities Manual. It will be deleted as a separate document once the Manual has been revised (anticipated date March 1, 1997).

DEP ID: 364-2206-006 Title: Act 537 Plan Review—Acceptance of Complete Plan Background: This document is obsolete. Its rescission will have no program impact.

*Notice of Intent to Rescind Technical Guidance—Bureau of Land and Water Conservation*

Persons having questions about any of the Bureau of Land and Water Conservation technical guidance documents listed in this section should contact Pat Marrocco at (717) 787-5267.

DEP ID: 394-2000-017 Title: Coastal Programs Federal Consistency Review Procedures Background: This document does not meet the definition of a guidance document and should be rescinded.

*Notice of Intent to Rescind Technical Guidance—Bureau of Mining and Reclamation*

Persons having questions about any of the Bureau of Mining and Reclamation technical guidance documents listed in this section should contact Dottie Shellehamer at (717) 787-5103.

DEP ID: 560-0700-305 BMR PGM ID: Section II, Part 3, Subpart 5 Title: PHMC Noncoal Coordination Background: This guidance concerns coordination with PHMC regarding industrial mineral (Noncoal) permit applications. Appropriate provisions will be incorporated into Guidance Document No. 560-0700-301 titled, Coordination with the PHMC, which is being revised. There will be no impact on the operation of the program.

DEP ID: 561-2000-711 BMR PGM ID: Section V, Part 700, Subpart 711 Title: General Information, Municipal Mining Background: Much of the guidance in the document has been superseded by an existing program guidance titled Noncommercial Exemption from Requirements of the Noncoal SMCRA (563-2111-101). The remaining guidance is already addressed in another program guidance.

DEP ID: 562-2112-502 Title: Microfilming of Pre-Blast Surveys Background: This guidance describes how to prepare a pre-blast survey for microfilming. Since the Department no longer prepares surveys for microfilming, there is no longer a need for this document.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 96-2019. Filed for public inspection November 29, 1996, 9:00 a.m.]

### Low-Level Waste Advisory Committee Meeting

The Department of Environmental Protection's Low-Level Waste Advisory Committee (LLWAC) meeting is scheduled for Thursday, December 12, 1996, from 9 a.m.—12 p.m., at the Rachel Carson State Office Building, EQB Room 105, First Floor.

Questions concerning this schedule should be directed to Marianne Hansen at (717) 787-2480 or e-mail at Hansen.Marianne@a1.dep.state.pa.us. The agenda for this meeting will be available through the Public Participation

Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Marianne Hansen directly at (717) 787-2480 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-2020. Filed for public inspection November 29, 1996, 9:00 a.m.]

### Radiation Protection Advisory Committee Meeting

A Radiation Protection Advisory Committee Meeting (RPAC) is scheduled for December 12, 1996, at 9 a.m. in the 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the RPAC meeting should be addressed to Stuart Levin at (717) 787-3720 or e-mail at [levin.stuart@al.dep.state.pa.us](mailto:levin.stuart@al.dep.state.pa.us). The agenda is also available through the Public Participation Center on DEP's World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Stuart Levin directly at (717) 787-3720 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 96-2021. Filed for public inspection November 29, 1996, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Policy Board

The Health Policy Board is scheduled to hold a meeting on December 11, 1996, from 10:30 a.m. to 4 p.m. in room 812 of the Health and Welfare Building, Harrisburg, PA. Prehearing conferences are scheduled from 1 p.m. to 4 p.m. Anyone wishing to attend the meeting or have questions regarding the meeting should contact Donna Culbertson at (717) 783-1410.

For additional information, or for persons with a disability who desire to attend the meetings and require an auxiliary aid, service or other accommodation to do so, contact Donna Culbertson at (717) 783-1410. TDD: (717) 783-6514 or Network/TDD: (8) 717-433-6514.

This meeting is subject to cancellation without notice.

DANIEL F. HOFFMANN, FACHE,  
*Acting Secretary*

[Pa.B. Doc. No. 96-2022. Filed for public inspection November 29, 1996, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Revision to Physician Assistant and Midwife Supervision Requirements; Notice of Rule Change

The Department of Public Welfare announces that effective September 1, 1996, the Department is revising its policy to permit physician assistants and midwives to provide medical services, as allowed by State Law, to Medical Assistance recipients as long as the physician is accessible by telephone or some other means of communication. This Rule Change will be adopted by final rule-making to 55 Pa. Code § 1141.53(f).

This Rule Change will maintain consistency between Medical Assistance regulations and the current practice standards and licensure for physician assistants and midwives. Failure to implement will produce inconsistency for the Medical Assistance Program with current practice standards and licensure.

This Rule Change has been reviewed by the Office of General Counsel and the Office of Attorney General.

This Rule Change is made under the Joint Committee on Documents Resolution 1996-1(3), 26 Pa.B. 2374 and will be in effect for 180 days pending adoption by the Department.

Public comments to this Rule Change can be made by contacting the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users), or may use the Department of Public Welfare TDD by calling (717) 787-3616. Persons who require another alternative should contact Thomas G. Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

#### *Purpose*

The purpose of this notice is to inform providers that the Department revised the supervision requirements for physician assistants and midwives.

#### *Scope*

This notice is applicable to all physicians and midwives enrolled in the Medical Assistance Program.

#### *Background*

Medical Assistance regulation Chapter 1141, Section 1141.53(f) states that a physician assistant and midwife must be under the direct supervision of a physician when providing medical services to a Medical Assistance recipient. Current practice standards and licensure for physician assistants and midwives now permit them to provide medical services to patients as long as the physician is accessible by telephone or some other means of communication.

#### *Discussion*

Since the Medical Assistance Program's policy is not consistent with current practice standards and license for physician assistants and midwives in the Commonwealth, the Department is revising its policy on this requirement to comply with these practice standards and licensure.

Beginning September 1, 1996, physician assistants and midwives will be permitted to provide medical services to Medical Assistant recipients on behalf of a physician without the direct supervision of that physician as long as the physician is accessible at all times by telephone or some other means of communication permitted under current Pennsylvania practice standards and licensure.

*Policy*

Beginning September 1, 1996, the Department will apply 55 Pa. Code Chapter 1141 as follows:

§ 1141.53. Payment conditions for outpatient services.

\* \* \* \* \*

(f) All covered outpatient physicians' services billed to the Department shall be performed by one of the following:

- (i) The physician personally.
- (ii) A registered nurse under the physician's direct supervision.
- (iii) A physician assistant or midwife provided that physician is accessible at all times by telephone or some other means of communication as permitted under current Pennsylvania practice standards and licensure.

\* \* \* \* \*

*Next Step*

The Department will amend the Medical Assistance regulations through the regulatory process.

[Pa.B. Doc. No. 96-2023. Filed for public inspection November 29, 1996, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

**Armstrong, Butler, Clarion, Indiana and  
Jefferson Counties  
Reference No. 08430AG2033**

The Department of Transportation will retain an engineering firm for an open-end contract for environmental studies and engineering services on various projects located in Armstrong, Butler, Clarion, Indiana and Jefferson Counties in Engineering District 10-0. The contract will be for a minimum 30 month period with projects assigned on an as-needed basis. The required services may encompass a wide range of environmental and design efforts with the possibility of several different types of projects having short completion schedules. The emphasis of this contract will be on the performance of environmental studies. The anticipated types of projects may include, but are not limited to, air quality; surface water and groundwater hydrology; terrestrial ecology; wetlands; soils; geology; farmland; visual quality; socio-economic; cultural; Section 4(f) and Section 106 documents; threatened and endangered species including the services of a qualified malacologist; hazardous waste investigations and public involvement coordination. The maximum amount of the open-end contract will be a minimum of \$750,000.

The Department will establish an order of ranking of a minimum of three firms for the purpose of negotiating an

open-end contract based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

- a. Specialized experience related to environmental studies.
- b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on open-end contracts. The specific experience of individuals who constitute the firms shall be considered.
- c. Current workload.
- d. Available staffing for this assignment.
- e. Relative size of firm to size of projects that may be completed under this contract.
- f. Location of consultant in respect to the District.

The firm may be required to perform any or all of the following environmental studies: air quality; surface water and groundwater hydrology; terrestrial ecology; wetlands; soils; geology; farmland; visual quality; socio-economic; cultural; Section 4(f) and Section 106 documents; threatened and endangered species including the services of a qualified malacologist; hazardous waste investigations; public involvement coordination; and other related studies not identified above. The environmental studies will be conducted in accordance with Department policy and accepted analysis techniques and methodologies. The firm may also be required to perform any or all of the following in order to ensure a complete environmental investigation has been performed: provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data; assess impacts; conduct agency and public involvement activities; and prepare reports and design mitigation plans.

The reports and other written graphic material to be prepared may include, but are not limited to, early coordination and scoping correspondence; plans of study; meeting minutes; public meetings and hearing presentations; handouts and displays; technical basis reports; NEPA environmental documents; Section 106 documents; Section 4(f) evaluations; mitigation plans and reports; and wetland and floodplain findings.

The firm may be required to perform any or all of the following engineering services: attend field views and prepare minutes; prepare submissions for field views and safety review meeting; field surveys; plot topography and cross sections; prepare submissions and materials necessary for the Department to prepare the application to Public Utility Commission (PUC) for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during project design; develop erosion control details and narrative; develop right-of-way plans; prepare type, size and location reports; prepare hydraulic report for waterway approval; prepare bridge drawings; traffic control plans and narrative; procure core borings; provide the soil and foundation engineering report; investigate utility and property involvement; prepare and disseminate right of entry letters; prepare prints and information required for a value engineering review; make the necessary investigations



and adjustments to the design as a result of the value engineering review comments; make all necessary contact with railroad officials for any railroad-related cost estimates, permits, insurance, approvals and other required information; collect traffic signal timing and accident data; perform traffic counts and speed delay studies; prepare plans for signal design and implementation of signal interconnections; evaluate alternatives using benefit/cost analysis; document study activities and findings; and prepare construction plans, specifications and estimates.

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

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

Technical questions concerning the requirements for this project should be directed to Tim Jablunovsky, P.E., District 10-0 at (412) 357-2982.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### **General Requirements and Information**

Firms interested in performing any of the above services are invited to submit letters of interest to: Director, Consultant Selection Committee, Room 1118, Transportation and Safety Building, Harrisburg, PA 17120.

A separate letter of interest and required forms must be submitted for each project for which the applicant wishes to be considered. The letter of interest and required forms must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is 4:30 p.m. of the thirteenth day.

If the project advertisement indicates that the Department will retain an engineering firm, letters of interest will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Expressions of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one Joint Venture for the same project advertisement. Also a firm that responds to a project advertisement as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project advertisement. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to

ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof. Proposed DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the goal established, it shall be required to demonstrate its good faith efforts to attain the goal. Failure to meet the goal and to demonstrate good faith efforts may result in being barred from Department contracts in the future.

Responses are encouraged by small engineering firms, disadvantaged business enterprise engineering firms and other engineering firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include in the heading, the firm's Federal Identification Number and the Project Reference Number indicated in the advertisement. The letter of interest must also include the following:

1. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project."

2. Standard Form 254, "Architect-Engineer and Related Services Questionnaire" not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a joint venture and for each subconsultant the firm or joint venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company. Please disregard the statements on Standard Form 255 that indicate a Standard Form 254 is only required if not already on file with the contracting office. The Department does not maintain a file for Standard Form 254 for contracting purposes; therefore, this Form is required for the prime consultant and each subconsultant as stated above.

3. Two copies of the Department's Form D-427 (Rev. 6-89), "Current Workload" for the firm submitting the letter of interest. At least one copy of Form D-427 must remain free and not bound in any way to any other portion of the letter of interest or accompanying documentation. Copies of Form D-427 are available upon request from the above address or by contacting the Department's Consultant Agreement Division at (717) 783-9309.

4. Firms with out-of-State headquarters or corporations not incorporated in Pennsylvania must include with each letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

The Standard Form 255 must be filled out in its entirety including Item No. 6 listing the proposed subconsultants and the type of work or service they will

perform on the project. If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be presently certified by the Department of Transportation, and the name of the firm and the work to be performed must be indicated in Item 6. If a Women Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

The Standard Form 254 must be signed and dated and must be less than 1 year old as of the date of this advertisement. A Standard Form must accompany each letter of interest for the firm submitting the letter of interest, each party to a joint venture, and for each subconsultant shown under Item 6 of the Standard Form 255.

Unless other factors are identified under the individual project reference number, the following factors, listed in their order of importance, will be considered by the Committee during their evaluation of the firms submitting letters of interest:

- a. Specialized experience and technical competence of firm.
- b. Past record of performance with respect to cost control, work quality, and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.
- c. Current workload and capacity of firm to perform the work within the time limitations.
- d. Location of consultant.
- e. Special requirements of the project.
- f. Other factors, if any, specific to the project.

The Department currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on design and miscellaneous projects to 130% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on construction inspection projects to 85.2% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department's limitations will apply to the projects advertised above unless the Department policy is revised prior to the negotiation of an agreement or contract.

The assignment of the above services will be made to one of the firms responding to this notice, but the Committee reserves the right to reject all letters of interest submitted, to cancel the solicitations requested under this notice, and/or to readvertise solicitation for these services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 96-2024. Filed for public inspection November 29, 1996, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

DEP v. Crown Recycling and Recovery, Inc.; EHB  
Doc. No. 92-429-CP-MG

The Department of Environmental Protection (Department) and Defendants, Universal Manufacturing Corporation and Magnetek, Inc., have agreed to a settlement of the above matter, the major provisions of which include:

1. This is a partial settlement of the above matter, which resolves a portion of the Department's claim for reimbursement of response costs incurred at the Crown Industries site;
2. The settlement resolves the liability of two defendants named in the Department's Complaint, Universal Manufacturing Corporation and Magnetek, Inc. (collectively, the Settling Defendant);
3. The agreement requires the Settling Defendant to pay the Department the sum of \$3.15 million dollars, no later than January 31, 1997;
4. The Department will provide the Settling Defendant with a covenant not to sue, the terms of which are more fully set forth in the Partial Consent Adjudication. Additionally, the Department agrees that the Settling Defendant shall be eligible for protection from contribution, to the extent provided by section 113(f)(2) of CERCLA (42 U.S.C.A. § 9613(f)(2)), and section 705(c)(2) of HSCA (35 P. S. § 6020.705(c)(2)).

Copies of the "Partial Consent Adjudication" are in the hands of:

Russell R. Eggert, Esquire, Mayer, Brown & Platt, 190 South LaSalle Street, Chicago, IL 60603;

Dennis M. Abraham, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel—Southeast Regional Counsel, Lee Park, 555 North Lane, Suite 6015, Conshohocken, PA 19428-2233, Telephone: (610) 832-6300;

and at the office of the Environmental Hearing Board and may be reviewed by any interested party on request during normal business hours.

Persons who are aggrieved by the above settlement may have the right of an appeal to the Environmental Hearing Board, Rachel Carson State Office Building, Second Floor, 400 Market Street, Harrisburg, PA 17105.

Appeals must be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this if no objection is timely made.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

GEORGE J. MILLER,  
*Secretary*

[Pa.B. Doc. No. 96-2025. Filed for public inspection November 29, 1996, 9:00 a.m.]

**Republic Engineered Steels, Inc. v. DEP; EHB Doc. No. 96-240-MR**

Republic Engineered Steels, Inc. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility to Beaver Falls, Beaver County.

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

The appeal is filed with the Environmental Hearing 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 1 (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. 96-2026. Filed for public inspection November 29, 1996, 9:00 a.m.]

**HEALTH CARE COST  
CONTAINMENT COUNCIL**

**Invitation to Bid**

The Health Care Cost Containment Council is soliciting bids for qualified vendors for the purpose of satisfying a Data Warehousing Solution. Interested parties are requested to contact the Council Office by writing the Health Care Cost Containment Council, Suite 400, 225 Market Street, Harrisburg, PA 17101; or by calling (717) 232-6787 for copies of the Request for Proposal. Bids are due to the Council no later than 5 p.m. on December 30, 1996.

ERNEST J. SESSA,  
*Executive Director*

[Pa.B. Doc. No. 96-2027. Filed for public inspection November 29, 1996, 9:00 a.m.]

**Meeting Notice**

The following meeting of the Health Care Cost Containment Council has been scheduled: Wednesday, December 4, 1996, Data Systems Committee, 1:30 p.m. The meeting will be held at the Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101. The meeting is open to the public. Persons who need accommodation due to a disability and want to attend the meeting should contact Cherie Kauffman, 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.

ERNEST J. SESSA,  
*Executive Director*

[Pa.B. Doc. No. 96-2028. Filed for public inspection November 29, 1996, 9:00 a.m.]

**INDEPENDENT  
REGULATORY REVIEW  
COMMISSION**

**Notice of Filing of Final Form Rulemakings**

<i>Regulation No.</i>	<i>Agency/Title</i>	<i>Received</i>
18-322	Department of Transportation Minimum Standards for Fixed Base Operations	11/14/96

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 96-2029. Filed for public inspection November 29, 1996, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application and Request for a Certificate of Authority**

Penn-Star Insurance Company has applied for a Certificate of Authority to operate as a stock casualty insurance company in Pennsylvania. The initial filing was received on November 12, 1995 and was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. Section 1 *et seq.* Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving this Certificate of Authority are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-2030. Filed for public inspection November 29, 1996, 9:00 a.m.]

**Application and Request for Plan Approval of a Merger**

The Green Tree Insurance Company, a Pennsylvania domiciled stock casualty insurance company, has submit-

ted a Plan of Merger, whereby it proposes to merge with Pennsylvania Patriot Insurance Company, a Pennsylvania domiciled stock casualty insurance company. The survivor will be The Green Tree Insurance Company. The initial filing was received on November 12, 1996, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932 and 21205—21207 and 40 P. S. § 991.1402. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving of this merger are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the author, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-2031. Filed for public inspection November 29, 1996, 9:00 a.m.]

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

The following insureds have requested a hearing, as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

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

Appeal of Robert C. Hinckle; file no. 96-265-36041; Keystone Insurance Company; doc. no. PH96-11-010; January 22, 1997, at 9 a.m.;

Appeal of Gail B. Fisher; file no. 96-265-36230; Keystone Insurance Company; doc. no. PH96-11-009; January 22, 1997, at 10 a.m.;

Appeal of Lorraine S. Cromwell; file no. 96-265-36183; Keystone Insurance Company; doc. no. PH96-11-006; January 22, 1997, at 11 a.m.;

Appeal of Virginia D. Rogers; file no. 96-265-35937; Keystone Insurance Company; doc. no. PH96-11-005; January 22, 1997, at 1 p.m.;

Appeal of Henry W. and Annie Allen; file no. 96-265-35803; Keystone Insurance Company; doc. no. PH96-11-026; January 22, 1997, at 2 p.m.;

Appeal of Dennis J. Butler; file no. 96-264-36737; Nationwide Mutual Insurance Company; doc. no. PH96-11-003; January 23, 1997, at 11 a.m.;

Appeal of Wayne O. King; file no. 96-121-06794; State Farm Mutual Automobile Insurance; doc. no. P96-11-018; January 28, 1997, at 9 a.m.;

Appeal of Harry Raub; file no. 96-121-06462; State Farm Mutual Automobile Insurance; doc. no. P96-11-015; January 28, 1997, at 10 a.m.;

Appeal of Albert B., Sr. and Kathleen J. Cassidy; file no. 96-265-36136; State Farm Mutual Automobile Insurance; doc. no. PH96-11-011; January 28, 1997, at 1 p.m.;

Appeal of Briann Tate; file no. 96-223-36454; Providian Auto and Home Insurance Company; doc. no. PH96-11-004; January 29, 1997, at 9 a.m.;

Appeal of Ellis R. Frantz; file no. 96-304-72757; Erie Insurance Company; doc. no. PI96-11-007; January 29, 1997, at 10 a.m.;

Appeal of Kirk and Helen Newsome; file no. 96-124-06157; Maryland Casualty Company; doc. no. P96-11-013; January 29, 1997, at 11 a.m.;

Appeal of Daniel L. Szolek; file no. 96-121-06468; Goodville Mutual; doc. no. P96-11-016; February 4, 1997, at 9 a.m.;

Appeal of William B. and Kathryn M. Yedesko; file no. 96-121-06594; The First Liberty Insurance Company; doc. no. P96-11-017; February 4, 1997, at 10 a.m.;

Appeal of Brenda J. Houser; file no. 96-264-36422; State Farm Mutual Auto Insurance Company; doc. no. PH96-11-012; February 11, 1997, at 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is 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) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-2032. Filed for public inspection November 29, 1996, 9:00 a.m.]

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

The following insurers have requested a hearing as authorized by section 9(a) of the act of June 5, 1968 (P. L. 140, No. 78) (40 P. S. § 1008.9(a)) in connection with the termination of the insured's automobile policies.

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

Appeal of Donegal Mutual Insurance Company; file no. 96-121-06523; Justin Bradley; doc. no. P96-11-019; January 23, 1997, at 9 a.m.;

Appeal of Donegal Mutual Insurance Company; file no. 96-183-06834; John F. Moeslein; doc. no. P96-11-020; January 23, 1997, at 10 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P.S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is 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) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-2033. Filed for public inspection November 29, 1996, 9:00 a.m.]

### Review Procedure Hearings under The Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P.S. § 1171.8) in connection with their company's termination of the insured's policies.

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

Appeal of Robert and Christine Crispino; file no. 96-265-36390; CIGNA Property & Casualty; doc. no. PH96-11-008; February 4, 1997, at 9 a.m.;

Appeal of Edward and Deborah Benkoski; file no. 96-121-06363; State Auto Insurance Company; doc. no. P96-11-021; February 5, 1997, at 9 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P.S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is 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) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-2034. Filed for public inspection November 29, 1996, 9:00 a.m.]

### Timetable for Submission of Petitions to Intervene

The Court of Common Pleas of Lancaster County, Pennsylvania recently issued a decision transferring the three listed cases to the Insurance Commissioner for determining the issue "whether the approved premiums for single automobile insurance policies issued by the . . . defendants wrongfully includes a charge for stacking coverage contrary to 75 Pa.C.S.A. § 1738."

By this notice, the Insurance Department establishes the following timetable for the submission of Petitions to Intervene for the following pending cases:

Appeal of Patricia A. Leed  
Company: Donegal Mutual Insurance Company  
Docket: MS96-10-055

Appeal of Edwin Ross, Jr.  
Company: Nationwide Mutual Insurance Company,  
Nationwide Property and Casualty Insurance Company,  
Nationwide General Insurance Company, and  
Nationwide Mutual Fire Insurance Company  
Docket: MS96-10-055

Appeal of Dorothea E. Fasig  
Company: United States Fidelity & Guaranty Company  
Docket: MS96-10-055

Interested persons must submit a Petition to Intervene, under 1 Pa. Code § 35.27 *et seq.* on or before December 6, 1996. If intervention is granted, a hearing is scheduled for the week of January 27, 1997 through January 31, 1997 beginning at 9 a.m. each day in the Administrative Hearing Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Interested persons are reminded of the need to serve all parties with any document which is filed with the Administrative Hearings Office. Copies of pertinent docket material relating to the referenced cases may be obtained from Karen De Como, Clerk at the above address, telephone (717) 783-2126.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 96-2035. Filed for public inspection November 29, 1996, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Application of Borough of Addison; Doc. No. A-0010330, A-0010819

*Commissioners Present:* John M. Quain, Chairperson;  
Lisa Crutchfield, Vice Chairperson; John Hanger; David  
W. Rolka; Robert K. Bloom

Public meeting held  
November 14, 1996

### Tentative Order

By letter dated October 3, 1996, the Addison Area Water Authority informed the Commission that it was incorporated on March 7, 1986 and that it thereafter assumed the PUC-certificated operations of the Borough of Addison, certificated to public service under the application docket numbers of A-0010330 and A-0010819.

To the best of this Commission's knowledge, all jurisdictional service has been abandoned by the Borough. Consequently, absent any contrary responses from concerned parties, this Commission will cancel the certificates issued to Addison. *Therefore,*

#### *It Is Ordered That:*

1. The certificates of public convenience issued to the Borough of Addison will be deemed abandoned if no response objecting to such action is received by this Commission within 20 days of the publication date of this order in the *Pennsylvania Bulletin*.

2. A copy of this order shall be served upon the Borough of Addison at its last known address and on the Addison Area Water Authority, Sharon Mason, Secretary, Box 13, Addison, PA 15411.

3. The Secretary shall certify this Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. If no objection to this order is filed with the Commission within 20 days of the publication date in the *Pennsylvania Bulletin*, this order shall become final, and the Office of Prothonotary of the Commission is hereby directed to cancel the certificates of public convenience of Addison Borough.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-2036. Filed for public inspection November 29, 1996, 9:00 a.m.]

## Application of Cashtown Water Company; Doc. Number A-210380

*Commissioners Present:* John M. Quain, Chairperson;  
Lisa Crutchfield, Vice Chairperson; John Hanger; David  
W. Rolka; Robert K. Bloom

Public meeting held  
November 14, 1996

### Tentative Order

The Commission has received information that Cashtown Water Company (Cashtown), a certified water utility, has abandoned service. In 1914 Cashtown had a certificate of public convenience from the Public Service

Commission, predecessor to this Commission, to provide water distribution service to the public in Cashtown, Franklin Township, Adams County. As a grandfathered public utility, Cashtown was assigned a utility code number of 210380 by the Commission but never an "A-docket" number normally assigned to utilities holding certificates of public convenience.

The Commission was notified of the abandonment in 1976, but apparently through an oversight, the abandonment was never formally approved by the Commission or the certificate of public convenience cancelled. Subsequently by letter dated June 27, 1995, the Franklin Township Board of Supervisors informed the Commission that Cashtown was purchased on July 23, 1976, by the Franklin Township Board of Supervisors, which in turn leased the company to the Franklin Township Water Authority on August 6, 1976.

To the best of this Commission's knowledge, all jurisdictional service by Cashtown Water Company has been abandoned. Consequently, absent any contrary responses from concerned parties, this Commission will cancel the certificate issued to Cashtown; *Therefore,*

#### *It Is Ordered That:*

1. The certificate of public convenience issued to Cashtown Water Company will be deemed abandoned if no response objecting to this action is received by this Commission within 20 days of the publication date of this order in the *Pennsylvania Bulletin*.

2. A copy of this order shall be served upon Cashtown Water Company at its last known address and on the Franklin Township Board of Supervisors, Franklin Township, Adams County, P. O. Box 309, Cashtown, PA 17310-0309.

3. The Secretary shall certify this Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. If no objection to this order is filed with the Commission within 20 days of the publication date in the *Pennsylvania Bulletin*, this order shall become final, and the Office of the Prothonotary of the Commission is hereby directed to cancel the certificate of public convenience of Cashtown Water Company.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-2037. Filed for public inspection November 29, 1996, 9:00 a.m.]

## Application of Greenfield Springs, Inc.; Doc. No. A-00104430

*Commissioners Present:* John M. Quain, Chairperson;  
Lisa Crutchfield, Vice Chairperson; John Hanger; David  
W. Rolka; Robert K. Bloom

Public meeting held  
November 14, 1996

### Tentative Order

By letter dated June 26, 1995, the Greenfield Township Municipal Authority informed the Commission that Greenfield Springs, Inc. (Greenfield), a certificated water utility, is no longer offering service as a separate entity under the Commission's jurisdiction. On November 22, 1983, Greenfield was granted a certificate of public convenience to provide water service to the public of

Greenfield Township, Blair County. In its letter, the Authority indicated the Greenfield system ceased to operate as a separate utility when the Greenfield Township Municipal Authority was formed in 1991 by constructing a connection among the Ward Industrial Park, Sproul Water Association, and Altoona Enterprises.

To the best of this Commission's knowledge, all jurisdictional service has been abandoned and is now being provided by the non-jurisdictional Greenfield Township Municipal Authority. Consequently, absent any contrary responses from concerned parties, this Commission will cancel the certificate issued to Greenfield. *Therefore,*

*It Is Ordered That:*

1. The certificate of public convenience issued to Greenfield Springs, Inc. at Docket No. A-00104430 will be deemed abandoned if no response objecting to such action is received by this Commission within 20 days of the publication date of this order in the *Pennsylvania Bulletin*.

2. A copy of this order shall be served upon Greenfield Springs, Inc., at its last known address, R. D. 1, Claysburg, PA 16625.

3. A copy of this order shall be served upon the Greenfield Township Municipal Authority, David M. Pozgar, Manager, Greenfield Township, Blair County, R. D. 1, Box 948, Claysburg, PA 16625.

4. The Secretary shall certify this Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

5. If no objection to this order is filed within 20 days of the publication date in the *Pennsylvania Bulletin*, this order shall become final, and the Office of the Prothonotary of the Commission will then cancel the certificate of public convenience of Greenfield Springs, Inc. at Application Docket No. A-00104430.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-2038. Filed for public inspection November 29, 1996, 9:00 a.m.]

### **Application of Winburne Water Company; Doc. No. A-00100590**

*Commissioners Present:* John M. Quain, Chairperson; Lisa Crutchfield, Vice Chairperson; John Hanger; David W. Rolka; Robert K. Bloom

Public meeting held  
November 14, 1996

#### **Tentative Order**

The Commission has received information that Winburne Water Company (Winburne), a jurisdictional water utility, has abandoned service. On November 22, 1997, Winburne was granted a certificate of convenience to provide water distribution service to the public of portions of Clearfield and Centre Counties. According to information available to the Commission, on or about July 1, 1980, the Winburne Water Company was purchased by the Cooper Township Municipal Authority, which is currently operating the Winburne system.

To the best of this Commission's knowledge, all jurisdictional service has been abandoned. Consequently, absent

any contrary responses from concerned parties, the Commission will cancel the certificate issued to Winburne. *Therefore,*

*It Is Ordered That:*

1. The certificate of public convenience issued to Winburne Water Company at Application Docket A-00100590 will be deemed abandoned if no response objecting to this action is received by this Commission within 20 days of the publication date of this order.

2. A copy of this order shall be served upon Winburne Water Company at its last known address, P. O. Box 146, Winburne, PA 16879 and upon counsel for the Cooper Township Municipal Authority, Thomas C. Murcko, Esq., Kirkpatrick, Lockhart, Johnson & Hutchinson, 1500 Oliver Building, Pittsburgh, PA 15222.

3. The Secretary shall certify this Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. If no objection to this order is filed within 20 days of the publication date in the *Pennsylvania Bulletin*, this order shall become final, and the Office of the Prothonotary of the Commission will then cancel the certificate of the Winburne Water Company at Application Docket No. A-00100590.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-2039. Filed for public inspection November 29, 1996, 9:00 a.m.]

### **Rescheduled Hearing**

**C-00967677. Bureau of Transportation and Safety v. CSX Transportation, Incorporated.** The Commission hereby gives notice that the following hearing which has been previously noticed in the *Pennsylvania Bulletin* has been rescheduled as indicated below:

Docket No. C-00967677

Published: 26 Pa.B. 5332 (November 2, 1996)

Rescheduled to: Tuesday, January 28, 1997, at 10 a.m.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-2040. Filed for public inspection November 29, 1996, 9:00 a.m.]

### **Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 30, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.**

**A-00113533. Fayette County Community Action Agency, Inc.** (137 North Beeson Avenue, Uniontown, Fayette County, PA 15401), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, from points in Fayette County to points in the counties of Allegheny, Greene, Washington and Westmoreland and return. *Attorney:* Ernest T. DeHaas, 99 East Main Street, Uniontown, PA 15401.

**A-00113540. William E. Dickey** (R. D. 4, Box 111D, Latrobe, Westmoreland County, PA 15650)—persons in paratransit service, between points in the counties of Armstrong, Cambria, Clarion, Clearfield, Indiana, Jefferson and Somerset, and from points in the said counties to points in Pennsylvania and return, provided that service may be operated only in vehicles with seating capacities of 33 passengers or less, excluding the driver. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

**Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons by transfer of rights as described under each application.**

**A-00106393, Folder 2. A. J. Meyers & Sons, Inc.** (R. D. 1, Route 422 East, Kittanning, Armstrong County, PA 16201), a corporation of the Commonwealth of Pennsylvania—additional right—persons in scheduled route service, between the borough of Zelienople, Butler County, and the city of Pittsburgh, Allegheny County, over the following route: beginning at the intersection of Spring and Main Streets (U. S. Highway Route 19), in the borough of Zelienople, thence south via U. S. Highway Route 19, to its intersection with Freedom Road, thence via Freedom Road to its intersection with Haines School Road, thence via Haines School Road to its intersection with Rochester Road, thence via Rochester Road to its intersection with U. S. Highway Route 19, thence via U. S. Highway Route 19 to its intersection with Interstate Highway Route 79, thence via Interstate Highway Route 79 to its intersection with Pennsylvania Highway Route 65, thence via Pennsylvania Highway Route 65, to the city of Pittsburgh, Allegheny County, thence via various city streets to Three Rivers Stadium, thence from Three Rivers Stadium returning over the same routes to the place of beginning; subject to the following condition: that no right, power or privilege is granted to transport persons between points in the county of Allegheny; which is to be a transfer of the scheduled route right held by Waycak Transit Lines, Inc., under the certificate issued at A-00100504, F. 3, subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

**Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.**

**A-00101537, Folder 1, Am-A. Robert W. Hafenstiner, Jr., t/d/b/a Rupp Auto Livery** (303 32nd Street, Erie, Erie County, PA 16504), inter alia—to transport persons in limousine service, between points in the counties of Erie and Crawford, and from points in said

counties, to points in Pennsylvania and return: *which is to be in lieu of* all of his common carrier authority at A-00101537, Folder 1 which reads as follows: (1) to transport, as a common carrier by motor vehicle, persons attending funerals upon call or demand in the city and county of Erie; (2) to transport, as a common carrier, persons upon request in limousine luxury-type vehicles, between points in the city of Erie, and the townships of Millcreek and Lawrence Park, Erie County; With Right No. 2 above subject to the following conditions: (a) all service shall be limited to that arranged and requested by industrial or business establishments for visitors or employees; (b) that vehicles used shall have a seating capacity not to exceed nine persons; (c) the minimum use of said vehicles shall not be less than 3 hours, and (d) no right, power or privilege is granted to render scheduled limousine (airport transfer) service between Erie International Airport and points in the area herein authorized, and (3) to transport, as a common carrier, persons upon request in limousine luxury-type vehicles, for weddings, between points in the county of Erie; subject to the following conditions: (a) the vehicles used shall have a seating capacity not to exceed nine persons, and (b) the minimum use of said vehicle shall not be less than 3 hours.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-00113539. White Transit School Buses, Inc.** (P. O. Box 1007, 239 Old River Road, Wilkes-Barre, Luzerne County, PA 18702), a corporation of the Commonwealth of Pennsylvania—persons in group and party service, (1) from the cities of Wilkes-Barre, Pittston, Nanticoke, the boroughs of Plymouth, Kingston, Edwardsville, Larksville, Warrior Run, Dorrencton, Ashley, Courtdale, Forty Fort, Wyoming, West Wyoming, Parsons, Exeter, Luzerne, Sugar Notch, Swoyersville, Miners Mills, and the townships of Newport, Hanover, Plains, Hunlock and Plymouth, Luzerne County, to points in Pennsylvania; (2) from the borough of Laflin, West Pittston, Dupont, Avoca, Hughestown and Duryea, and the townships of Jenkins and Pittston, Luzerne County, to points in Pennsylvania beyond 25 miles by the usually traveled highways of the point of origin; which is to be a transfer of part of the rights authorized under the certificate issued at A-00089839, F. 2 to Price Bus Company, Inc., subject to the same limitations and conditions. *Attorney:* Scott A. Gould, P. O. Box 1166, Harrisburg, PA 17108.

**Notice of Motor Carrier applications—  
Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before December 16, 1996.

A-00112741, F. 2 James M. Yurko, t/d/b/a Doc's Equipment Transport  
P. O. Box 1579, Cranberry Township, PA 16066

A-00113534 Keystone Minerals, Inc.  
216C Forest View Heights, Ridgway, PA 15853



- A-00113535 Retail Delivery Service, Inc., t/d/b/a  
RDS Delivery Service  
P. O. Box 14749, 1029 West 7th  
Street, Cincinnati, OH 45203; David  
Bence, P. O. Box 5715, Cincinnati,  
OH 45201-5712
- A-00113536 Motor Freight Express, Inc.  
2215 East Westmoreland Street,  
Philadelphia, PA 19134; James W.  
Patterson, Esquire, One Liberty  
Place, 32nd Floor, 1650 Market  
Street, Philadelphia, PA 19103-1536
- A-00113537 Paul A. Balchun, t/d/b/a  
Balchun Excavating & Trucking  
P. O. Box 1223, 1151 Main Street,  
Pittston, PA 18640
- A-00113551 R & J Hoover, Inc.  
1206 Claremont Road, Carlisle, PA  
17013
- A-00113554 Kermit D. Dennis, t/d/b/a  
K. Dennis Trucking  
25174 Saegertown Street,  
Saegertown, PA 16433
- A-00113549 Mercury Trucking, Inc.  
One Energy Place, Suite 3000,  
Latrobe, PA 15650
- A-00113550 Max S. Mohny, t/d/b/a  
Mohny's Towing  
1224 Wayne Avenue, Indiana, PA  
15701
- A-00100922, F. 4 Selover Transportation, Inc., t/d/b/a  
A.E.F. Selover  
P. O. Box 33, 393 Old Bridge Turn-  
pike, South River, NJ 08882
- A-00113541 Cutler Dairy Products, t/d/b/a  
Cutler Egg Products, Inc.  
612 West Sedgley Avenue, Philadel-  
phia, PA 19140-5599
- A-00113542 Gary L. Brown Trucking, Inc.  
P. O. Box 254, Waterford, PA 16441
- A-00113544 Roger G. Phillips, t/d/b/a  
G & R Enterprise  
544 Old Wilmington Road,  
Coatesville, PA 19320
- A-00113552 Donald R. Carney, t/d/b/a  
Brothers Auto Transport  
P. O. Box 462, Reeders, PA 18352-  
0462

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-2041. Filed for public inspection November 29, 1996, 9:00 a.m.]

**Water Service  
Without Hearing**

**A-210910. Woodloch Pines, Inc. and Fawn Lake Forest Water Company.** Application of Woodloch Pines, Inc., and Fawn Lake Forest Water Company for approval of: 1) Fawn Lake Forest Water Company's right to begin to offer, render, furnish or supply water service to the public in an additional portion of the Township of

Lackawaxen, Pike County, including that now served by Woodloch Pines, Inc., 2) Fawn Lake Forest Water Company's right to begin to offer, render, furnish or supply sewage service to the public in a portion of the Township of Lackawaxen, Pike County, including that now served by Woodloch Pines, Inc., 3) the sale of certain of Woodloch Pines, Inc., facilities and the acquisition thereof by Fawn Lake Forest Water Company, 4) Fawn Lake Forest Water Company's right to record said acquisition and 5) exemption from customer metering.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before December 16, 1996, under 52 Pa. Code (relating to public utilities).

*Attorneys for Applicant:*

D. Mark Thomas, Esquire,  
Patricia Armstrong, Esquire,  
Thomas, Thomas, Armstrong, and Niesen,  
Fawn Lake Forest Water Company,  
212 Locust Street,  
P. O. Box 9500,  
Harrisburg, PA 17108-9500;

Joseph Kameen, Esquire,  
Woodloch Pines, Inc.  
315 West Hartford Street,  
P. O. Box 486,  
Milford, PA 18337.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 96-2042. Filed for public inspection November 29, 1996, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Condensed Balance Sheet and Condensed State- ment of Operations and Accumulated Deficit

#### Condensed Balance Sheet (Unaudited) (\$000)

<i>Assets</i>	
Current assets	\$ 4,713
Restricted assets	5,741
Fixed assets (net)	83,897
Other assets	1,458
<b>Total assets</b>	<b><u>\$95,809</u></b>
<i>Liabilities and Fund Equity</i>	
Current liabilities	\$ 4,560
Long-term liabilities	61,170
<b>Total liabilities</b>	<b><u>65,730</u></b>
Contributed capital	41,332
Accumulated deficit	(11,253)
<b>Total fund equity</b>	<b><u>30,079</u></b>
<b>Total liabilities and fund equity</b>	<b><u>\$95,809</u></b>

**Condensed Statement of Operations and  
Accumulated Deficit  
Year ended June 30, 1996  
(Unaudited)  
(\$000)**

Operating revenues and grants	\$12,825
Operating expenses	(7,930)
Depreciation and amortization	(6,400)
Net interest income/(expense)	<u>(3,212)</u>
Net loss before change in accounting principle	(4,717)
Cumulative effect of change in accounting principle	<u>5,911</u>
Net Income	1,194
Add depreciation that reduces contributed capital	<u>3,122</u>
Decrease in Accumulated Deficit	4,316
Accumulated deficit	
Beginning of year	\$15,569
End of year	<u>\$(11,253)</u>

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 96-2043. Filed for public inspection November 29, 1996, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Harrisburg, PA 17108:

January 8, 1997	Kirk Junker (Service Purchase)	1 p.m.
January 22, 1997	Joseph Greenfield (State Service)	1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01, (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 96-2044. Filed for public inspection November 29, 1996, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Bids

The Turnpike Commission is requesting a sealed bid for: Toll Booth Door Retrofits; Mandatory Pre-Bid Inspection: December 19, 1996 at 10 a.m., assembling at the South Toll 60, M. P. B27.5, Beaver Valley Expressway. Open Date: December 30, 1996 at 11 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Dept., (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-2045. Filed for public inspection November 29, 1996, 9:00 a.m.]

### Request for Bids

The Turnpike Commission is requesting a sealed bid for: 32 Intermediate Four-Door Sedans. Open Date: December 12, 1996 at 11 a.m.

Bids will be received by the Purchasing Manager not later than the time indicated above. Bid proposal Forms and Conditions may be obtained, free of charge, by communicating with the Bid Clerk, Purchasing Dept., (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-2046. Filed for public inspection November 29, 1996, 9:00 a.m.]

### Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Director of Purchases, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

**Contract No. 94-004-FT08.** Structural demolition and/or removal for the Mon/Fayette Expressway in Fayette County, PA.

*Bid Opening Date:* December 19, 1996, 11 a.m.

*Bid Surety:* 5%.

Plans, specifications and contract documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per paper copy set (do not add State tax) by check or U.S.P.S. Money Order (no cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676: Attn: Secretary/Treasurer's Office. No refund will be made for any reason.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

A mandatory prebid site review of the project will be made on December 5, 1996. The inspection party will meet

at Haydowntown Fire Hall, south of Fairchance, PA, just west of Route 857, at 10 a.m., and will proceed to each site under the direction of authorized Commission personnel.

Contact the Director of Purchases for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-2047. Filed for public inspection November 29, 1996, 9:00 a.m.]

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### **Request for Qualifications for Financial Advisor**

The Turnpike Commission is seeking responses to its Request for Qualifications from firms interested in serv-

ing as a Financial Advisor to the Commission on various matters including, but not limited to, cash management, investments, bond issues, banking services and financial analyses.

The Request for Qualifications may be obtained from the Finance and Administration Office, Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676, telephone (717) 939-9551, Extension 2430.

Responses are due by 2 p.m. on Friday, December 20, 1996.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 96-2048. Filed for public inspection November 29, 1996, 9:00 a.m.]

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