

# NOTICES

## COMMISSION ON SENTENCING

### Meeting Notice

The Commission on Sentencing announces the following public meeting, to be held at the Nittany Lion Inn, 200 W. Park Avenue, State College, PA, beginning at 9 a.m., Wednesday, August 18, 1999, Regular Quarterly Commission Meeting.

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 99-1324. Filed for public inspection August 13, 1999, 9:00 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference and public hearing on Wednesday, August 18, 1999. The hearing will be part of the Commission's regular business meeting. Both the conference and business meeting are open to the public and will be held in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

The conference among the Commissioners and staff will begin at 9:30 a.m. and will include discussions of coordinated drought responses and a proposed Commission-Corps of Engineers' drought storage agreement; the *Flowing Toward the Future* report and Governors' Summit; establishment of a watershed council; and the strategy for resolving interstate flow management issues in the Delaware River Basin.

In addition to the subjects summarized as follows which are scheduled for public hearing at the 1 p.m. business meeting, the Commission will also address the following: Minutes of the June 23, 1999 business meeting; announcements; report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; and public dialogue.

The subjects of the hearing will be as follows:

#### *Possible Drought Emergency Action*

The Commission may consider whether current and developing conditions of water supply and demand require drought related actions. The purpose of this hearing is to permit the public to comment on these matters and to make suggestions or recommendations concerning possible Commission actions. The Commission will consider a resolution to ratify and approve the temporary modification of the Trenton flow objective and may also consider possible amendment of Commission Resolution No. 88-22 (Revised) or such other drought related actions as the Commission finds to be necessary.

*Applications for Approval of the Following Projects Under Article 10.3, Article 11 and/or Section 3.8 of the Compact*

1. *Friskies Petcare Division D-84-2 Renewal* 2. An application for the renewal of a groundwater withdrawal project to supply up to 25.92 million gallons (mg)/30 days of water to the applicant's pet food manufacturing facility from Well Nos. 2, 4, 5 and 6. Commission approval on April 26, 1989 was extended to 10 years. The applicant requests that the total withdrawal from all wells remain limited to 25.92 mg/30 days. The project is located in South Whitehall Township, Lehigh County, PA.

2. *City of Newark D-90-110 CP (G) (Amendment No. 1)*. An amendment to revise Doc. No. D-90-110 (G) CP to ratify emergency actions taken by the Executive Director due to drought conditions and to require the preparation and submission of an Integrated Water Resources Supply Plan by the City of Newark in cooperation with other New Castle County public suppliers and the Delaware Department of Natural Resources and Environmental Control. The project is located in Newark, DE.

3. *United Water Delaware D-96-50 CP (Amendment No. 1)*. An amendment to revise Doc. No. D-96-50 CP to ratify emergency actions taken by the Executive Director due to drought conditions and to require the preparation and submission of an Integrated Water Resources Supply Plan by United Water Delaware in cooperation with other New Castle County public suppliers and the Delaware Department of Natural Resources and Environmental Control. The project is located in New Castle County, DE.

4. *Artesian Water Company, Inc. D-97-48 CP*. An application for approval of a groundwater withdrawal project to supply up to 150 mg/30 days of water to the applicant's Southern Distribution System from 14 new and existing wells in nine wellfields, and to limit the withdrawal from all Southern Distribution System wells to 150 mg/30 days. The project is located south of the Chesapeake and Delaware Canal, New Castle County, DE.

5. *Buckingham Township D-98-49 CP*. A project to expand the applicant's existing Furlong sewage treatment lagoon system from 68,000 gallons per day (gpd) to 116,825 gpd. Lagoon treatment capacity will be increased along with associated spray field modifications and expansions to accommodate an increase of spray irrigation discharge. A pump station and force main will convey treated effluent to a storage pond at the Look-A-Way Golf Course for irrigation use and to allow for an alternate stream discharge from the pond to Mill Creek. All facilities are located in Buckingham Township, Bucks County, PA. The project will continue to serve residential development in Buckingham Township.

6. *Bucks County Water & Sewer Authority D-99-13 CP*. An application to rerate the Harvey Avenue sewage treatment plant (STP) from 0.9 million gallons per day (mgd) to 1.2 mgd. Located at the end of Harvey Avenue in Doylestown Borough, Bucks County, PA, the STP will continue to serve Doylestown Township and Doylestown Borough. Following high quality secondary treatment, effluent will continue to discharge to Cooks Run, a tributary of Neshaminy Creek.

7. *Borough of Kennett Square D-99-17 CP*. An application to modify the applicant's existing 1.1 mgd STP by replacing the existing trickling filter system with an

oxidation ditch system designed to treat the same flow. The proposed modification project will also include an ultraviolet light disinfection system and post aeration. The STP is located in Kennett Square Township off Chindler Mill Road approximately 1,500 feet west of the southwest border of the Borough of Kennett Square and will continue to discharge to West Branch Red Clay Creek approximately 3.3 river miles above its confluence with Red Clay Creek.

8. *Saville Rustin Water Company D-99-31 CP.* An application for approval of an increase in groundwater withdrawal from 3.18 mg/30 days of water to 7.5 mg/30 days by providing an additional supply of up to 4.32 mg/30 days of water to the applicant's distribution system from new Well No. 5, and to limit the withdrawal from all wells to 7.5 mg/30 days. The project is located in Lehman Township, Pike County, PA.

9. *TPT Partners, L.P. D-99-41.* An application for approval of a groundwater withdrawal project to supply up to 3.8 mg/30 days of water for irrigation of the applicant's Bellewood Golf Course from new Well Nos. 1 and 2, and to limit the withdrawal from all wells to 3.8 mg/30 days. The project is located in North Coventry Township, Chester County, PA.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact Thomas L. Brand at (609) 883-9500, ext. 221 concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary at (609) 883-9500, ext. 203 prior to the hearing.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who would like to attend the hearing should contact the Secretary at (609) 883-9500, ext. 203 or through the New Jersey Relay Service at (800) 852-7899 (TTY) to discuss how the Commission may accommodate their needs.

ANNE M. ZAMONSKI,  
*Acting Secretary*

[Pa.B. Doc. No. 99-1325. Filed for public inspection August 13, 1999, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Interstate/International Quarantine Order

*Whereas*, Pseudorabies is an infectious disease of swine, cattle, sheep, goats, dogs and cats caused by Herpesvirus suis; and

*Whereas*, Pseudorabies is designated a "Dangerous Transmissible Disease" of animals under the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389), at 3 Pa.C.S. § 2321(a)(30); and

*Whereas*, the Pennsylvania Department of Agriculture (PDA) has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals in order to exclude, contain or eliminate dangerous transmissible diseases; and

*Whereas*, Pseudorabies is of particular concern to the swine production industry, in that infected swine tend to

be smaller, less-healthy animals with a higher incidence of stillbirths and other physical problems; and

*Whereas*, PDA is currently progressing through the State-Federal Pseudorabies Eradication Program, a systematic 5-stage program which will result in the elimination of Pseudorabies among swine in the Commonwealth; and

*Whereas*, the Commonwealth has progressed through Stages I through III of the State-Federal Pseudorabies Eradication Program, and is currently a candidate for "Stage IV" status—with "Stage V" being the final, Pseudorabies-free stage; and

*Whereas*, Pseudorabies exists in other states and other nations, and the transporting of infected swine from these states or nations could spread that disease among swine herds in the Commonwealth and cause the Commonwealth to revert to Stage I, II or III status; and

*Whereas*, there are relatively unintrusive quarantine restrictions PDA can impose in order to prevent Pseudorabies-infected swine from entering the Commonwealth; and

*Whereas*, the Domestic Animal Law allows (at 3 Pa.C.S. § 2329(c)) for the establishment of an Interstate/International Quarantine under the circumstances described above;

*Now, therefore, the Pennsylvania Department of Agriculture*, pursuant to the authority granted it under the Domestic Animal Law and § 1702 of the Administrative Code of 1929 (71 P. S. § 442), orders the establishment of an interstate/international quarantine with respect to the shipment of feeder swine (swine which are not intended for use as breeding animals) into the Commonwealth. The quarantine restrictions are as follows:

1. Feeder swine shall only be allowed to be imported into the Commonwealth if:

a. By direct shipment from a farm of origin or market in a state/area classified as "Stage IV" or "Stage V" in the State-Federal Pseudorabies Eradication Program; or

b. By direct shipment from a farm of origin in a "Stage III" state/area; or

c. By direct shipment from a Pseudorabies qualified negative herd; or

d. By direct shipment from a feeder pig monitored herd in a "Stage II" state/area or from an approved feeder pig market if:

i. The feeder swine enter the Commonwealth on a permit authorizing their delivery to a designated feedlot; and

ii. The feeder swine are restricted to that designated feedlot until they are sent to slaughter.

2. Feeder swine from states or areas that are classified as "Stage I" in the State-Federal Pseudorabies Eradication Program may not be imported in the Commonwealth.

3. Feeder swine imported into the Commonwealth shall be accompanied by a valid health certificate.

4. Feeder swine imported into the Commonwealth shall be individually identified as to the herd of origin by legible tattoo, ear tag or other method approved by PDA.

5. If directed by PDA's Pseudorabies epidemiologist, feeder pigs that are imported from states or areas that are in Stage II or Stage III of the State-Federal

Pseudorabies Eradication Program shall be subject to a post-import test for Pseudorabies 25 to 30 days after arrival. A sufficient number of animals will be randomly selected and tested to provide 95% confidence that infection will be detected if 10% or more of the herd is infected. This Order shall not be construed as limiting PDA's authority to test feeder swine allowed into the Commonwealth under the conditions set forth herein.

6. This Order is effective August 16, 1999, and shall remain in effect until rescinded by subsequent Order.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 99-1326. Filed for public inspection August 13, 1999, 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 August 3, 1999.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
8-1-99	Summit Bancorp, Princeton, New Jersey, and First Valley Corporation, Bethlehem, Pennsylvania, to acquire 100% of the voting shares of Prime Bancorp, Inc., Fort Washington, Pennsylvania	Princeton, NJ	Effective

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-29-99	Aris Trust Company State College Centre County	270 Walker Drive State College Centre County	Approved

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-24-99	Main Street Bank Reading Berks County	313 West Cypress St. Kennett Square Chester County	Opened
7-24-99	Main Street Bank Reading Berks County	1950 Old Philadelphia Pike Greenfield (Lancaster) Lancaster County	Opened
7-26-99	CSB Bank Curwensville Clearfield County	Bucktail Village Route 120 (Bucktail Rd.) St. Marys Elk County	Opened
7-30-99	Sun Bank Selinsgrove Snyder County	2 East Mountain Avenue South Williamsport Lycoming County	Filed
8-2-99	Enterprise Bank Allison Park Allegheny County	Mobile Branch to operate at various locations within Allegheny County and its contiguous counties	Filed

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-3-99	C & G Savings Bank Altoona Blair County	<i>To:</i> 3301 Pleasant Valley Boulevard Altoona Blair County  <i>From:</i> 3331 Pleasant Valley Boulevard Altoona Blair County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-29-99	Patriot Bank Pottstown Montgomery County	1620 Pond Road Allentown Lehigh County	Approved

**SAVINGS ASSOCIATIONS****Absorptions, Mergers and Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-30-99	Cheltenham Hills Savings Association, Abington, and Resolute Savings and Loan Association, Philadelphia Surviving Institution—Cheltenham Hills Savings Association, Abington	Abington	Effective

**CREDIT UNIONS**

No activity.

DAVID E. ZUERN,  
*Secretary*

[Pa.B. Doc. No. 99-1327. Filed for public inspection August 13, 1999, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Eisenhower Postsecondary Grant Application Guidelines for Professional Development Programs to Improve Mathematics and Science Teaching and Learning

Applications from Pennsylvania nonprofit organizations, which have previously conducted successful mathematics and/or science professional development activities, and Pennsylvania institutions of higher education will be accepted for professional development programs specially designed to improve mathematics and science teaching and learning in this Commonwealth. Grant awards will be funded with higher education money authorized by Subchapter II—Dwight D. Eisenhower Professional Development Program—The Improving America's Schools Act of 1994 (P. L. 103-382). Awards are contingent upon receipt of the Federal appropriation for the Dwight D. Eisenhower Professional Development Program. Pennsylvania has approximately \$276,000 available for competition.

Copies of the Eisenhower Postsecondary Grant Application (EPGA) guidelines are available on the Department's web page at <http://www.pde.psu.edu/docs/pde/posteisen.html>. The issuing office, which is the sole point of contact for these guidelines is the Division of Program Services, Bureau of Postsecondary Services, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623; TDD (717) 783-8445.

A preproposal conference is scheduled for Wednesday, September 1, 1999, at 10 a.m. in Heritage Room B, Lobby Level at 333 Market Street, Harrisburg. If special accommodations are required to participate in the preproposal conference, contact the Division of Program Services. Written questions are to be submitted by August 26, 1999, on PDE-4658 which is available on the Department's web page at <http://www.pde.psu.edu/docs/pde/posteisen.html>.

Applications submitted in response to the EPGA guidelines are due in the Division of Program Services no later than 5 p.m., Friday, September 24, 1999.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 99-1328. Filed for public inspection August 13, 1999, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

### APPLICATIONS

#### APPLICATIONS RECEIVED UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards

and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

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

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

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

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

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

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

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

**PA 0057711.** Industrial waste, **Plotts Oil, Inc.**, 462 Main Street, P. O. Box 130, Royersford, PA 19468.

This application is for issuance of an NPDES permit to discharge treated process wastewater from oil-water separator in East Vincent Township, **Chester County**. This is a new discharge to an unnamed tributary to Schuylkill River.

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

The proposed effluent limits for Outfall 001 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons			monitor/report

*Other Requirements:*

1. DMR to DEP
2. Product Contaminated Stormwater Runoff
3. Monitoring and Reporting
4. PPC Plan Requirements
5. Other Wastewaters
6. Definitions

The EPA waiver is in effect.

**PA 0057797.** Sewage, **Gladys L. Amspacher**, 1502 Hilltown Pike, Hilltown, PA 18927.

This application is for issuance of an NPDES permit to discharge treated sewage from the Amspacher residence in Hilltown Township, **Bucks County**. This is a new discharge to unnamed tributary to Neshaminy Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 600 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0057665.** Sewage, **Sun Company, Inc. (R and M)**, Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103.

This application is for issuance of an NPDES permit to discharge treated groundwater from a groundwater remediation system in West Brandywine Township, **Chester County**. This is a new discharge to West Branch Brandywine Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 8,600 gpd and a social or economic justification approval are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Benzene	0.001	0.002	0.0025
Ethylbenzene	monitor/report	monitor/report	
Toluene	monitor/report	monitor/report	
Total Xylene	monitor/report	monitor/report	
Total BETX	0.1	0.2	0.25
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

---

*Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-3666.*

**PA 0100617.** Industrial waste, SIC: 3399, **G K N Sinter Metals, Inc.**, R. R. 2, Box 47, Emporium, PA 15834-9740.

This proposed action is for renewal of an NPDES permit for an existing discharge of noncontact cooling water to West Creek in Emporium Borough, **Cameron County**.

The receiving stream is classified for the following uses: high quality cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001, based on a design flow of 0.03 mgd, are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lb/day)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
Temperature °F					
May 1—15		87			
May 16—31		91			
June 1—15		79			
June 16—30		83			
July 1—31		77			
August 1—31		75			
September 1—15		71			
September 15—30		67			
October 1—15		62			
October 16—31		58			
November 1—15		77			
November 16—30		52			
December 1—April 30		report			
pH	6.0—9.0 at all times				

The EPA waiver is in effect.

**PA 0114138.** SIC: 4952, **Athens Township Sewer Authority**, 379 Pennsylvania Avenue, Sayre, PA 18840-2825.

This proposed action is for renewal of an NPDES permit for an existing discharge of 0.0165 mgd of treated sewage to Chemung River in Athens Township, **Bradford County**.

The receiving stream is classified for the following uses: warm water fishery and 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 assumed downstream potable water supply (PWS) considered during the evaluation is Pennsylvania-New York border located 0.1 river mile downstream on the Chemung River.

The proposed effluent limits for Outfall 001, based on a design flow of 0.0165 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N (5-1 to 10-31)	8	12	16
TRC	1.0		2.3
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
pH	6.0—9.0 at all times		

*Other Conditions:* none

The EPA waiver is in effect.

**PA 0045942.** SIC: 5171, **Coastal Oil New York, Inc.**, front of 5th Street, Bayonne, NY 07002.

This proposed action is for renewal of an NPDES permit for an existing stormwater and oil/water separator discharge to unnamed tributary of West Branch Susquehanna River in Armstrong Township, **Lycoming County**.

The receiving stream is classified for the following uses: warm water fishery and 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 downstream potable water supply (PWS) considered during the evaluation is Pennsylvania-American Water Company located at Milton 25 river miles downstream.

*Outfall 001*

The proposed effluent limits for these stormwater related discharges are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbon		monitor/report	

*Other Conditions:* none

The EPA waiver is in effect.

**PA 0228117.** Sewerage, SIC: 4952, **Mary Leonard**, R. D. 1, Box 215, Grampian, PA 16838.

This proposed action is for issuance of an NPDES permit for a new discharge of treated sewage wastewater to Unnamed Tributary of Bilger Run in Bloom Township, **Clearfield County**.

The receiving stream is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is GUP Generation Corporation located at Shawville.

The proposed effluent limits for Outfall 001, based on a design flow of 0.065 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
TSS	30		60
Ammonia-N (6-1 to 9-30)	2.7		5.4
(10-1 to 5-31)	8		16
Total Cl <sub>2</sub> Residual	0.3		0.6
Fecal Coliforms (5-1 to 9-30)		200 col/100 ml as a geometric mean	
(10-1 to 4-30)		2,000 col/100 ml as a geometric mean	
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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

**PA 0027430.** Sewage, **City of Jeannette Municipal Authority**, P. O. Box 168, Jeannette, PA 15644.

This amendment is for the NPDES permit to discharge treated sewage from the Jeannette Wastewater Treatment Plant in the City of Jeannette, **Westmoreland County**; subsequent to the issuance of the NPDES renewal permit on June 27, 1996, the Authority has removed their chlorine disinfection process and replaced it with ultraviolet disinfection.

The following effluent limitations change is proposed for discharge to the receiving waters, known as Brush Creek, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water Company Becks Run intake.

*Outfall 001:* existing discharge, design flow of 3.3 mgd.

The existing effluent limitations for Total Residual Chlorine will be removed from the permit.

The EPA waiver is not in effect.

**PA 0027626.** Sewage, **Kiski Valley Water Pollution Control Authority**, 1200 Pine Run Road, Leechburg, PA 15656.

This application is for renewal of an NPDES permit to discharge treated sewage from the Kiski Valley Sewage Treatment Plant in Allegheny Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Kiskiminetas River, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Buffalo Township Municipal Authority—Freeport.

*Outfall 001:* existing discharge, design flow of 7 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>	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	40,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.8			2.5
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

**PA 0095991.** Sewage, **Sunshine Estate**, 1526 Independence Avenue, Connellsville, PA 15425.

This application is for renewal and transfer of an NPDES permit to discharge treated sewage from Sunshine Estate Personal Care Home STP in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Opossum Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority, McKeesport Plant on the Youghiogheny River.

*Outfall 001:* existing discharge, design flow of 0.004375 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>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	17			34
(11-1 to 4-30)	monitor and report			
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	6,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0096521.** Sewage, **DCNR—Bureau of State Parks**, P. O. Box 8551, 400 Market Street, Harrisburg, PA 17105-8551.

This application is for renewal of an NPDES permit to discharge treated sewage from Ohio State Park Boaters Change House STP in Stewart Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Meadow Run, which are classified as a high quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the North Fayette County Municipal Authority.

*Outfall 001:* expansion discharge, design flow of 0.01 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>	15			30
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	4.5			9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0097012.** Sewage, **Thomas Gordon, Gordon's Mobile Home Park**, 132 Office Drive, Stoystown, PA 15563.

This application is for renewal of an NPDES permit to discharge treated sewage from Gordon's Mobile Home Park Sewage Treatment Plant in Quemahoning Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Higgins Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Manufacturer's Water Company located on the Quemahoning Reservoir.

*Outfall 001:* existing discharge, design flow of 0.006 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>	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
(1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0110663, Amendment No. 1.** Sewage, **Municipal Authority of the Borough of Cresson**, P. O. Box 75, Cresson, PA 16630-0075.

This application is for amendment of an NPDES permit to discharge treated sewage from the Cresson Sewage Treatment Plant in Cresson Township, **Cambria County**.

The following effluent limitations, effective when the treatment facility is expanded and operational, are proposed for discharge to the receiving waters, known as an unnamed tributary of the Little Conemaugh River (known locally as Laurel Run), which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Waterworks.

*Outfall 001:* expanded discharge, design flow of 1.5 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>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	1.9	2.5		3.5
(11-1 to 4-30)	2.5	3.5		5

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.01			0.04
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Copper		11.5 ug/l	23 ug/l	29 ug/l
Lead		3.2 ug/l	6.4 ug/l	8 ug/l
Zinc		75 ug/l	150 ug/l	188 ug/l
Dichlorobromomethane	0.34 ug/l		0.68 ug/l	0.85 ug/l

The EPA waiver is not in effect.

**PA 0216836.** Sewage, **Mon View Mining Company**, P. O. Box 606, New Eagle, PA 15607.

This application is for renewal of an NPDES permit to discharge treated sewage from Mathies Mine Preparation Plant STP in Union Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Western Pennsylvania Water Company.

*Outfall 013:* existing discharge, design flow of .003 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0101851.** Sewage. **Sisters of the Humility of Mary**, P. O. Box 906, Villa Maria, PA 16155.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Coffee Run in Pulaski Township, **Lawrence County**. This is an existing 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 Beaver Falls Municipal Authority (Eastvale Plant) intake on the Beaver River located in Eastvale, approximately 29 miles below point of discharge.

*Outfall No. 001*

The proposed effluent limits, based on a design flow of 0.02 mgd, are: Interim Limits

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	4.5	9
(11-1 to 4-30)	13	27
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	
Dissolved Oxygen	minimum of 3 mg/l at all times.	
pH	6.0—9.0 at all times	

*Outfall No. 001*

The proposed effluent limits, based on a design flow of 0.03 mgd, are: Final Limits

<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)	5	10
(11-1 to 4-30)	15	30
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0033588.** Sewage. **Country Estates, Inc.**, P. O. Box 91, Brookfield, OH 44403.

This application is for renewal of a Part I NPDES permit to discharge treated sewage to the Unnamed tributary of Lackawannock Creek in Jefferson Township, **Mercer County**. This is a minor discharge.

The receiving water is classified for the following uses: trout stocking 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 Shenango River and Sharpsville Municipal Water Authority at River Mile 32.64 located approximately 18.17 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.015 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
TSS	10	20
Ammonia-Nitrogen (5-1 to 9-30)	3.0	6.0
(10-1 to 4-30)	9.0	18.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0222895.** Sewage, **Stanley J. and Sharon G. Butcher**, 21180 Lindsey Hollow Road, Corry, PA 16407.

This application is for a new NPDES permit to discharge treated sanitary sewage to an unnamed tributary to Winton Run in Concord Township, **Erie County**. This is a new discharge.

The receiving water is classified for cold water fishery, 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 (PWS) considered during the evaluation is the Emlenton Water Co. on the Allegheny River in Emlenton, approximately 100 miles below the point of discharge.

The proposed effluent limits for Outfall 001, based on average design flow of 0.001950 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	20	40
NH <sub>3</sub> -N	6	12
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	1.4	3.3
Fecal Coliform	200/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**DISCHARGE OF CONTROLLED INDUSTRIAL  
WASTE AND SEWERAGE WASTEWATER**

**Applications under the Pennsylvania Clean  
Streams Law**

**(Part II Permits)**

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each commentator 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 Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

**NPDES Permit No. PA0031097.** Sewerage. **Radley Run Sewer Association, Inc.** c/o Radley Run Country Club, 1100 Country Club Road, West Chester, PA 19382, is authorized to discharge from a facility located in Birmingham Township, **Chester County**, to the receiving waters named Radley Run.

**WQM Permit No. 0999421.** Sewerage. **Gladys Amspacher**, 1502 Hilltown Pike, Hilltown, PA 18927. Applicant requests the approval for the construction and operation of a sewage treatment plant to serve the Amspacher residence located in Hilltown Township, **Bucks County**.

**WQM Permit No. 4699421.** Sewerage. **Montgomery County SPCA**, 19 E. Ridge Pike, Conshohocken, PA 19428. Applicant requests the approval for the construction and operation of a spray irrigation system to serve a residential dwelling and animal shelter (SPCA) located in Upper Frederick Township, **Montgomery County**.

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

**A. 4899403. Bethlehem Township Municipal Authority**, 4225 Easton Avenue, Bethlehem, PA 18020. Application to replace two existing pump stations with two new stations, located in Bethlehem Township and the City of Bethlehem, **Northampton County**. Application received in the Regional Office—July 26, 1999.

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

**A. 4291, Amendment No. 2.** Sewerage. **Kiski Area School District**, 200 Poplar Street, Vandergrift, PA 15690-1491. Application for the modification and operation of the existing Bell Elementary School STP located in Bell Township, **Westmoreland County**.

**A. 467S021, Amendment No. 2.** Sewerage. **Masontown Municipal Authority**, 2 Court Street, Masontown, PA 15461-1841. Application for the modification and operation of the existing Big Run STP located in Masontown Borough, **Fayette County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

**A. 467S035, Amendment No. 1.** Sewerage. **Masontown Municipal Authority**, 2 Court Street, Masontown, PA 15461-1841. Application for the modification and operation of the existing Cats Run STP located in Masontown Borough, **Fayette County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

**WQM Permit No. 6599201.** Industrial waste. **Belden and Blake Corporation**, 22811 Titusville Road, Pleasantville, PA. Application to construct and operate an industrial wastewater treatment facility in East Huntingdon Township, **Westmoreland County**. Application received in the Regional Office: July 16, 1999.

**INDIVIDUAL PERMITS  
(PAS)**

**NPDES Individual**

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. 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 office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be 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 office noted above the application.

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

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

**NPDES Permit PAS10-G371.** Stormwater. **EPH Land LLC**, P. O. Box 615, Woodbury, NJ 08096, has applied to discharge stormwater from a construction activity located in East Coventry Township, **Chester County**, to Schuylkill River.

**NPDES Permit PAS10-G372.** Stormwater. **Evelyn Dolan**, 155 King Pen Road, Nottingham, PA 19362, has applied to discharge stormwater from a construction activity located in Elk Township, **Chester County**, to Elk Creek.

**NPDES Permit PAS10-G373.** Stormwater. **Three Tun Developers**, 340 Lancaster Avenue, Frazer, PA 19355, has applied to discharge stormwater from a construction activity located in East Whiteland Township, **Chester County**, to Valley Creek.

**NPDES Permit PAS10-G374.** Stormwater. **Thomas Biedekapp**, 979 Sills Mill Road, Kennett Square, PA 19348, has applied to discharge stormwater from a construction activity located in Penn Township, **Chester County**, to White Clay Creek.

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

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

**NPDES Permit PAS10U117.** Stormwater. **J. G. Petrucci Co., Inc.**, 171 Rt. 1773, Suite 201, Asbury, NJ 08802, has applied to discharge stormwater from a construction activity located in Forks Township, **Northampton County**, to Bushkill Creek.

*Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 657-4707.*

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

**NPDES Permit PAS-10-M026-R.** Stormwater. **Mower Meadows, Inc.**, 52 West King Street, Chambersburg, PA 17225, has applied to discharge stormwater from a construction activity located in Guilford Township, **Franklin County**, to Falling Spring.

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

**NPDES Permit PAS-10-Y022-R.** Stormwater. **J. A. Myers Building & Development, Inc.**, 160 Ram Drive, Hanover, PA 17331, has applied to discharge stormwater from a construction activity located in Hopewell Township, **York County**, to a tributary to Leibs Creek.

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

**NPDES Permit PAS100245.** Stormwater. **Chippewa Township**, 2568 Darlington Road, Beaver Falls, PA 15010, has applied to discharge stormwater from a construction activity located in Chippewa Township, **Beaver County** to the North Fork of Little Beaver Creek.

## SAFE DRINKING WATER

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

*Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6899.*

**A. 6299502.** Public water supply. **North Warren Municipal Authority**, 4 Hospital Drive, North Warren, PA 16365. This proposal involves the construction of a water softening plant at the existing site and a waterline extension to the Warren Mall in North Warren, **Warren County**.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup

standards, or who receives approval of a special industrial area remediation identified under the act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**Madonna Management Property**, Bensalem Township, **Bucks County**. Paul Boni, 226 W. Rittenhouse Square, Philadelphia, PA 19103, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier* on July 20, 1999.

**Tinicum Industrial Park**, Tinicum Township, **Delaware County**. Dean Reed, CBS Corporation, 11 Stanwix Street, Pittsburgh, PA 15222, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons, and groundwater contaminated with pesticides, BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Times* on July 19, 1999.

**Riverfront North Site**, Bristol Borough, **Bucks County**. Michael A. Christie, P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons,

and groundwater contaminated with lead, heavy metals and solvents. The site is located in a special industrial area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on July 14, 1999.

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

**Engelhard Corporation/Mallinckrodt Inc. North Parcel**, City of Erie, **Erie County**, has submitted a Notice of Intent to remediate groundwater and sediment. The site has been found to be contaminated with lead, PCBs, heavy metals, solvents, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide health and site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Erie Times* on July 26, 1999.

## AIR QUALITY

### Notice of Plan Approval and Operating Permit Applications

#### Nonmajor Sources and Modifications

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

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

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

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

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable

requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act and regulations adopted under the act.

### OPERATING PERMITS

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

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.*

**45-399-013: Tobyhanna Army Depot** (11 Hap Arnold Boulevard, Tobyhanna, PA 18466), for operation of a sandblasting system in Coolbaugh Township, **Monroe County**.

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

**01-03002A: Tarmac America, Inc.** (P. O. Box 2016, Norfolk, VA 23501), for operation of an impact crusher and two conveyors controlled by wet suppression located in Oxford Township, **Adams County**. These sources are subject to 40 CFR Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

**01-310-040D: Carmeuse Pennsylvania, Inc.** (P. O. Box 468, Hanover, PA 17331), for operation of three lime kilns controlled by individual scrubbers in Oxford Township, **Adams County**.

**22-03024: BSC Litho, Inc.** (3000 Canby Street, Harrisburg, PA 17105), for operation of two web offset printing presses controlled by a catalytic incinerator in Penbrook Borough, **Dauphin County**.

**22-03025: John M. Shultz Funeral Home** (406 Market Street, Lykens, PA 17048), for operation of a crematory incinerator and afterburner in Lykens Borough, **Dauphin County**.

**36-03084: Lancaster Aluminum Co., Inc.** (Ten Wynfield Drive, Lititz, PA 17543), for operation of a secondary aluminum production facility in Warwick Township, **Lancaster County**.

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

**36-318-015B: Alcoa Inc.** (3000 State Drive, Lebanon, PA 17042), for operation of the No. 95 aluminum coil/foil coating line controlled by a catalytic incinerator in South Lebanon Township, **Lebanon County**.

**67-05024B: Lehigh Portland Cement Co.** (200 Hokes Mill Road, York, PA 17404), for operation of a mill feed conveying system controlled by a fabric filter in West Manchester Township, **York County**.

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

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

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

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

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

**01-05007: Schindler Elevator Corp.** (1200 Biglerville Road, Gettysburg, PA 17325-4449), in Cumberland Township, **Adams County**. The facility manufactures elevators and moving stairways (SIC Code No. 3534). The operations primarily emit volatile organic compounds (VOCs).

**28-05004: Grove U. S. L.L.C.** (P. O. Box 21, Shady Grove, PA 17256), in Antrim Township, **Franklin County**. The facility manufactures mobile hydraulic cranes and manlifts. The major source of emissions at the facility is the surface coating operations which emit volatile organic compounds (VOC) and hazardous air pollutants (HAP).

**36-05027: R. R. Donnelley & Sons Co.** (216 Greenfield Road, Lancaster, PA 17601), in Lancaster City, **Lancaster County**. The facility operates publication printing presses. The major sources of emissions at the facility are the rotogravure and flexographic printing presses that emit volatile organic compounds (VOCs) and hazardous air pollutants (HAPs).

*Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Attn: Mark Wayner, (412) 442-4161.*

**TV-63-00070: Dyno Nobel, Inc.** (1320 Galiffa Drive, Donora, PA 15033), for their Donora Plant in Donora Borough, **Washington County**. The facility's major sources of emissions include two multiple fuel fired boilers rated at 48 MM Btu/hr., nitric acid plant and ammonium nitrate prill tower which emit major quantities of NO<sub>x</sub> and particulate matter, PM-10.

**TV-11-00005: Bar Technologies, Inc. (BARTECH)** (1001 Main Street, Gate 3, Johnstown, PA 15909), for their steel manufacturing facility in Franklin Borough, **Cambria County**. As a result of the potential levels of NO<sub>x</sub>, SO<sub>x</sub> and particulate matter emitted from this facility it is a major stationary source as defined in Title I, Part D of the Clean Air Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

**TV-65-00207: GenCorp, Inc.** (Chambers Avenue, Jeannette, PA 15644), for their vinyl plastic film manufacturing facility in Jeannette, **Westmoreland County**. As a result of the potential levels of VOC emitted from this facility it is a major stationary source as defined in Title I, Part D of the Clean Air Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

**TV-63-00066: Wheeling-Pittsburgh Steel Corp.** (1 Wheeling Pittsburgh Steel Drive, Allenport, PA 15412), for their Allenport Facility in Allenport Borough, **Washington County**. The Allenport facility produces cold finished steel products. The facility's major sources include boilers which emit major quantities of NOx and SOx.

#### PLAN APPROVALS

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

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

**36-05067D: C & D Technologies, Inc.** (82 East Main Street, Leola, PA 17540), for construction of a battery grid caster controlled by a fabric filter at the Leola battery plant in Upper Leacock Township, **Lancaster County**. The caster is subject to 40 CFR Part 60, Subpart KK, Standards for Performance for Lead-Acid Battery Manufacturing Plants.

**67-05026B: DONSCO, Inc.** (P. O. Box 2001, Wrightsville, PA 17368), for construction of a blast cleaning machine controlled by a fabric filter at the foundry in Wrightsville, **York County**.

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

**PA-63-028E: Cerdec Corp.** (P. O. Box 519, Washington, PA 15301), for installation of product packaging station at Drakenfeld Products in Canton Township, **Washington County**.

**PA-03-212A: Parkwood Resources, Inc.** (P. O. Box 552, Somerset, PA 15501), for installation of a coal processing plant at the Parkwood Mine in South Bend Township, **Armstrong County**.

**PA-04-108A: Armstrong World Industries, Inc.** (1018 Eleventh Street, P. O. Box 441, Beaver Falls, PA 15010), for installation of TCD Exhaust at the Beaver Falls Ceiling Plant in Beaver Falls, **Beaver County**.

**PA-04-182A: Great Lakes Terminal & Transportation Corp.** (2601 Route 68, P. O. Box 281, Industry, PA 15052), for installation of Tank 3 and Tank 5 at the Industry Terminal in Industry Borough, **Beaver County**.

**PA-65-706A: Jeannette Specialty Glass** (P. O. Box 99, North Fourth St., Jeannette, PA 15644), for installation of a continuous glass melting tank at the Jeannette Shade & Novelty facility in Jeannette, **Westmoreland County**.

**OP-04-00434: Blackhawk School District** (500 Blackhawk Road, Beaver Falls, PA 15010), for installation of high school facility in South Beaver Township, **Beaver County**.

**PA-30-127A: MonTec Hydraulics LP** (3 Paisley Industrial Park, Carmichaels, PA 15320), for installation of electroplating at the Carmichaels Plant in Cumberland Township, **Greene County**.

**PA-32-055D: EME Homer City Generation Station LP** (1750 Power Plant Road, Homer City, PA 15748), for installation of anhydrous ammonia handling at the Homer City Station in Center Township, **Indiana County**.

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

**PA-37-008A: Ellwood City Forge** (800 Commercial Avenue, Ellwood City, PA 16117), for operation of 11 natural gas fired forge furnaces in Ellwood City, **Lawrence County**.

**PA-33-145A: Huntington Foam Corp.** (11 Industrial Park Drive, Brockway, PA 15824), for installation of a molding press in Brockway, **Jefferson County**.

**PA-42-174C: McKean County Solid Waste Authority/Kness Landfill** (SR 42034 Hutchins Road, Mt. Jewett, PA 16740), for modification to the North Expansion in Sergeant Township, **McKean County**.

**PA-43-312A: Maaco Auto Painting & Body Shop** (2125 Broadway Avenue, Hermitage, PA 16148), for operation of a paint booth (eight automobiles per week) in Hermitage Township, **Mercer County**.

*City of Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104, (215) 823-7584.*

**99079: Metro Machine Corp. of Pennsylvania** (Philadelphia Naval Business Center, Dry Dock No. 2 and No. 3, West 3rd Street, Philadelphia, PA 19112), for repairing, overhauling and painting navy ships in the City of Philadelphia, **Philadelphia County**.

**99060: Philadelphia Condominium** (2401 Pennsylvania Avenue, Philadelphia, PA 19130), for operation of four Cleaver Brooks boilers in the City of Philadelphia, **Philadelphia County**.

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

#### ENCROACHMENTS

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit comments, suggestions or objections within 30 days of the date of this notice as well as questions to the office noted above the application.

**Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the Federal Water Pollution Control Act.**

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

**E09-794.** Encroachment. **Heritage Building Group**, 3326 Old York Road, Furlong, PA 18925. To construct and maintain approximately 53.5-foot span × 6-foot width, pedestrian bridge across Pleasant Spring Creek (TSF) for sidewalk access. The site is located approximately 30 feet upstream of the existing Orchard Road Bridge, and approximately 400 feet southeast of the intersection of Sellersville Road and Orchard Road (Telford, PA Quadrangle N: 17.0 inches; W: 5.5 inches) in Hilltown Township, **Bucks County**.

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

**E01-208.** Encroachment. **Damon Braugher**, 246 Krug Road, Littlestown, PA 17340. To permit an after-the-fact for a relocation of 150 linear feet of an unnamed tributary and Alloway Creek to construct a pond located south of Krug Road approximately 0.75 mile west of Hoffman Horne (Taneytown, PA Quadrangle N: 22.5 inches; W: 4.6 inches) in Mount Joy Township, **Adams County**.

**E01-209.** Encroachment. **Environmentally Safe Products Inc.**, 313 W. Golden Lane, New Oxford, PA 17350. To place fill in 0.02 acre of wetlands for the purpose of building a warehouse addition at a site located west of Hanover Street and south of the western Maryland Railroad (McSherrystown, PA Quadrangle N: 20.25 inches; W: 7.75 inches) in New Oxford Borough, **Adams County**.

**E21-296.** Encroachment. **Susquehanna River Basin Commission**, 1721 North Front Street, Harrisburg, PA 17102. To relocate 830 lineal feet of stream channel and construct a new stream channel using applied fluvial geomorphology techniques. The work activities include the placement of structures in the new stream channel that consist of rock vanes, offset cross rock vanes, cross rock vanes and "J" hook vanes. The design of the new channel is intended to restore the appropriate pattern, profile and dimension in this reach of Mount Rock Spring Creek (WWF). The site is located approximately 5,500 lineal feet downstream of Mount Rock where the stream originates at Mount Rock Spring (Plainfield, PA Quadrangle N: 12.0 inches; W: 8.6 inches) in West Pennsboro Township, **Cumberland County**.

**E36-680.** Encroachment. **PA Department of Transportation**, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove a structurally deficient structure, construct and maintain a single span prestressed concrete spread box beam bridge having a clear span of 22 feet on a 75 degree skew with a minimum underclearance of 8.5 feet across Stoney Run (WWF) on SR 272 Section 012 (Ephrata, PA Quadrangle N: 16.25 inches; W: 17.25 inches) in East Cocalico Township, **Lancaster County**.

**E67-671.** Encroachment. **Harry Fox**, 15 Montego Court, Dillsburg, PA 17019. To construct and maintain a 15 foot wide by 4 foot high box culvert across an unnamed tributary to Bennett Run to access the Stoneybrook Manor residential subdivision located north of Silver Lake Road approximately 1 mile west of the Siddonsburg Road intersection (Lemoyne, PA Quadrangle N: 3.0 inches; W: 0.75 inch) in Fairview Township, **York County**.

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

**E32-405.** Encroachment. **East Mahoning Township**, P. O. Box 164, Route 119 Highway North, Marion Center, PA 15759. To remove the existing structure and to construct and maintain a twin-cell 40-foot long, 4-foot diameter pipe culvert (invert depressed 1 foot) in Pine Run (CWF) located on T-832 approximately 200 feet west of intersection of S. R. 119 and T-832 (Marion Center, PA Quadrangle N: 4.4 inches; W: 8.1 inches) in East Mahoning Township, **Indiana County**.

**E32-406.** Encroachment. **Pine Township**, 1787 Route 403 Highway North, Barnesboro, PA 15714-9034. To remove the existing structure and to construct and maintain a 40-foot long, four 5-foot diameter pipe culvert (invert depressed 1 foot) in Dutch Run (CWF), located on T-585 (Stiles Station Road) at a point approximately 4,000 feet east of the intersection of S. R. 1013 and T-585 (Colver, PA Quadrangle N: 16.5 inches; W: 16.9 inches) in Pine Township, **Indiana County**.

**E63-471.** Encroachment. **Steve T. Cox**, R. D. 2, Monongahela, PA 15063. To place and maintain fill in a de minimis area of wetlands (PEM) equal to 0.05 acre for the purpose of constructing an access for livestock. The project is located in the headwaters of a tributary to Taylors Run (WWF) approximately 1 mile from its confluence with Pigeon Creek.

**E63-472.** Encroachment. **Raymond H. Patterson**, 71 Patterson Road, Eighty-Four, PA 15330. To construct and maintain a 72-inch diameter corrugated metal pipe and two parallel 24-inch diameter overflow pipes in a tributary to Mingo Creek (HQ-WWF) for the purpose of providing access for farm equipment. The project is located along Patterson Road approximately 3,000 feet north of Mingo Creek Road.

**E65-719.** Encroachment. **DeNunzio Properties, Incorporated**, P. O. Box 74, Jeannette, PA 15644. To construct and maintain three single span pedestrian bridges having normal spans of 27.5 feet, 23.5 feet and 31.0 feet and underclearances of 3.7 feet, 3.9 feet and 4.1 feet respectively across Zeller's Run (WWF) for the purpose of providing access from Laurel Village Apartments to garage units located between Weaver and Rugh Streets (Greensburg, PA Quadrangle N: 7.0 inches; W: 7.10 inches) in the Borough of Southwest Greensburg, **Westmoreland County**.

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

**E10-305.** Encroachment. **Penreco**, 138 Petrolia St., Karns City, PA 16041. To install and maintain two 2-inch aerial pipelines on an existing support structure and to modify and maintain the existing support structure at the Bender Unit Area across the south Branch Bear Creek within the existing Karns City Penreco refinery (Chicora, PA Quadrangle N: 22.3 inches; W: 13.8 inches) located in Karns City Borough, **Butler County**.

**E42-265.** Encroachment. **University of Pittsburgh Bradford**, 300 Campus Drive, Bradford, PA 16701-2898. To construct and maintain a two-story addition to the existing Tom L. McDowell Sports Center measuring approximately 115 feet long by 275 feet wide, a 200-space parking lot measuring approximately 320 feet long by 280 feet wide, a stormwater detention basin measuring approximately 250 feet long by 100 feet wide and appurtenances within the 100-year floodway and floodplain of West Branch Tunungwant Creek along Campus Drive

downstream of Dorothy Lane (Bradford, PA Quadrangle N: 13.0 inches; W: 0 inch) in Bradford Township, **McKean County**.

**E42-266.** Encroachment. **Alfred and Anneke Nuzzo**, 1159 W. Washington St., Bradford, PA 16701. To replace the superstructure and maintain the bridge having a clear span of 19 feet and a minimum underclearance of 3.7 feet across Marilla Brook (HQ-CWF) on a private roadway extending south from SR-346 (West Washington Street) at 1159 West Washington Street (Bradford, PA-NY Quadrangle N: 14.2 inches; W: 14.1 inches) in Bradford Township, **McKean County**.

#### ENVIRONMENTAL ASSESSMENT

**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.**

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

**D32-043EA.** Environmental Assessment. **GPU Energy** (Gateway Building, 201 Penn Street, Suite 300, P. O. Box 16001, Reading, PA 19640-0002). To breach and remove the Findley Run Reservoir Dam across Findley Run (HQ-CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 5,400 feet east of the intersection of S. R. 711 and S. R. 403 (Vintondale, PA Quadrangle N: 8.45 inches; W: 13.65 inches) in East Wheatfield Townships, **Indiana County**.

**D46-017EA.** Environmental Assessment. **Greater Pottstown Watershed Alliance** (P. O. Box 133, Pottstown, PA 19464). To breach and remove an abandoned dam across Manatawny Creek (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1,500 feet upstream of the confluence of Manatawny Creek with the Schuylkill River (Pottstown, PA Quadrangle N: 22.0 inches; W: 4.4 inches) in Pottstown Borough, **Montgomery County**.

#### ACTIONS

### FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

#### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

##### (Part I Permits)

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania

Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

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

**Permit No. PA 0010294, Amendment 1.** Industrial waste. **AMP Corporated (AMP Williamstown)**, P. O. Box 3608, Harrisburg, PA 17105, is authorized to discharge from a facility located in Williamstown Borough, **Dauphin County** to the receiving waters named Wiconisco Creek.

**Permit No. PA 0083305, Amendment 1.** Industrial waste. **AMP Incorporated (Brodbecks Facility)**, P. O. Box 3608, Harrisburg, PA 17105, is authorized to discharge from a facility located in Codorus Township, **York County** to the receiving waters named Krebs Valley Run.

**Permit No. PA 0083089, Amendment 1.** Industrial waste. **AMP Incorporated (Glen Rock Facility)**, P. O. Box 3608, Harrisburg, PA 17105, is authorized to discharge from a facility located in Springfield Township, **York County** to the receiving waters named Larkin Pond/Seaks Run.

**Permit No. PA 0080241.** Sewage. **West Perry School District (West Perry High School/Green Park Elementary)**, R. R. 1 Box 7A, Elliottsburg, PA 17024, is authorized to discharge from a facility located in Spring Township, **Perry County** to the receiving waters named Montour Creek.

**Permit No. PA 0088161.** Industrial waste. **Columbia Petroleum Corporation (New Holland Bulk Petroleum Storage Plant)**, Box 278, Richland, PA 17087, is authorized to discharge from a facility located in New Holland Borough, **Lancaster County** to the receiving waters named Mill Creek.

**Permit No. PA 0083003, Amendment 1.** Industrial waste. **Dudley-Carbon Township-Coalmont Joint Municipal Authority**, Box 276, Dudley, PA 16634, is authorized to discharge from a facility located in Carbon Township, **Huntingdon County** to the receiving waters named Shoup Run.

**Permit No. PA 0053333.** Sewerage. **Barry L. Beiler (Beiler SRSTP)**, 1125 Pine Grove Road, Fredericksburg, PA 17026, is authorized to discharge from a facility located in Bethel Township, **Berks County** to the receiving waters named Crosskill Creek.

**Permit No. 0008761.** Industrial waste. **Armstrong World Industries (Marietta Ceiling Plant)**, 1507 River Road, P. O. Box 169, Marietta, PA 17547, is authorized to discharge from a facility located in East Donegal Township, **Lancaster County** to the receiving waters named Susquehanna River.

**Permit No. PAG 043621.** Sewerage—Single Family Residence. **William A. Wagner**, 664 Piketown Road, Harrisburg, PA 17112, is authorized to discharge from a facility located in West Hanover Township, **Dauphin County** to the receiving waters named Beaver Creek.

**Permit No. PA 0007625.** Industrial waste. **Hedstrom Corporation**, Sunnyside Road, P. O. Box 432, Bedford, PA 15522-0432, is authorized to discharge from a facility located in Bedford Township, **Bedford County** to the receiving waters named Raystown Branch Juniata River (Outfall 001) and Dunning Creek (Outfall 002).

**Permit No. PA 0087807.** Industrial waste. **Dutch Valley Plastics**, 113 East Main Street, Fredericksburg, PA 17026, is authorized to discharge from a facility located in Bethel Township, **Lebanon County** to the receiving waters named Beach Run (by way of storm sewer).

**Permit No. 0689410.** Sewage. **Barry L. Beiler**, 1125 Pine Grove Road, Fredericksburg, PA 17026. This permit approves the construction of sewage treatment facilities in Bethel Township, **Berks County**.

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

**NPDES Permit No. PA0031321.** Sewage, **Brownsville Area School District**, R. D. 1, Box 202, Grindstone, PA 15442, is authorized to discharge from a facility located at Redstone Junior High School STP, Redstone Township, **Fayette County** to receiving waters named Dry Swale to Dunlap Creek.

**NPDES Permit No. PA0041367.** Sewage, **W. C. McQuaide, Inc.**, 153 MacRidge Avenue, Johnstown, PA 15904, is authorized to discharge from a facility located at Star Manufacturing STP, Center Township, **Indiana County** to receiving waters named Tributary of Two Lick Creek.

**NPDES Permit No. PA0098817.** Sewage, **Hickory Land Corporation**, 669R Nelson Road, Farmington, PA 15437, is authorized to discharge from a facility located at Hickory Land Corporation Apartments STP, Wharton

Township, **Fayette County** to receiving waters named Unnamed Tributary of Meadow Run.

**Permit No. 3287402-A2.** Sewage. **Trans Technology Corp., Breeze Industrial Product Area**, 100 Aero-Seal Drive, Saltsburg, PA 15681. Construction of a sewage treatment plant—trickling filter located in Conemaugh Township, **Indiana County** to serve Breeze Industrial Products STP.

**Permit No. 6399405.** Sewerage. **Cecil Township Municipal Authority**, 3655 Millers Run Road, Cecil, PA 15321. Construction of a pump station located in Cecil Township, **Washington County** to serve Georgetown Estates Pump Station.

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

**NPDES Permit No. PA0221325.** Sewage. **T. D. Kelly Company**, P. O. Box 407, Zelenople, PA 16063-0407, is authorized to discharge from a facility located in Jackson Township, **Butler County** to an unnamed tributary to Brush Creek.

**NPDES Permit No. PA0101826.** Sewage. **Woodland Meadows Mobile Home Park**, P. O. Box 398, Valencia, PA 16059, is authorized to discharge from a facility located in Connoquenessing Township, **Butler County** to an unnamed tributary to Little Connoquenessing Creek.

**WQM Permit No. 4399411.** Sewage. **Hermitage Municipal Authority**, 800 North Hermitage Road, North Hermitage, PA 16148. This project is for proposed plans to replace the current aeration system with fine bubble diffusers in the City of Hermitage, **Mercer County**.

**WQM Permit No. 6299409.** Sewerage. **Mary Beth Burnell and Richard L. Morrell SRSTP**, R. R. 3, Box 39A, Sugar Grove, PA 16350. Construction of Mary Beth Burnell and Richard L. Morrell SRSTP located in Sugar Grove Township, **Warren County**.

**INDIVIDUAL PERMITS  
(PAS)**

The following NPDES Individual Permits for discharges of stormwater from construction activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10Q157	JDN Development Co. 359 E. Pace's Ferry Rd., N.E. Atlanta, GA 30305	Lehigh County Lower Macungie Township	Little Lehigh Creek

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

**PAS-10-M076-R.** Individual NPDES. **T. K. and Tonya K. Nitterhouse**, P. O. Box 1013, Chambersburg, PA 17201. To implement an erosion and sedimentation control plan for a single family housing development on 99.4 acres in Green Township, **Franklin County**. The project is located on the east side of Mount Pleasant Road (S. R. 1001) about 1.1 miles northeast of Fayetteville Village

(Scotland, PA Quadrangle N: 10.53 inches; W: 7.7 inches). Drainage will be to an unnamed tributary to Conococheague Creek. (CWF)

**PAS-10-M077-R.** Individual NPDES. **T. K. and Tonya K. Nitterhouse**, P. O. Box 1013, Chambersburg, PA 17201. To implement an erosion and sedimentation control plan for a single family housing development on 168 acres in Chambersburg Borough and Guilford Township, **Franklin County**. The project is located on the west side of US 11 about 1.7 miles south of Chambersburg Borough (Chambersburg, PA Quadrangle

N: 6.2 inches; W: 6.5 inches). Drainage will be to Conococheague Creek. (CWF)

**PAS-10-M078-R.** Individual NPDES. **Robert J. Hodges**, 11375 Lafayette Road, Mercersburg, PA 17236. To implement an erosion and sedimentation control plan for a single family housing development on 50 acres in Montgomery Township, **Franklin County**. The project is located along the south side of Shimpstown Road (T-307) about 4.3 miles southwest of Mercersburg Borough (Mercersburg, PA Quadrangle N: 3.55 inches; W: 8.9 inches). Drainage will be to an unnamed tributary to Licking Creek. (CWF)

**INDIVIDUAL PERMITS  
(PAR)**

**Approvals to Use NPDES and Other General Permits**

The following parties have submitted (1) Notices of Intent (NOIs) for coverage under General NPDES Permit(s) to discharge wastewater into the surface waters of the Commonwealth; (2) NOIs for coverage under General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or

(3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection has reviewed the First Land Application of Sewage Sludge for the following sites and determined that the sites are suitable for land application of sewage sludge.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

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

The Department of Environmental Protection has acted on the following requests for coverage under the specified General Permit as follows:

*List of  
General Permit Type*

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater From Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge By Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

*General Permit Type—PAG-2*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant's Name and Address</i>	<i>Receiving Stream Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Plymouth Township Montgomery County	PAR10-T545	Argonaut Holdings, Inc. 485 West Milwaukee Ave., Detroit, MI	Plymouth Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Providence Township Montgomery County	PAR10-T532	BNB Family Limited Partnership P. O. Box 409 Oaks, PA 19456	Unnamed Tributary to Schuylkill River	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Horsham Township Montgomery County	PAR10-T482	DC&H, Inc. 2812 Moreland Road Willow Grove, PA	Little Neshaminy Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Horsham Township Montgomery County	PAR10-T537	Decciotto Associates, Inc. 309 Sumneytown Pike North Wales, PA	Trewellyn Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

## NOTICES

4379

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant's Name and Address</i>	<i>Receiving Stream Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lower Salford Township Montgomery County	PAR10-T530	The Shelter Group 218 North Charles Street Suite 220 Baltimore, MD 21201	Unnamed Tributary of East Branch of Perkiomen Creek	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Trappe Borough Montgomery County	PAR10-T533	Continental Services, Inc. 379 Main Street Trappe, PA 19426	Unnamed Tributary	Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Northampton County East Allen Township	PAR10U118	East Allen Township Board of Supervisors 5344 Nor-Bath Blvd. Northampton, PA 18067	Catasauqua Cr.	Northampton CD (610) 746-1971
Northampton County Lower Saucon Township	PAR10U120	Old Mill Estates c/o DMS, Inc. 179 Mikron Rd. Bethlehem, PA 18020	Saucon Cr.	Northampton CD (610) 746-1971
Greene Township Franklin County	PAR-10-M175	Franklin Square S & A Homes 501 Rolling Ridge Drive Suite 200 State College, PA 16801-7667	Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Guilford Township Franklin County	PAR-10-M176	WLN Properties 2294 Molly Pitcher Highway South Chambersburg, PA 17201	Tributary to Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Montgomery Township Franklin County	PAR-10-M177	Hissong Farmstead, Inc. 5492 Buchanan Trail West Greencastle, PA 17225	UNT to W. Branch Conococheague Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Spring Township Berks County	PAR-10-C278	Health Club of Spring Twp. Jeffrey C. Camp Tiger II LP 120 North Prospect Street Reading, PA 19606	Tulpehocken Creek	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Hampden Township Cumberland County	PAR-10-H112-2	Richard Yingst Whelan Crossing II 7100 Fishing Creek Valley Road Harrisburg, PA 17112	Holtz Run	Cumberland County CD 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
East Pennsboro Township Cumberland County	PAR-10-H203	1550 Associates Inc. LLC P. O. Box 188 Camp Hill, PA 17011	UNT Conodoguinet Creek	Cumberland County CD 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Lower Paxton Township Dauphin County	PAR-10-1196	Chateau Woods, Inc. 8150 Derry Street Harrisburg, PA 17111	Paxton Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Middle Paxton Township Dauphin County	PAR-10-I201	Richard C. Angino 2040 Fishing Creek Valley Road Harrisburg, PA 17112	Fishing Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant's Name and Address</i>	<i>Receiving Stream Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Washington Township Franklin County	PAR-10-M178	Richard and Leslie Lininger 10262 Candura Drive Waynesboro, PA 17268	Trib. to Falls Creek	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Antrim Township Franklin County	PAR-10-M179	Foremost Industries, Inc. Stone Mill Estates 2375 Buchanan Trail West Greencastle, PA 17225	Conococheague	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
East Hempfield Township Lancaster County	PAR-10-O-376	Running Pump Associates 10 Industry Drive Lancaster, PA 17603	Brubaker Run	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR-10-O-387	High Concrete Structures, Inc. 125 Denver Road Denver, PA 17517	Stony Run	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAR-10-O-391	Lancaster Bible College 901 Eden Road Lancaster, PA 17601		Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Springettsbury Township York County	PAR-10-Y394	Fleming Companies, Inc. 1100 North Sherman Street P. O. Box 149 York, PA 17405	Mill Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Windsor Township York County	PAR-10-Y381	Fox Hollow Shah Mathias t/a Eastern Dev. P. O. Box 163 3255 Cape Horn Road Red Lion, PA 17356	Kreutz Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
North Codorus Township York County	PAR-10-Y397	Smith Transport, Inc. Barry Smith 331 E. Clossen Roaring Spring, PA 16673	West Branch Codorus Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Fawn Township Fawn Grove Borough York County	PAR-10-Y387	Southeastern Area High School Bernie Lomman 104 East Main Street Fawn Grove, PA 17321	UNT to Bald Eagle Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Manchester Township York County	PAR-10-Y396	Strine Printing Company Inc. I-83 Industrial Park P. O. Box 149 York, PA 17405	UNT to Codorus Creek	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Butler County Butler Township	PAR10E108	W. J. Blumenschwein & Son 9640 Babcock Boulevard Allison Park, PA 15101	Unnamed Tributary to Thorn Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Butler County Worth Township	PAR10E111	Ronald and Sandra Ditommaso 910 New Castle Road Slippery Rock, PA 16057	Wolf Creek	Butler Conservation Dist. 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant's Name and Address</i>	<i>Receiving Stream Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Erie County Summit Township	PAR10K135	National Fuel Gas Supply Corp. 1100 State St. P. O. Box 2081 Erie, PA 16512	Unnamed Tributary to Walnut Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
<i>General Permit Type—PAG-3</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lehigh County City of Allentown	PAR142208	Packaging Corp. of America 925 North Godfrey Street Allentown, PA 18103	Unnamed tributary to Lehigh River	Northeast Office 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Cambria County City of Johnstown	PAR606101	M. Glosser & Sons, Inc. 72 Messenger Street Johnstown, PA 15902	Stonycreek River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Borough of Liberty Borough of Port Vue	PAR606107	ELG Metals, Inc. 15th Street and River Road P. O. Box 369 McKeesport, PA 15134	Youghiogheny River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Dravosburg Borough	PAR806111	Ingram Barge Company 200 Washington Street Dravosburg, PA 15034	Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Jefferson Borough	PAR806120	Clairton Slag, Inc. P. O. Box 532 West Elizabeth, PA 15088	Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Vernon Township Crawford County	PAR808309	City of Meadville Port Meadville Airport 984 Water St. Meadville, PA 16365	Unnamed Tributary Watson Run and Unnamed Tributary Van Horne Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4*

*Facility Location*

*County and Municipality*      *Permit No.*  
 Sugar Grove Township    PAG048606  
 Warren County

*Applicant Name and Address*  
 Mary Beth Burnell and  
 Richard L. Morrell  
 R.R. 3, Box 39A  
 Sugar Grove, PA 16350

*Receiving Stream Body of Water or Site Name and Address*

Unnamed  
 Tributary  
 Stillwater Creek

*Contact Office and Telephone No.*  
 Northwest Region  
 Water Management  
 230 Chestnut Street  
 Meadville, PA  
 16335-3481  
 (814) 332-6942

*General Permit Type—PAG-8*

*Facility Location*

*County and Municipality*      *Permit No.*  
 Dover Township            PAG-08-0002  
 York County                PAG-08-0003  
                                       PAG-08-0008  
                                       PAG-08-0009  
                                       PAG-08-22014  
                                       PAG-08-2203  
                                       PAG-08-3501  
                                       PAG-08-3515  
                                       PAG-08-3825

*Applicant Name and Address*  
 CDR Mid Atlantic  
 59 South 3rd Street  
 P. O. Box 70  
 Oxford, PA 17363

*Receiving Stream Body of Water or Site Name and Address*

William Rodgers  
 Farm  
 Dover Township  
 York County

*Contact Office and Telephone No.*  
 SCRO  
 909 Elmerton Avenue  
 Harrisburg, PA 17110  
 (717) 705-4707

*General Permit Type—PAG-9*

*Facility Location*

*County and Municipality*      *Permit No.*  
 St. Thomas Township    PAG-09-3524  
 Franklin County

*Applicant Name and Address*  
 Rosy's Septic Tank Pumping  
 1781 Hade Road  
 Chambersburg, PA 17201

*Receiving Stream Body of Water or Site Name and Address*

N/A

*Contact Office and Telephone No.*  
 SCRO  
 909 Elmerton Avenue  
 Harrisburg, PA 17110  
 (717) 705-4707

Westmoreland County    PAG096102  
 Hempfield Township

A Septic Tank Service  
 1406 Rolling Acres Road  
 Latrobe, PA 15650

Hillis Farm

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

Cambria County            PAG096104  
 Barr Township

Mark L. Brawley  
 d/b/a Brawley Septic Tank  
 Service  
 254 Brawley Road  
 Carrolltown, PA 15722

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

**SEWAGE FACILITIES ACT  
 PLAN APPROVAL**

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

**Special Study: McGee Run Watershed Sewer Plan for Derry Township Municipal Authority**

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

*Location: Derry Township, Westmoreland County, 650 Derry Road, Derry, PA 15627.*

The Derry Township approved special study plan revision provides for the abatement of onlot and raw sewage discharge problems in the McGee Run Watershed. The Village of New Derry will be served by gravity sewers that will convey sewage to the Derry Borough Sewage Treatment Plant. New Derry, Atlantic and Panizzi Road, will be sewered and the sewage conveyed by pump station to the Latrobe Municipal Authority's Sewage Treatment Plant. Millwood, Seger, Hillside, Torrance and Brenizer, Copeville Heights will be sewered through the proposed McGee Run Interceptor and conveyed through pump stations to the Torrance State Hospital Sewage Treatment Plant. The Dogwood Acres Sewage Treatment Plant, that

provides treatment for a portion of Millwood, will be abandoned.

The Department's review of the Sewage Facilities Plan Update has not identified any significant environmental impacts resulting from this plan.

**Special Study: Act 537 Sewage Facilities Plan Update Darragh Sewerage System**

*Location:* Hempfield Township, Westmoreland County, R. D. 6, Box 500, Woodward Drive, Greensburg, PA 15601.

The Hempfield Township approved Act 537 Plan Update provides for future municipal sewage service to Arona Borough and Madison Borough, by the expansion of the Darragh Sewage Treatment Plant to 750,000 gallons per day. The West Hempfield Sewage Treatment Plant and the West Hempfield Plaza pump station will be abandoned. At future stages, the Lincoln Heights and Edna 1 areas will have public sewerage when the Darragh Sewage Treatment Plant is expanded to 1,500,000 gallons per day. Extension of municipal sewers in these areas will result in the elimination of five privately owned, packaged sewage treatment plants.

The Department's review of this Sewage Facilities Plan Update has not identified any significant environmental impacts resulting from this plan.

**SAFE DRINKING WATER**

**Operation Permit issued under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

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

**Permit No. 1493506.** The Department issued an operation permit to **Sandy Ridge Water Authority**, P. O. Box 200, Sandy Ridge, PA 16677-0200, Rush Township, **Centre County** for operation of Well No. 2, polyphosphate feed and related appurtenances.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 2**

**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice

of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Microbac Laboratories, Inc.**, McCandless Township, **Allegheny County**. A. Warne Boyce and Doreen E. Boyce, 300 Fox Chapel Road, Pittsburgh, PA 15238, Microbac Laboratories, Inc. and property owner, 100 Marshall Drive, Warrendale, PA 15086 and David N. Olson, 4 Triangle Lane, Suite 200, Export, PA 15632-9255, have submitted a Final Report concerning remediation of site soil and groundwater contaminated with heavy metals, solvents, BTEX and PAHs. The report is intended to document remediation of the site to meet the Statewide health standard.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 3**

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Man-

ager in the Department's Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

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

**Helfrich Residence**, Palmyra Township, **Pike County**. Kevin Van Kuren, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, submitted a Final Report (on behalf of his client, Carson Helfrich, HCR 1, Box 59, Paupak, PA 18451), concerning the remediation of site soils found to have been contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) compounds and polycyclic aromatic hydrocarbons. The final report demonstrated attainment of the Statewide health standard and was approved on July 27, 1999.

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

**CKE Rectifier Division**, White Township, **Indiana County**. CKE, Inc., 2866 Route 422 West, Indiana, PA 15701 and Alan D. Halperin, P.G., D'Appolonia Engineering, 275 Center Road, Monroeville, PA 15146, have submitted a final report concerning remediation of site soil contaminated with lead and heavy metals. The final report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on July 23, 1999.

**Bell Atlantic-Material Reclamation Center**, Youngwood, **Westmoreland County**. Buncher Management Agency, Inc., 5600 Forward Avenue, Box 81930, Pittsburgh, PA 15217-0187 and Michael Galenski, 1717 Arch Street, 25W, Philadelphia, PA 19103, have submitted a final report concerning remediation of site soil and groundwater contaminated with lead. The final report demonstrated attainment of the Statewide health standard and was approved by the Department on July 22, 1999.

**Redevelopment Authority of the City of McKeesport (Walnut Street)**, City of McKeesport, **Allegheny County**. Redevelopment Authority of the City of McKeesport, 201 Lyle Boulevard, McKeesport, PA 15132 and Von E. Fisher, KU Resources, Inc., One Library Place, Duquesne, PA 15110, have submitted a final report concerning remediation of site soil contaminated with lead and DTEX. The final report did not demonstrate attainment of the Statewide health standard and was disapproved by the Department on June 10, 1999.

## SOLID AND HAZARDOUS WASTE

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit I. D. No. 100933. Alliance Landfill**, Alliance Sanitary Landfill, Inc., P. O. Box 28, Taylor, PA 18517. A major permit modification which authorizes the following changes: It changes or reconfigures landfill Area II that was originally permitted on July 3, 1996; The actual lined disposal area for Area II has been reduced from 53 acres to 46 acres in the new permit modification; Area II has also been divided into three disposal pads, identified as Pads 11A, 11B and 12A. (The permit does not change the average daily volume, the maximum daily volume and does not change the capacity of the landfill) and provides for the relocation of 1.5 million cubic yards of old previously disposed waste material and associated potentially contaminated soil at this municipal waste landfill located in Ransom Township, Taylor Borough and Old Forge Borough, **Lackawanna County**. The old municipal waste is presently located in the Area II excavation and involves the relocation of waste from an unlined area to the Area I lined landfill. The permit was issued in the Regional Office on July 15, 1999.

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

**Permit ID No. 300837. Keystone Station East Valley Flyash and Mine Refuse Disposal Site, GPU Generation, Inc.**, 1001 Broad Street, Johnstown, PA 15907. Operation of a captive residual waste landfill in Plumcreek Township, **Armstrong County**. Permit original issued on December 9, 1987, to the Pennsylvania Electric Company and was reissued in the Regional Office to GPU Generation, Inc. on July 29, 1999.

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

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

**Permit ID No. 300683. Gabriel Sacco** doing business as **Ambridge Landfill**, Box 368 Ridge Road, Ambridge, PA 15033-1519. Operation of a residential waste landfill in Ambridge Borough, **Beaver County**. Repermitting application denied in the Regional Office on July 30, 1999.

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

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

**Permit ID No. WMGR038-SW001. ETD Company, L.L.C.**, 1489 North Second Street, Memphis, TN 38107. Operation of a waste tire processing facility in Gilpin Township, **Armstrong County**. Application withdrawn in the Regional Office on July 29, 1999.

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

*Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4706.*

**Permit No. 602417. William McCulloch Farm**, Shippensburg, Wastewater Treatment Plant, 963 Avon Drive, Shippensburg, PA 17257. This permit has been revoked at the request of the permittee for a site in Southampton Township, **Cumberland County**. Permit revoked in the Regional Office July 26, 1999.

### AIR QUALITY OPERATING PERMITS

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

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

**GP1-07-030015A: Altoona Hospital** (620 Howard Avenue, Altoona, PA 16601), issued for construction and/or operation of four Johnston boilers in Altoona City, **Blair County**.

**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.**

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

**06-320-001B: Chiyoda America, Inc.** (P. O. Box 470, Morgantown, PA 19543-0470), on August 2, 1999, for operation of a rotogravure decorative printing operation controlled by two thermal oxidizers at the Morgantown Plant in Caernarvon Township, **Berks County**.

**06-5018A: Hershey Chocolate North America** (P. O. Box 15087, Reading, PA 19612-5087), on August 2, 1999, for operation of a candy manufacturing facility at the Luden's Plant in Reading, **Berks County**.

**07-05001A: Appleton Papers, Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673), on August 2, 1999, for operation of No. 2 and No. 3 paper machines — air flotation drying ovens at the Spring Mill in Roaring Spring Borough, **Blair County**.

**21-310-008A: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105), on August 2, 1999, for operation of a crushing and screening facility at the Silver Spring Quarry in Silver Spring Township, **Cumberland County**. This source is subject to 40 CFR Part 60, Subpart OOO.

### PLAN APPROVALS

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

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.*

**39-313-029E: Carpenter Co.** (57 Olin Way, P. O. Box 129, Fogelsville, PA 18051), on July 28, 1999, for modifi-

cation of the polystyrene manufacturing operation in Upper Macungie Township, **Lehigh County**.

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

**06-3104: Bean Funeral Home, Inc.** (129 East Lancaster Avenue, Shillington, PA 19607), on July 26, 1999, for construction of a secondary chamber at the Sinking Spring Home in Sinking Spring Township, **Berks County**.

**21-020131D: Fry Communications, Inc.** (800 West Church Road, Mechanicsburg, PA 17055), on July 27, 1999, for installation of a regenerative thermal oxidizer at Building 1 in Mechanicsburg Borough, **Cumberland County**.

**21-05041A: ADM Milling Co.** (Box 3100, Camp Hill, PA 17011), on August 2, 1999, for modification of a truck grain receiving station controlled by a fabric filter in Camp Hill Borough, **Cumberland County**.

**22-03005: Heckett MultiServ** (612 North Main Street, Butler, PA 16001), on July 26, 1999, for modification of a slag quenching, screening and crushing plant at the Steelton Slag Processing Plant in Steelton Borough, **Dauphin County**.

**36-05005A: Heritage Custom Kitchens, Inc.** (215 Diller Avenue, New Holland, PA 17557), on July 30, 1999, for installation of four spray booths and one drying oven in New Holland Borough, **Lancaster County**. This source is subject to Title 40, Chapter I, Subchapter C, Part 63, Subpart JJ, National Emission Standards for Wood Furniture Manufacturing Operations.

**67-304-027B: R. H. Sheppard Co., Inc.** (P. O. Box 877, Hanover, PA 17331), on August 2, 1999, for installation of casting cleaning operations controlled by a fabric collector at Rear 247 East Middle Street in Hanover Borough, **York County**.

**67-318-125: Govesan Mfg., Inc.** (32 North Duke Street, York, PA 17401), on August 2, 1999, for construction of a powder coatings manufacturing facility at 939 Monocacy Road in York City, **York County**.

**PA-36-03096: Carvell & Rick, Inc.** (4437 Oregon Pike, Ephrata, PA 17522), on August 2, 1999, for construction and operation of a paint shop in West Earl Township, **Lancaster County**.

**PA-38-05009A: Elk Corp. of America** (350 and 351 East Mill Avenue, Myerstown, PA 17067), on August 2, 1999, for construction of an asphalt shingle manufacturing facility at the Myerstown Facility in Jackson Township, **Lebanon County**. This source is subject to 40 CFR Part 60, Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture and 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels.

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

**PA-63-896A: UMC Energy, Inc.** (981 Route 917, Bentleyville, PA 15314), on July 16, 1999, for operation of coal processing plant at the New Century Mine in Fallowfield Township, **Washington County**.

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

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

**06-03041: Delaware County Solid Waste Authority** (583 Longview Road, Boyertown, PA 19512), on July 8, 1999, to authorize temporary operation of municipal waste landfill controlled by enclosed ground flare covered under this Plan Approval until November 4, 1999, at the Rolling Hills Landfill in Earl Township, **Berks County**. This source is subject to 40 CFR Part 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills.

**28-309-003: Tarco Roofing Materials, Inc.** (8650 Molly Pitcher Highway North, Greencastle, PA 17225), on July 16, 1999, to authorize temporary operation of an asphalt saturated felt facility controlled by a high efficiency air filter and thermal oxidizer covered under this Plan Approval until November 12, 1999, in Antrim Township, **Franklin County**. This source is subject to 40 CFR Part 60, Subpart UU, Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture.

**36-310-023D: Compass Quarries, Inc.** (47 McIlvaine Road, Paradise, PA 17562), on July 16, 1999, to authorize temporary operation of two link belt screens and a Griffin fabric filter covered under this Plan Approval until November 12, 1999, in Paradise Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**65-302-071: Koppers Industries, Inc.** (436 Seventh Avenue, Pittsburgh, PA 15219), on July 16, 1999, for operation of two boilers at the Monessen Coke Plant in Monessen, **Westmoreland County**.

**65-305-049: Koppers Industries, Inc.** (436 Seventh Avenue, Pittsburgh, PA 15219), on July 16, 1999, for operation of coke by-products recovery plant at the Monessen Coke Plant in Monessen, **Westmoreland County**.

**65-305-048: Koppers Industries, Inc.** (436 Seventh Avenue, Pittsburgh, PA 15219), on July 16, 1999, for operation of coke oven battery operations at the Monessen Coke Plant in Monessen, **Westmoreland County**.

**63-307-027: American Iron Oxide Co.** (Foster Plaza, No. 7, 661 Andersen Drive, Pittsburgh, PA 15220), on July 16, 1999, for operation of iron oxide production at the Allenport Plant in Allenport Borough, **Washington County**.

**PA-04-600A: MJ Mining Co.** (1021 Whitestown Road, Butler, PA 16001), on July 16, 1999, for operation of coal crushing and screening at Mine I in Greene Township, **Beaver County**.

**PA-04-009A: Maverick Tube, L.P.** (4400 West Fourth Avenue, Beaver Falls, PA 15010), on July 16, 1999, for operation of boiler and metal heat furnaces at the Beaver Falls Site in Beaver Falls, **Beaver County**.

**PA-04-701A: Allegheny Asphalt Mfg., Inc.** (P. O. Box 98100, Pittsburgh, PA 15227), on July 16, 1999, for operation drum mix asphalt plant at the Monaca Asphalt Plant in Monaca Borough, **Beaver County**.

**PA-26-057A: Matt Canestrone Contracting, Inc.** (P. O. Box 234, Belle Vernon, PA 15012), on July 16, 1999, for operation of coal handling at the LaBelle Site in Luzerne Township, **Fayette County**.

**PA-04-033A: Nova Chemicals, Inc.** (400 Frankfort Road, Monaca, PA 15061), on July 16, 1999, for operation of D2 liquid lube dylite process at the Beaver Valley Plant in Potter Township, **Beaver County**.

**11-305-031: Fuel Recovery, Inc.** (2591 Wexford-Bayne Road, Suite 204, Sewickley, PA 15143), on July 16, 1999, for construction of coal processing facility at the Cooney Prep Plant in Portage Township, **Cambria County**.

**04-313-065A: Nova Chemicals, Inc.** (400 Frankfort Road, Monaca, PA 15061), on July 16, 1999, for construction of dylite unit at the Beaver Valley Plant in Potter Township, **Beaver County**.

**PA-65-881A: Innovative Carbide, Inc.** (11040 Parker Drive, WCIDC4, Irwin, PA 15642), on July 16, 1999, for installation of metal powder mixing and drying in North Huntingdon Township, **Westmoreland County**.

## MINING

### ABANDONED MINE RECLAMATION

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

*Bond Forfeiture Contract Awarded: BF 423-101.1. Location: Redstone Township, Fayette County. Description: AMLR, Ridgewood Mining, Inc., Redstone Township, Fayette County. Contractor: Galan Corporation. Amount: \$357,534.50. Date of Award: June 22, 1999.*

## ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

### ENCROACHMENTS

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

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

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (*Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.*)

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

**E15-616.** Encroachment Permit. **General Armistead, L.P.**, 137 Commons Court, Chadds Ford, PA 19317. To construct and maintain a bridge having a clean span of 14.77 feet and an average underclearance of 4.13 feet across Lionville Run (CWF) to provide access to the rear portion of an existing commercial facility. Work also includes minor grading in the floodway and removal of an existing footbridge. This site is located 1,000 feet southeast from the intersection of Route 100 and Fairview Road (Downingtown, PA Quadrangle N: 6.9 inches; W: 1.15 inches) in West Whiteland Township, **Chester County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E09-718.** Encroachment Permit. **Robert Shedaker**, 519 Browns Lane, Croydon, PA 19021. To operate and maintain a 35 linear foot extension of an existing 42-inch reinforced concrete stream enclosure along Croydon Run (WWF-MF). This site is located approximately 900 feet northwest of the intersection of State Road and Browns Lane (Beverly USGS Quadrangle N: 15.8 inches; W: 5.3 inches) in Bristol Township, **Bucks County**.

**E23-380.** Encroachment Permit. **Borough of Darby**, 821 Summit Street, Darby, PA 19023. To construct and maintain utility support for a FEMA sponsored project which will provide appurtenant household utility floodproofing for individual dwellings. This work will be performed for homes along the 1100—1400 block of Chestnut Street situated in the 100-year floodplain of Darby Creek (Lansdowne, PA Quadrangle N: 8.5 inches; W: 2.5 inches) in Darby Borough, **Delaware County**. This permit was issued under section 105.13(e) "Small Projects."

**E46-839.** Encroachment Permit. **Horsham Township**, 1025 Horsham Road, Horsham, PA 19044. To maintain and modify an existing bridge by extending the bridge deck 20.5 feet upstream and to realign a 60-foot section of the stream channel just upstream of the aforementioned bridge that spans Pennypack Creek (TSF-MF). This bridge has a single clear span of approximately 25 feet, a minimum underclearance of approximately 6.5 feet and a skew of 78 degrees. The modified structure will have equivalent hydraulic dimensions as the existing structure. This project is associated with roadway improvements along Dresher Road and is located about 300 feet south of its intersection with Horsham Road (S. R. 463) (Ambler USGS Quadrangle N: 9.9 inches; W: 1.3 inches) in Horsham Township, **Montgomery County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E21-286.** Encroachment. **Triple Crown Incorporated**, 5351 Jaycee Ave., Harrisburg, PA 17112. To construct and maintain a 200-foot long and 5-foot wide boardwalk with concrete block supports across a wetland for recreational walkway of residents of Bent Creek Development located about 2,800 feet east of Interchange Exit No. 18 of I-81 (Wertzville, PA Quadrangle N: 3.3 inches; W: 4.9 inches) in Silver Spring Township, **Cumberland County**. This permit also includes 401 Water Quality Certification.

**E21-290.** Encroachment. **Lower Mifflin Township Supervisors**, 100 Gypsey Run Road, Newville, PA 17241. To remove the existing bridge and to construct and maintain a new bridge with a span of 18.42 feet with an underclearance of 6.44 feet over Doubling Gap Creek (HQ-CWF) in T-414 (McCrea Road) located in McCrea Village (Newville, PA Quadrangle N: 21.6 inches; W: 9.8 inches) in Lower Mifflin Township, **Cumberland County**. This permit also includes 401 Water Quality Certification.

**E28-257.** Encroachment. **Dauphin County General Authority**, Whitetail Golf Course, 530 South Harrisburg Street, Harrisburg, PA 17113. To construct and maintain: (1) a 100-foot span golf cart timber bridge with a total of 18 piers and an underclearance of 8.4 feet over an unnamed tributary to Licking Creek for the proposed Whitetail Golf Course located about 2,700 feet downstream of the Whitetail Ski Dam "A" (2) two 25-foot span golf cart timber bridges, each having 8-foot underclearance across an unnamed tributary to Licking Creek and (3) a 4-inch diameter pipe crossing to be attached to one of the 25-foot span golf cart bridges (Mercersburg, PA Quadrangle N: 2.26 inches; W: 6.0 inches) in Montgomery Township, **Franklin County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E36-664.** Encroachment. **FSA Enterprises and Rockvale Group**, J. Herbert Fisher, 1755 Oregon Pike, P. O. Box 5200, Lancaster, PA 17606. To construct and maintain a twin celled reinforced concrete box culvert with one cell having a 10-foot wide span with a 6.0-foot rise and the other cell having a 10-foot span with a 7.0 foot rise across a tributary channel to Mill Creek (CWF). One cell of the box culvert, including the scour protection at the cell inlet and outlet, will be depressed 12 inches below the streambed. The culvert crossing will service a roadway to provide improved access from Route 30 to the Rockvale Square Shopping Complex. Additional parking facilities and four stormwater outfall structures are authorized within the floodway along the left bank of the unnamed tributary. Two 6 foot wide by 15 foot long timber pedestrian bridges and an 8 foot wide reinforced concrete deck extension to an existing 40 foot span bridge over the tributary are authorized to improve pedestrian access between the retail stores (Leola, PA Quadrangle N: 4.0 inches; W: 10.5 inches) located in East Lampeter Township, **Lancaster County**. This permit also includes 401 Water Quality Certification.

**E36-667.** Encroachment. **Mount Joy Township**, 159 Merts Drive, Elizabethtown, PA 17022. To remove the existing structure and to construct and maintain two pre-cast concrete box culverts, a low flow culvert having a 6-foot span with a 7-foot rise, and the second elevated box culvert having a 10-foot wide span with a 6-foot rise across Conoy Creek. Concrete aprons are authorized to be placed at both the upstream and downstream culvert ends and a rock filled wire gabion mattress at the outlet apron end. The permit authorizes construction of 89 feet of 3-foot high concrete retaining wall with embankment backfill and 25 linear feet of rock slope protection along the right channel bank. The Ridgeview Road improvement project (Elizabethtown, PA Quadrangle N: 8.15 inches; W: 11.9 inches) is located in Mount Joy Township, **Lancaster County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-1262.** Encroachment. **Jefferson Hills Borough**, 925 Old Clairton Road, Clairton, PA 15025. To remove the existing structure and to construct and maintain a new aluminum arch culvert having a span of 32 feet and an underclearance of 6.4 feet across Lobbs Run (WWF) located on State Street approximately 1,200 feet north of its intersection with Decker Street (Glassport, PA Quadrangle N: 1.6 inches; W: 6.0 inches) in Jefferson Hills Borough, **Allegheny County**.

**E11-276.** Encroachment. **Cambria Township Supervisors**, P. O. Box 248, Revloc, PA 15948. To remove the existing structure and to construct and maintain a 22-foot long squash pipe culvert having a span of 71 inches and an underclearance of 47 inches (invert depressed 6 inches) in an unnamed tributary to Chest Creek (HQ-CWF) on T-454 (Grata Road). This project is part of Cambria County Dirt and Gravel Roads Program and is located at a point approximately 1 mile north of the intersection of Tanner Road and Grata Road (Carrolltown, PA Quadrangle N: 5.2 inches; W: 8.45 inches) in Cambria Township, **Cambria County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

*Permits Issued and Actions on 401 Certification*

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

**E10-297.** Encroachment. **Butler County Commissioners**, P. O. Box 1208, Butler, PA 16003-1208. To remove the existing County Bridge No. 147 (Kocher) and to construct and maintain a steel beam bridge having a clear span of 42 feet and an underclearance of 8.5 feet across Breakneck Creek on Church Street (Mars, PA Quadrangle N: 12.8 inches; W: 1.1 inches) located in Mars Borough, **Butler County**.

**E10-301.** Encroachment. **PA Department of Transportation**, District 10-0, P. O. Box 429, Route 286 South, Indiana, PA 15701. To remove the existing bridge and to construct and maintain a precast concrete box culvert having a 21.3-foot-wide by 4-foot high clear waterway opening on a 70 degree skew in a tributary to South Branch Bear Creek and a de minimis wetland (0.003 acre) on S. R. 1010, Section 251 approximately 350 feet west of S. R. 268 (Chicora, PA Quadrangle N: 21.5 inches; W: 14.2 inches) located in Karns City Borough, **Butler County**.

**E20-476.** Encroachment. **Pennsylvania Electric Company d/b/a GPU Energy**, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640-0001. To install and maintain an aerial fiber optic line and maintain existing aerial electric lines across French Creek at the following locations in Hayfield and Woodcock Townships, **Crawford County**:

1. Crossing 1 located immediately upstream of the McGuffintown Bridge (S. R. 6/19) (Meadville, PA Quadrangle N: 12.4 inches; W: 4.5 inches).

2. Crossing 2 located approximately 1,400 feet upstream of the S. R. 198 Bridge (Meadville, PA Quadrangle N: 16.6 inches; W: 4.5 inches).

3. Crossing 3 located immediately upstream of the Bradford Bridge (S. R. 6/19) (Meadville, PA Quadrangle N: 21.2 inches; W: 0.8 inch).

**E20-477.** Encroachment. **Crawford Central School District**, 11280 Mercer Pike, Meadville, PA 16335. To construct and maintain a total of 30,000 square feet of building additions onto the existing 78,000 square foot

Cochranon Jr./Sr. High School building and a 28-foot-long by 22-foot-wide detached greenhouse building within the 100-year floodplain of French Creek at the southern terminus of Second Street (Cochranon, PA Quadrangle N: 4.2 inches; W: 7.4 inches) located in Cochranon Borough, **Crawford County**.

**E25-585.** Encroachment. **PA Department of Conservation and Natural Resources**, P. O. Box 8451, Harrisburg, PA 17105-8451. To perform perpetual maintenance dredging of accumulated sand in Lake Erie at the entrance of Thompson Bay in an area measuring approximately 1,200 feet long by 100 feet wide, encompassing 2.75 acres, beginning on the western side near Horseshoe Pond and extending northeast to a bottom elevation of 567.0 feet International Great Lakes Datum (IGLD) and to place the excavated material along approximately Beach No. 10 in Presque Isle State Park (Erie North, PA Quadrangle N: 6.5 inches; W: 10.5 inches) located in Millcreek Township, **Erie County**.

**E25-587.** Encroachment. **Lake Pointe Community Church**, 32 Eagle Point Boulevard, Erie, PA 16511. To fill 0.22 acre of wetland for the construction of an access roadway to Lake Pointe Community Church property along the north side of S. R. 955 (Iroquois Avenue) approximately 600 feet west of Walbridge Road (Harborcreek, PA Quadrangle N: 8.5 inches; W: 1.5 inches) located in Harborcreek Township, **Erie County**. Project includes creation of 0.22 acre of replacement wetland adjacent to existing wetlands on the property.

**E33-194.** Encroachment. **Jefferson County**, Jefferson Place, 155 Main Street, Brookville, PA 15825. To remove the existing County Bridge No. JC-18 and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear span of 20.5 meters and a minimum underclearance of 3.22 meters on an 80 degree skew across Coder Run on T-567 immediately west of its intersection with T-394 (Brookville, PA Quadrangle N: 4.2 inches; W: 16.2 inches) located in Rose Township, **Jefferson County**.

**E33-196.** Encroachment. **PA Department of Transportation**, District 10-0, Route 286 South, P. O. Box 429, Indiana, PA 15701. To remove the existing culverts and to construct and maintain a cast-in-place concrete box culvert having a 12-foot-wide by 4-foot-high waterway opening in Beaverdam Run on S. R. 1009, Segment 0090, Offset 1490 approximately 0.5 mile north of S. R. 830 (Falls Creek, PA Quadrangle N: 10.8 inches; W: 14.0 inches) located in Washington Township, **Jefferson County**.

**DAM SAFETY**

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

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

**D57-028A.** Dam. **Dwight Lewis Lumber Company, Inc.** (P. O. Box A, Hillsgrove, PA 18619-0901). To modify, operate and maintain an existing dam located across Ogdonia Creek in Elkland Township, **Sullivan County**.

---

**ENVIRONMENTAL ASSESSMENT**


---

**Environmental Assessment Approvals and Actions on 401 Certification**


---

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

**EA10-003C0.** Environmental Assessment. **Rodger L. Fleming** (126 Dinnerbell Road, Butler, PA 16002). To construct and maintain two nonjurisdictional dams in the watershed of a tributary to Robinson Run (WWF) impacting approximately 0.38 acre of wetlands (PEM and PFO) for the purpose of wildlife management located approximately 3,800 feet east of the intersection of State Route 8 and Dinnerbell Road (S. R. 2012) (Butler, PA Quadrangle N: 1.2 inches; W: 4.9 inches) in Penn Township, **Butler County**.

---

**WATER ALLOCATIONS**


---

**Actions taken on applications filed under the act of June 24, 1939 (P. L. Box 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.**


---

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

**Permit No. WA28-1005.** Water Allocations, **Franklin County General Authority, Franklin County**, *Responsible Official: John Van Horn, Franklin County General Authority, 5000 Letterkenney Road, Suite 320, Chambersburg, PA 17201-8382.* Request: The right to withdraw 2.9 million gallons per day based on a yearly

average from Letterkenney Reservoir, Franklin County. *Consulting Engineer: Timothy J. Przyblowski, P.E., Vice President, Benatec Associates. Permit Issued: July 26, 1999.*

---

**SPECIAL NOTICES**


---

**Request for Proposal for Industrial Market Development for Waste Tire Grants**

The Department of Environmental Protection is soliciting proposals from municipalities, not-for-profit organizations or for-profit business entities for the Industrial Market Development Grant for Waste Tires. Proposals are due by 5 p.m., September 24, 1999. For copies of the Request for Proposal contact the Bureau of Land Recycling and Waste Management, 400 Market Street, 14th Floor, Rachel Carson State Office Building, Harrisburg, PA 17105-8472, (717) 787-7382.

**Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of July 1999, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Michael Angelo	662 New Castle Road Butler, PA 16001	Testing
Nathaniel Burden, Jr. Advantage Radon Control Centers U. S. Toxic Substance Testing Bureau UST Labs	804 Second Street Pike Southampton, PA 18966	Testing Mitigation Laboratory
D-Tech	P. O. Box 902 Blue Bell, PA 19422	Testing
Jason Davenport	2804 Arcadia Avenue Allentown, PA 18103	Testing
Delta Inspection Services, Inc.	49 South Main Street Yardley, PA 19067	Testing
Jason Esposito	2 Hayes Street Elmsford, NY 10523	Laboratory
Richard Haag Safe Shelter Environmental	346 North Pottstown Pike Exton, PA 19341	Testing Mitigation
Elmer Hayes	103 Sycamore Court Collegeville, PA 19426	Testing
Ronald Kuhl	327 Connecticut Drive Erie, PA 16505	Testing
Cynthia Lawn Franklin Environmental Analysis	2334 Orthodox Street Philadelphia, PA 19137	Testing Laboratory
Carl Mastropaolo	1839 Ashurst Road Philadelphia, PA 19151	Testing
Peter Muehlbronner AllState Home Inspections, Inc.	248 Keswick Avenue Glenside, PA 19038	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Lewis Nelson, IV Tri-County Radon Testing Co., Inc.	P. O. Box 830 Huntingdon Valley, PA 19006	Testing
Lawrence Nies	11021 May Road Wattsburg, PA 16442	Testing
Josh Rudy	P. O. Box 4214 Lancaster, PA 17604	Testing
David Scott	253 Stone Ridge Drive Audubon, PA 19403	Testing

[Pa.B. Doc. No. 99-1329. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Air Quality Technical Advisory Committee Meeting

The Air Quality Technical Advisory Committee (AQTAC) will meet beginning at 9 a.m. on Monday, August 23, 1999, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Two major agenda items that are scheduled for consideration by AQTAC are draft final rulemaking related to surface coating operations and wood finishing activities and draft final revisions to the oxides of nitrogen (NO<sub>x</sub>) requirements adopted under the provisions of the Ozone Transport Commission Memorandum of Understanding.

Questions concerning the agenda may be directed to Terry L. Black at (717) 787-2030 or e-mail to Black.Terry@dep.state.pa.us. The agenda for this meeting will also 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 Wick Havens directly at (717) 787-4310 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-1330. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center. The "January 1999 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1999.

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

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Please check with the

appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

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

#### *Final Guidance*

DEP ID: 562-5900-001 Title: Surface Mine Accident Investigations Description: The purpose of this guidance document is to outline a standard operating procedure for investigating injuries on noncoal, anthracite and bituminous surface mine sites, and to define how the investigation will be jointly carried between the Department and the Federal Mine Safety and Health Administration (MSHA). Effective Date: August 21, 1999 Contact: Don Barnes at (814) 472-1900.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-1331. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Proposed Revision to the State Implementation Plan for Ozone for the Philadelphia Ozone Nonattainment Area; Public Hearing

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. The Department of Environmental Protection is seeking public comment on a State implementation plan (SIP) revision for the Philadelphia ozone nonattainment area (Bucks, Chester, Delaware, Montgomery and Philadelphia counties) which reduces volatile organic compounds (or equivalent) by 3% per year from 1996 through 2005 and demonstrates that the area will meet the health-based ozone standard.

The proposed SIP revises the highway vehicle emission inventory submitted to the EPA and establishes new motor vehicle emission budgets for purposes of transportation conformity. The United States Environmental Protection Agency has required areas classified as serious and above for ozone to include in their SIPs all control measures which will be in place by the attainment year and which are assumed in the air quality attainment demonstration (last submitted to the EPA on August 21, 1998). This proposed SIP thus includes emission reductions attributable to the National Low Emission Vehicle

program already in place and additional Federal heavy-duty engine standards effective 2004. These strategies were not included in the motor vehicle emissions inventory originally submitted to the EPA on April 30, 1998.

This proposal is available on the DEP Website at <http://www.dep.state.pa.us> (choose Information by Subject/Air Quality/State Implementation Plans), or through the contact persons listed.

The Department will hold a public hearing to receive comments on the SIP revision on Friday, September 17, 1999 at 1 p.m. at the offices of the Delaware Valley Regional Planning Commission, The Bourse Building, 8th Floor, (use 4th Street side elevators), 111 S. Independence Mall East, Philadelphia.

Persons wishing to present testimony at the hearing should contact Shiela Barley, (717) 787-9495 (P. O. Box 8468, Harrisburg, PA 17105) to reserve a time. If individuals do not reserve a time, they will be able to testify after preregistrants. Witnesses should keep testimony to 10 minutes and should provide two written copies at the hearing. 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 Wick Havens at the telephone number mentioned previously. TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Written comments should be sent to Arleen Shulman, Chief, Mobile Sources Section Chief, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 no later than close of business on September 20, 1999.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 99-1332. Filed for public inspection August 13, 1999, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### 1999 Group One Exception Requests; MA/LTC Participation Review

The Department of Public Welfare (Department), by statement of policy effective December 18, 1996, adopted an interim policy announcing that, as a general matter, it intended to exercise its discretion to terminate or to refuse to enter into an MA provider agreement with a provider of nursing facility services that sought to increase the number of MA certified nursing facility beds through enrollment or expansion, unless the Department granted an exception on a case-by-case basis to permit that provider to enroll or expand. Effective August 11, 1997, this statement of policy was revised to state that enrolled nursing facility providers are prohibited from expanding their licensed bed capacity, under any circumstances, without first receiving an exception from the Department. A statement of policy that sets forth the guidelines the Department will use when making its case-by-case exception request decisions was published in the *Pennsylvania Bulletin* on January 10, 1998 (28 Pa.B. 138), and is codified at 55 Pa. Code § 1187.21a.

By this notice, published under 55 Pa. Code § 1187.21a(e)(4), the Department announces the 1999 Group One exception requests covering the submission period of January 1, 1999, through June 30, 1999.

#### Expansion Projects

Number	Name	Address	County	Beds
JJ99002	Twin Oaks Nursing Ctr.	90 W. Main St., Cambelltown	Lebanon	39
JJ99004	Continuing Care Nursing & Rehabilitation Ctr.	8th St. & Girard Ave., Philadelphia	Philadelphia	4
JJ99006	Canterbury Place	310 Fisk St., Pittsburgh	Allegheny	22
JJ99008	St. Mary's Villa Nursing Home	St. Mary's Villa Road, Elmhurst	Lackawanna	9

#### New Facility Projects

Number	Name	Address	County	Beds
JJ99001	Frankford Hospital TCU	Frankford Ave. & Wakeling St.	Philadelphia	19
JJ99003	The Clara Burke Community	251 Stenton Ave., Plymouth Meeting	Montgomery	80
JJ99005	Pittston Hospital	P. O. Box 666, Pittston	Luzerne	176
JJ99007	Jenners Pond Health Center, Inc.	1011 W. Baltimore Pike, West Grove	Chester	30
JJ99009	Harlee Manor, Inc.	463 West Sproul Road, Springfield	Delaware	18

Copies of the above listed exception requests are available for review by the public during regular business hours. To schedule an appointment to review a request, call (717) 705-3705.

The Department will accept written comments related to the requests for a 30-day period following the date of this publication. Written comments may be submitted to: Department of Public Welfare, Bureau of LTC Programs, Attention: Policy Section, P. O. Box 8025, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another alternative format should contact Thomas Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

[Pa.B. Doc. No. 99-1333. Filed for public inspection August 13, 1999, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Pennsylvania Wizard of Odds '99 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Wizard of Odds '99.

2. *Price:* The price of a Pennsylvania Wizard of Odds '99 instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Wizard of Odds '99 instant lottery game ticket will contain one play area featuring one "Crystal Ball Numbers" area and one "Lucky Numbers" area. The play symbols and their captions located in the "Crystal Ball Numbers" area and the "Lucky Numbers" area are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT) and 9 (NIN).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" area are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$6.<sup>00</sup> (SIX DOL), \$8.<sup>00</sup> (EGT DOL), \$12.<sup>00</sup> (TWELVE), \$16.<sup>00</sup> (SIXTEEN), \$100 (ONE HUN) and \$4,000 (FOR THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$6, \$8, \$12, \$16, \$100 and \$4,000. The player can win up to four times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Wizard of Odds '99 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Lucky Numbers" play symbols matches either of the "Crystal Ball Numbers" play symbols and a prize play symbol of \$4,000 (FOR THO) appears in the "Prize" area under the matching "Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4,000.

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

(c) Holders of tickets upon which any one of the "Lucky Numbers" play symbols matches either of the "Crystal Ball Numbers" play symbols and a prize play symbol of \$16.<sup>00</sup> (SIXTEEN) appears in the "Prize" area under the matching "Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$16.

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

(e) Holders of tickets upon which any one of the "Lucky Numbers" play symbols matches either of the "Crystal Ball Numbers" play symbols and a prize play symbol of \$8.<sup>00</sup> (EGT DOL) appears in the "Prize" area under the

matching "Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$8.

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

(g) Holders of tickets upon which any one of the "Lucky Numbers" play symbols matches either of the "Crystal Ball Numbers" play symbols and a prize play symbol of \$4.<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets upon which any one of the "Lucky Numbers" play symbols matches either of the "Crystal Ball Numbers" play symbols and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under the matching "Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(i) Holders of tickets upon which any one of the "Lucky Numbers" play symbols matches either of the "Crystal Ball Numbers" play symbols and a prize play symbol of \$1.<sup>00</sup> (ONE DOL) appears in the "Prize" area under the matching "Lucky Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

*When Any Of The Lucky Numbers Matches Either Crystal Ball Number Win With Prize(s) Of:*

<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 9,600,000 Tickets</i>
\$1	\$1 1:7.14	1,344,000
\$1 x 2	\$2 1:30	320,000
\$2	\$2 1:75	128,000
\$1 x 4	\$4 1:60	160,000
\$2 x 2	\$4 1:150	64,000
\$2 + \$1 x 2	\$4 1:150	64,000
\$4	\$4 1:300	32,000
\$4 + \$2	\$6 1:500	19,200
\$4 + \$1 x 2	\$6 1:500	19,200
\$2 x 3	\$6 1:500	19,200
\$6	\$6 1:1,500	6,400
\$2 x 4	\$8 1:300	32,000
\$4 x 2	\$8 1:500	19,200
\$6 + \$1 x 2	\$8 1:1,500	6,400
\$8	\$8 1:1,500	6,400
\$6 x 2	\$12 1:1,000	9,600
\$4 x 3	\$12 1:1,000	9,600
\$8 + \$2 x 2	\$12 1:1,000	9,600
\$12	\$12 1:3,000	3,200
\$4 x 4	\$16 1:3,000	3,200
\$8 x 2	\$16 1:3,000	3,200
\$4 + \$6 x 2	\$16 1:1,500	6,400
\$16	\$16 1:3,000	3,200
\$6 x 4	\$24 1:3,000	3,200
\$8 x 2 + \$4 x 2	\$24 1:3,000	3,200
\$12 x 2	\$24 1:3,000	3,200
\$8 x 3	\$24 1:3,000	3,200
\$16 + \$4 x 2	\$24 1:3,000	3,200
\$100	\$100 1:12,000	800
\$100 x 4	\$400 1:24,000	400
\$4,000	\$4,000 1:480,000	20

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Wizard of Odds '99 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Wizard of Odds '99, prize money from winning Pennsylvania Wizard of Odds '99 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Wizard of Odds '99 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Wizard of Odds '99 or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 99-1334. Filed for public inspection August 13, 1999, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding

#### Delaware County Philadelphia County

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

The Department of Transportation plans to construct improvements to Interstate 95 (I-95) and S.R. 0291(PA 291) and participate in construction improvements to the Philadelphia International Airport in Tinicum Township, Delaware County and the City of Philadelphia, Philadelphia County.

Philadelphia International Airport is located on the north shore of the Delaware River in the southeastern corner of Pennsylvania approximately 6 miles southwest of Philadelphia's central business district. Philadelphia International Airport is owned and operated by the City of Philadelphia, Division of Aviation and is the principle commercial service airport in the region serving both domestic and foreign carriers.

I-95 provides the primary access to Philadelphia International Airport with direct connections to other regional expressways such as I-76 to the north and I-476 to the south of the airport. Airport access for I-95 southbound traffic is via a direct ramp connection while access for

I-95 northbound traffic is from exit 10 to PA 291 through two at grade signalized intersections.

The project's purpose is to expand the airport's terminal and roadway elements to accommodate current and projected levels of passenger and vehicular activity. The proposed action has three principle components that include a new international terminal building complex, Terminal One, a new commuter terminal building complex, Terminal F, and two new ramps to improve vehicular access from I-95, Alternative B-4 Modified.

The preferred alternative locates Terminal One west of existing Terminal A and Terminal F north of existing Terminal E since they follow the existing pier geometry, do not require relocation of any off-airport businesses, and do not require construction of a people mover system. Alternative B-4 Modified is the construction of a new I-95 northbound exit ramp to be merged with the I-95 southbound exiting traffic for direct access to the airport. The existing ramp to the northbound collector-distributor road will be removed and replaced to the east to separate this traffic from airport bound traffic. Ramp A from PA 291 will be removed and replaced with a direct access from PA 291 located to the west of International Plaza Driveway. Existing Departures Ramp L will be removed and replaced by Ramp LL that will pass under the SEPTA Airport High Speed Line, cross over I-95 and PA 291 and descend to the Philadelphia International Airport departures roadway. An overheight vehicle exit will be constructed from Ramp LL to allow overheight vehicles to exit the departures roadway system without entering secure airport property.

I have considered the environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, and have concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from the construction of this project.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-1335. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Finding

#### Luzerne County

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

The Federal Highway Administration and the Department of Transportation plan to remove the Plymouth-Breslau Bridge, which carries Hanover Street over the Susquehanna River in Luzerne County, with no replacement. The bridge has been closed to traffic since 1985. The traffic considerations will be accommodated by the Carey Avenue bridge replacement project, which will be a separate project.

This project will impact the bridge, which is a Section 4(f) resource and is eligible for listing on the National Register of Historic Places.

Mitigation measures will be taken to minimize harm as stipulated in the executed Memorandum of Agreement. The mitigation measures include a HABS/HAER recorda-

tion of the bridge, which has been completed and was accepted by the USDOJ in January 12, 1995.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effects.

No adverse environmental effect is likely to result from this bridge removal project.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 99-1336. Filed for public inspection August 13, 1999, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Cancellation of Meeting

The August 17, 1999, Environmental Quality Board meeting has been canceled. The next meeting is scheduled for September 21, 1999, at 10 a.m. in Room 105 of the Rachel Carson State Office Building (RCSOB), Harrisburg.

JAMES M. SEIF,  
*Chairperson*

[Pa.B. Doc. No. 99-1337. Filed for public inspection August 13, 1999, 9:00 a.m.]

## HUMAN RELATIONS COMMISSION

### Public Hearing Opinions

The Human Relations Commission, under section 7(o) of the Pennsylvania Human Relations Act (P. L. 744, No. 222) (act) hereby announces the publication of the stipulations of fact, findings of fact, conclusions of law, opinion, final order, concurring opinion, dissenting conclusions of law and dissenting opinion made after a public hearing under section 9(e)—(g) of the act, in the following case:

*Margaret Downey-Schottmiller v. Chester County Council of the Boy Scouts of America*; Doc. No. P3986; (Pennsylvania Human Relations Commission, July 27, 1999); Religion-based refusal of membership; Ruling for Respondent, 7-2 decision; 26 pages.

The final order in the above-listed case is subject to appeal to Commonwealth Court, and if appealed is subject to being affirmed, reversed or modified, in whole or part.

A copy of the opinion listed in this notice may be obtained by mailing a request indicating the opinion desired, accompanied by a check or money order in the amount of 10 cents per page (the number of pages in the opinion is set forth at the end of the case listing), to Laura J. Treaster, Information Director, Human Relations Commission, 101 South Second Street, Suite 300, Harris-

burg, PA 17101. The check or money order should be made payable to the "Commonwealth of Pennsylvania."

HOMER C. FLOYD,  
*Executive Director*

[Pa.B. Doc. No. 99-1338. Filed for public inspection August 13, 1999, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Commission may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in section 5.1(h) and (i) of the act (75 P. S. § 745.5a(h) and (i)).

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

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
57-204	Pennsylvania Public Utility Commission Cramming and Slamming (29 Pa.B. 2779 (May 29, 1999))	7/29/99	6/28/01

### Pennsylvania Public Utility Commission Regulation No. 57-204 Cramming and Slamming July 29, 1999

We have reviewed this proposed regulation from the Pennsylvania Public Utility Commission (PUC) and submit for consideration the following objections and recommendations. Subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) specify the criteria the Commission must employ in determining whether a regulation is in the public interest. In applying these criteria, our Comments address issues that relate to need, reasonableness and clarity, and additional recordkeeping and paperwork. We recommend that these Comments be carefully considered as you prepare the final-form regulation.

**1. Section 64.23. Standardizing LEC responses to customer contacts alleging unauthorized changes to the customer's long distance carrier and unauthorized charges added to the customer's bill.—Reasonableness; Additional Recordkeeping and Paperwork; and Clarity.**

*Subsection (a)—Cramming.*

Subsection (a) sets forth the local exchange company's (LEC) responsibilities when a customer complains that "cramming has occurred on the bill rendered to the

customer.” (Emphasis added.) The regulation does not provide any time frame within which the customer must report the alleged cramming. Subsection (b), however, establishes the LEC’s responsibilities when a customer alleges that “slamming has occurred on *one or both of the past two bills.*” (Emphasis added.)

Why do the cramming provisions in subsection (a) not reference specific billing periods, like the slamming provisions in subsection (b)? For consistency, the same reference to billing periods should be included in subsection (a).

*Subsections (a)(2) and (b)(3)—Effect of unpaid crammed or slammed charges on basic service.*

These subsections provide that when a customer alleges that cramming or slamming has occurred, the LEC must inform the customer that the charges will be removed from the customer’s bill and returned to the service provider. The LEC must also explain that removal of the charges does not mean that the service provider will not attempt to collect the charges directly from the customer.

The Office of Consumer Advocate (OCA) recommended that the LEC also inform the customer that failure to pay crammed charges cannot result in termination of basic service. Customers may not be aware that basic service cannot be terminated for failure to pay non-basic charges. To improve the consumer protection provisions of this rulemaking, the PUC should adopt OCA’s recommendation in both of these subsections.

*Subsections (a)(5) and (b)(6)—Complaint information.*

These subsections require LECs, at the customer’s request, to provide information on how to file a complaint with the Pennsylvania Office of Attorney General (AG), the Federal Communications Commission (FCC) and the Federal Trade Commission (FTC). This information may be valuable to customers, but they may not be aware that they can ask for it. By limiting LECs’ responsibility to disclose complaint information to only those customers who request it, the consumer protections intended by sections 64.23(a)(5) and (b)(6) will not be fully realized.

We recognize that it would be burdensome to require LECs to give detailed complaint information to every customer who contacts them with a slamming or cramming complaint. Not every customer will want to pursue a complaint with the AG, the FCC or the FTC. However, it would not be burdensome to require LECs to disclose to customers that complaint information is available if they would like it. This disclosure would ensure that customers are fully informed about their options, but would not require LECs to give detailed complaint disclosure information to every customer. Since the LECs deal directly with the customers, subsections (a)(5) and (b)(6) should also require LECs to inform customers that complaint information is available upon request.

*Subsection (b)(2)—Account safeguard.*

This subsection requires the LEC to put a safeguard on the customer’s account at the customer’s request. The safeguard is intended to prevent the LEC from processing an interexchange carrier’s (IXC) request for a switch unless the LEC has the customer’s express authorization. As discussed in relation to complaint information in subsections (a)(5) and (b)(6), the customer may not be aware that a safeguard is an option. We recommend the PUC amend subsection (b)(2) to require the LEC to

inform the customer that a safeguard can be placed on the account.

Furthermore, it is not clear what constitutes the customer’s “express authorization.” The FCC rules (at 47 CFR 64.1190) require, for example, that there must be written and signed authorization by the customer, or electronic authorization from the customer, or independent third party verification of the customer’s oral authorization. For improved clarity, this subsection should be amended to specify what constitutes “express authorization.”

*Subsection (b)(3)—Recourse of charges to IXC.*

This subsection requires the LEC to return the alleged slamming charges to the IXC or its billing agent. We question the reasonableness of requiring the LEC to return the charges. We understand this may not be possible because of contractual agreements between the LEC and the IXC. Furthermore, Conectiv commented that some carriers’ billing systems do not have the ability to return the charges to the IXC or its billing agent. Therefore, the PUC should only require the LEC to remove the charge from the customer’s bill. The LEC and the IXC should determine how these charges should be handled.

## **2. General—Need for and Reasonableness of the Proposed Slamming Provisions; Additional Recordkeeping and Paperwork.**

Commentators have questioned the need for the PUC to put the proposed subsection (b) slamming rules in place at a time when the FCC liability rules on slamming are pending. Commentators assert that if both sets of rules are in place at the same time and contain conflicting requirements, it will be virtually impossible for them to comply. In addition, Representative McCall raised concerns with the timing of this regulation in light of the pending FCC rules and legislation that he has proposed. Why is it necessary for the PUC to proceed with its own slamming rules prior to final implementation of the FCC rules?

If the PUC finalizes these slamming regulations, it should compare the provisions of this rulemaking with the pending FCC rules on slamming to ensure that the final-form regulation does not conflict with FCC requirements. Inconsistencies should be eliminated to avoid potential compliance problems and additional recordkeeping and paperwork requirements.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 99-1339. Filed for public inspection August 13, 1999, 9:00 a.m.]

## **Notice of Filing of Final Rulemakings**

The Independent Regulatory Review Commission received, on the dates indicated, the following regulations for review. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-344	Environmental Quality Board Sewage Enforcement Officers Application Requirements for Certification	8/3/99
7-341	Environmental Quality Board Gasoline Volatility Requirements	8/3/99

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 99-1340. Filed for public inspection August 13, 1999, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Acquisition of a Domestic Stock Life Insurance Corporation

A.P.L. Acquisition Corporation and The Allstate Corporation have filed an application to acquire control of Keystone State Life Insurance Company. The filing was made under the requirements set forth under the Insurance Holding Company Act, 40 P.S. § 991.1402 et. seq. Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; email <http://www.mgraeff@ins.state.pa.us>.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1341. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Application for Approval to Redomesticate

Pennsylvania Casualty Company, a Kansas stock fire insurance company, has submitted a Plan of Redomestication, whereby it proposes to redomesticate from the State of Kansas to the Commonwealth of Pennsylvania. The filing was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 et. seq. Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA

17120, by fax to (717) 787-8557, or to [rbrackbi@ins.state.pa.us](mailto:rbrackbi@ins.state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1342. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Highmark Inc.; Requesting Approval to Increase Rates for Direct Pay Medical/Surgical Plans; Filing No. 1-DPMS-99-HI

By Filing No. 1-DPMS-99-HI, Highmark Inc., d/b/a Pennsylvania Blue Shield, requests approval to increase its premium rates for its Direct Pay Medical/Surgical Plans in the Capital Blue Cross, Independence Blue Cross and Blue Cross of Northeastern Pennsylvania regions. No change is requested for the Highmark Blue Cross Blue Shield region. The filing requests an average increase of about 10.8% of current premium. Increases will vary by plan and region. This will affect about 22,300 contract holders and produce additional annual premium income of about \$2.2 million. The requested effective date of the change is January 1, 2000.

The increases by region are shown as follows.

<i>Region</i>	<i>Percentage Increase</i>	<i>Average Increase per Contract Month</i>
Capital Blue Cross	15.0%	\$15.08
Independence Blue Cross	6.4%	\$ 4.43
Blue Cross of Northeast PA	15.0%	\$10.77
All Regions Combined	10.8%	\$ 8.13

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg, Pittsburgh, Erie and Philadelphia Regional Offices.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1343. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Highmark Inc.; Requesting Approval to Increase Rates for Special Care Medical Surgical Program; Filing No. 1-SCMS-99-HI

By Filing No. 1-SCMS-99-HI, Highmark Inc., d/b/a Pennsylvania Blue Shield, requests approval to increase its premium rates for its Special Care Medical/Surgical Plans in the Independence Blue Cross and Blue Cross of Northeast Pennsylvania regions. No change is requested for the Capital Blue Cross and Highmark Blue Cross Blue Shield regions. The filing requests an average increase of about 4.5% of current premium. Increase will vary by region. This will affect about 18,400 contract holders and produce additional premium income of about \$0.4 million. The requested effective date of the change is January 1, 2000.

The requested rates and increases by region are shown as follows:

	<i>Independence Blue Cross</i>	<i>Blue Cross Northeastern PA</i>
Individual	\$30.75	\$24.50
Parent/Child(ren)	\$46.15	\$36.75
Two Adult	\$61.55	\$48.95
Family	\$76.90	\$61.25
% Increase	3.6%	11.6%

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1344. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Public Informational Meeting; Mutual-to-Stock Conversion

The Insurance Department (Department) will hold a public informational meeting regarding the proposed plan of conversion submitted by Millers Mutual Insurance Company, a Pennsylvania domiciled mutual property insurance company. The proposed plan provides for conversion from a mutual property insurance company to a stock property insurance company and the formation of a mutual holding company. The filing was made under the Mutual-to-Stock Conversion Act (40 P. S. § 911-A et seq.). Policyholders and interested persons are invited to attend and participate.

1. *Date and Time:* September 24, 1999, beginning at 9 a.m.

2. *Location:* Capitol Associates Building, Suite 200, North Seventh Street, Harrisburg, PA.

3. *Format of Meeting:* The Department and Millers Mutual Insurance Company will provide information about the proposed plan of conversion and the review process. Policyholders and interested persons may voluntarily make comments about the proposed plan of conversion. Policyholders and interested persons may attend the meeting without making oral comments. The terms of the policyholders' insurance policy will not be affected by attending or not attending the meeting. The meeting will be recorded and a transcript may be purchased directly from the court reporter.

4. *Legal Authority:* The public informational meeting will be held under the provisions of the Mutual-to-Stock Conversion Act (40 P. S. § 911-A et seq.).

5. *Questions Regarding the Specifics of the Plan of Conversion:* Questions about the purchase of stock or other issues specific to the plan of conversion or questions about an insurance policy should be directed to David W. Carmean, Secretary, Millers Mutual Insurance Company, 805 North Front Street, P. O. Box 1246, Harrisburg, PA 17108, (717) 237-7229.

6. *Written Comments:* Persons who are unable to attend the public informational meeting or would prefer to submit written comments about Millers Mutual Insurance Company's proposed plan of conversion, may do so by mailing or delivering a copy of the comment to Michael S. Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, or by e-mail at mgraeff@ins.state.pa.us. Please be advised that all comments received will be part of the public files regarding this proposal, and will be shared with Millers Mutual Insurance Company for response.

7. *ADA Notice:* If, due to a disability, individuals require the assistance of auxiliary aid or services to participate in or attend this public informational meeting, call Tracey Pontius, Director of the Bureau of Administration, (717) 787-4298. Persons who are hearing impaired should call the Department's TDD phone number (717) 783-3898.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1345. Filed for public inspection August 13, 1999, 9:00 a.m.]

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

The following insureds have requested a hearing, as authorized by the act of June 17, 1998 (P.L. 464, No 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of George M. Szabad; file no. 99-265-31835; Travelers Property and Casualty Co.; doc. no. PH99-07-012; October 4, 1999, 9 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a writ-

ten 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 hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 99-1346. Filed for public inspection August 13, 1999, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Westmoreland County, Wine & Spirits Shoppe #6523, 314 Latrobe Thirty Plaza, Latrobe, PA 15650-2821.

*Lease Expiration Date:* September 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in a shopping center environment along Route 30 near the intersection with Route 981.

*Proposals due:* September 3, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Mercer County, Wine & Spirits Shoppe #4301, Sharon Ctr City Shopping Ctr, 120 South Water Avenue, Sharon, PA 16146-1356.

*Lease Expiration Date:* September 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space in a shopping center environment in downtown Sharon.

*Proposals due:* September 3, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

McKean County, Wine & Spirits Shoppe #4203, 433 W Main Street, Smethport, PA 16749-1141.

*Lease Expiration Date:* September 30, 2000

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space serving the Smethport area.

*Proposals due:* September 3, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

Westmoreland County, Wine & Spirits Shoppe #6511, 107 S 2nd Street, West Newton, PA 15089-1357.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space in a shopping center environment near the intersection of Routes 51 and 201 in Southwestern Westmoreland County.

*Proposals due:* September 3, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** George Danis, (412) 565-5130

Montgomery County, Wine & Spirits Shoppe #4633, Mad Grocery Shopping Center, 850 Valley Forge Road, Lansdale, PA 19446-4261.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 9,500 net useable square feet of new or existing retail commercial space on Valley Forge Road, South of Allentown Road and North of Sumneytown Pike in Upper Gwynedd Township.

*Proposals due:* September 3, 1999 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 4501 Kelly Drive, Philadelphia, PA 19129-1794,  
**Contact:** Robert Jolly, (215) 560-5310

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 99-1347. Filed for public inspection August 13, 1999, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Railroad With Hearing

**Doc. No. C-00992533. Borough of Tamaqua v. Reading, Blue Mountain and Northern Railroad Company.** Complainant feels the condition of the crossing on West Broad Street endangers the safety of pedestrians using the sidewalks and motor vehicles traveling in opposite directions because drivers swerve to miss significant depressions in crossing area.

An initial hearing on this matter will be held Tuesday, September 21, 1999, at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, PA when and

where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1348. Filed for public inspection August 13, 1999, 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 September 7, 1999, 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-00116101. Airport Taxi, Limousine, and Courier Service of Lehigh Valley, Inc.** (319 Church Street, Dunmore, Lackawanna County, PA 18512), a corporation of the Commonwealth of Pennsylvania—persons, in limousine service, from points in the counties of Northampton, Bucks, Lehigh, Berks, Montgomery, Carbon, Monroe, Pike, Columbia, Lycoming, Montour, Schuylkill, Lackawanna, Luzerne, Northumberland and Wayne, to the Lehigh Valley International Airport, in the township of Hanover, Lehigh County, and vice versa. An application for temporary authority has been filed at A-00116101 seeking the right cited above. *Attorney:* Henry P. Burke, Suite 800, Connell Building, 129 North Washington Avenue, Scranton, PA 18503.

**A-00116101, F. 2. Airport Taxi, Limousine, and Courier Service of Lehigh Valley, Inc.** (319 Church Street, Dunmore, Lackawanna County, PA 18512), a corporation of the Commonwealth of Pennsylvania—persons, in airport transfer service, from points in the counties of Northampton, Bucks, Lehigh, Berks, Montgomery, Carbon, Monroe, Pike, Columbia, Lycoming, Montour, Schuylkill, Lackawanna, Luzerne, Northumberland and Wayne, to the Lehigh Valley International Airport, in the township of Hanover, Lehigh County. An application for temporary authority has been filed at A-00116101, F. 2 seeking the right cited above. *Attorney:* Henry P. Burke, Suite 800, Connell Building, 129 North Washington Avenue, Scranton, PA 18503.

**A-00116103. Scott A. Dechert, t/d/b/a Distinctive Limousine Service** (1224 Oak Street, Lebanon, Lebanon County, PA 17042) persons in limousine service between points in the counties of Lebanon, Lancaster, Dauphin, Berks, and Schuylkill, and from points in the said counties, to points in Pennsylvania, and vice versa.

#### **Applications of the following for approval of the right to begin to operate as a broker for the transportation of persons as described under each application.**

**A-00116102. K.C.G. Foods, Inc., t/d/b/a Eagle Tour & Travel Services** (356 Gaucher Street, Johnstown, Cambria County, PA 15905), a corporation of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of persons and their baggage between points in Pennsylvania.

July 12, 1999

*Pennsylvania Public Utility Commission v. Blue Mack Transport, Inc.; A-00108492C9901; A-00108492*

On March 20, 1999, the Bureau of Transportation and Safety instituted a complaint against Blue Mack Transport, Inc., alleging respondent abandoned or discontinued service without having submitted a letter to this Commission containing a statement that the service is no longer being rendered.

Respondent was duly notified that, if an answer was not filed within twenty (20) days of receipt of the complaint, the Bureau of Transportation and Safety would request that the Commission enter an order imposing a penalty.

The complaint and notice were published in the *Pennsylvania Bulletin* on March 20, 1999, Volume 29, No. 12; and, more than thirty (30) days later, no response has been received from respondent. Therefore, the allegations in the complaint are admitted and the complaint is sustained.

The certificate of public convenience held by Blue Mack Transport, Inc. at A-00108492 is hereby revoked and respondent shall cease and desist from further violations of the Public Utility Code, 66 Pa. Code §§ 101, et seq. and the regulations of this Commission, 52 Pa. Code §§ 1.1, et seq. In view of the cancellation of the respondent's certificate of public convenience, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1349. Filed for public inspection August 13, 1999, 9:00 a.m.]

### Water Service Without Hearing

**A-212965 F2000, A-213560 F2000, A-210090 F2000 and A-210088. Barbara L. Tambur, t/a Hex Acres Water Company et al.** Application of Barbara L. Tambur, t/a Hex Acres Water Company, Tambur Water Company, and Sole Shareholder of Barrett Water Company, Inc., for approval of 1) the transfer, by sale, of the assets or rights of Hex Acres Water Company, Tambur Water Company and Barrett Water Company to Willow Water Works, Inc., 2) the abandonment by Barbara L. Tambur, t/a Hex Acres Water Company, the abandonment by Tambur Water Company and the abandonment by Barrett Water Company, of all water service to the public in portions of Exeter Township, County of Luzerne, and 3) the approval for Willow Water Works, Inc., to begin to

offer, render, furnish or supply water service to the public in a portion of Exeter Township, Luzerne County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before August 30, 1999, under 52 Pa. Code (relating to public utilities).

*Applicant:* Barbara L. Tambur, t/a Hex Acres Water Company, Tambur Water Company, Barrett Water Company, and Willow Water Works, Inc.

*Through and By Counsel:* J. Bruce Walter, Esquire, Rhoads and Sinon, LLP, One South Market Square, P. O. Box 1146, Harrisburg, PA 17108-1146 and Angelo C. Terrana, Esquire, 400 North Third Street, Suite 117, Kingston, PA 18704.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 99-1350. Filed for public inspection August 13, 1999, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, August 26, 1999, for Project No. 99-214-001 (Lease of Mail Processing Equipment).

The bid documents can be obtained from the Director of Procurement, 210 W. Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available August 17, 1999. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 99-1351. Filed for public inspection August 13, 1999, 9:00 a.m.]

## STATE ETHICS COMMISSION

### Lobbying Disclosure Act; Availability of Electronic Filing

On August 9, 1999, the Lobbying Disclosure Reporting System (LDRS) was activated for public use as the electronic filing component of the State Ethics Commission's (Commission) web site. Lobbyists and principals will be able to register and report electronically upon obtaining a digital signature.

Digital signatures will be issued beginning August 16, 1999. A digital signature may be obtained by filing SEC Form 1300b, "Application to Register and Report Electronically," with the Commission. The SEC Form 1300b may not be filed electronically. However, it may be

downloaded from the Commission's web site and then printed. The SEC Form 1300b may also be obtained by calling (717) 783-1610 or (800) 932-0936; e-mailing: ethics@state.pa.us; or writing to: State Ethics Commission, 309 Finance Building, P. O. Box 11470, Harrisburg, PA 17108-1470. Individuals who have already filed an application for a digital signature with the Commission do not have to file another application. Individuals will be contacted when the digital signature is assigned.

The SEC Form 1300, "Principal Registration Statement/Amended Registration Statement" and SEC Form 1301, "Lobbyist Registration Statement/Amended Registration Statement," may also be downloaded from the Commission's web site and then printed.

AUSTIN M. LEE,  
*Chairperson*

[Pa.B. Doc. No. 99-1352. Filed for public inspection August 13, 1999, 9:00 a.m.]

## WILD RESOURCE CONSERVATION FUND

### 1999 Annual Report

The Wild Resource Conservation Act (32 P. S. §§ 5301—5314) (act), signed June 23, 1982, by Governor Thornburgh, was the outgrowth of a realization that Pennsylvanians must take a more active role in protecting their rare and endangered species of flora and fauna and those habitats, which are critical to their survival.

The act provides for the protection of protected wildlife and native wild plants. The act also established the Wild Resource Conservation Fund as the sole means of financing management work to be carried out under this program. The moneys to support the program may only be raised through private contributions, as no general fund revenues from the State Treasury may be used for any purposes of this act. A seven-member Wild Resource Conservation Board was established to administer the conservation program and select the projects and studies, which are to be funded.

The Board's members represent those State government agencies, which are responsible for managing the Commonwealth's flora and fauna. The members are: Secretary, Department of Conservation and Natural Resources; Executive Director, Fish and Boat Commission; Executive Director, Game Commission; Majority and Minority Chairpersons of The House Committee on Environmental Resources and Energy and the Minority and Majority Chairpersons of The Senate Environmental Resources and Energy Committee. The Chairmanship of the Board rotates on an annual basis between the members.

The centerpiece of the legislation is the establishment of a special fund which, for the first time, enables Pennsylvania's citizens to support the protection of wild plants and protected wildlife through voluntary, tax deductible contributions. The most creative source of funding is the opportunity for Pennsylvania's taxpayers to donate all or a portion of their State income tax refund to the Wild Resource Conservation Fund. Those who do not receive a State tax refund may also support this conservation program with a direct contribution.

Pennsylvania was 18th on the growing list of states providing tax checkoff funding for protected wildlife pro-

grams. While the list now numbers 34 states, Pennsylvania's law is unique in that it also focuses on protecting the Commonwealth's native wild plants. Tax checkoffs are a relatively new concept in raising funds for wildlife, with Colorado being the first to initiate such a program in 1977.

#### *Program Objectives*

The research and management programs funded and authorized by the Wild Resource Conservation Board will be carried out by Pennsylvania's three natural resource agencies: the Department of Conservation and Natural Resources (DCNR); the PA Fish and Boat Commission (PFBC); and the PA Game Commission (PGC). Professional and technical staff members from each of the agencies are responsible for developing comprehensive management programs to ensure the future welfare of wild plants and nongame wildlife. Previously, moneys for this area of wildlife management were either nonexistent or very limited. The fund represents a major source of revenue focused on this specific area of long neglected wildlife management.

Among the Wild Resource Conservation Board's activities will be programs dealing with those species of nongame wildlife and wild plants which are classified as being either endangered or threatened. The three agencies have combined their efforts in a program to identify all such species found in Pennsylvania. The DCNR, PFBC and PGC have been working with the Western Pennsylvania Conservancy, The Nature Conservancy, Morris Arboretum and the Carnegie Museum of Natural History on this study entitled, Pennsylvania Natural Diversity Inventory (PNDI). The species of flora and fauna found to be endangered or threatened have been classified as special concern and it is this special concern group which will receive the immediate attention of the Board.

The act requires the Department of Conservation and Natural Resources to conduct investigations on wild plants to ascertain information relating to populations, distribution, habitat needs, limiting factors and other biological and ecological data to classify plants and to determine management measures necessary for their continued ability to sustain themselves successfully.

The Department of Conservation and Natural Resources, through the PNDI, has developed a computerized database containing location and ecological information about Pennsylvania's rare native plants; unique plant communities; special concern animals reptiles, amphibians and fish; and significant geologic features. The system can be quickly and precisely queried to show the number and location of significant biological resources.

The plant information contained in the PNDI will be of great assistance in classifying plants as endangered, threatened or vulnerable as outlined in the act. The Department of Conservation and Natural Resources has promulgated regulations based on the PNDI findings. The regulations established limitations relating to taking, possessing, transporting, exporting, processing, sale or offer for sale, or shipment of endangered, threatened or vulnerable classified native wild plants.

The Game Commission has always been involved, either directly or indirectly, with protected wildlife management. Game management practices, game land holdings, regulated hunting seasons and other factors have aided Pennsylvania's protected wildlife species. The Game Commission has, historically, aimed the greater majority of its management programs at game species to meet the desires and needs of sportsmen who support these programs through license fees. The Game Commission is broadening its protected wildlife management involvement through its Working Together for Wildlife Program and with moneys available from the Wild Resource Conservation Fund.

The Fish and Boat Commission is charged with managing Pennsylvania's reptiles and amphibians in addition to its work with game fish and the protection of our waterways. The Fish and Boat Commission has organized itself to address the needs of this group of animals which have not received the attention shown other nongame animals such as raptors and song birds. Reptiles and amphibians, too, have seen drastic changes in their environment, which have led to their decreasing numbers. The continual loss of wetland habitat is the factor most responsible. To help solve this problem, the Board has the authority to allocate moneys from the Wild Resource Conservation Fund to purchase habitat deemed critical to the survival of endangered or threatened species.

### **Wild Resource Conservation Fund**

#### **1998—1999 Projects**

\$187,500 was approved for funding by the Wild Resource Conservation Board. The Board met on March 17, 1999, for their annual meeting and approved funding for 16 projects. A total of 29 applications were received requesting \$452,009 in funding. The money allocated was received from taxpayers donating their State tax refunds to the Wild Resource Conservation Fund and wildlife license plate sales. The following projects will protect and help manage the Commonwealth's nongame and wild plant species:

<i>Project</i>	<i>Sponsor</i>	<i>Amount</i>
• Herpetology/Fish Research Assistant	The Nature Conservancy	\$42,000
• Herpetological Atlas Pilot	Indiana University—Arthur Hulse	\$18,000
• Herbarium & Field Studies of PA Plants of Special Concern	Carnegie Museum	\$10,000
• Field Studies of Plants of Special Concern in PA	The Nature Conservancy	\$10,000
• Field and Herbarium Studies of PA	TU Plant Species/Plant Field Surveys for Env. Review/Botanical Key Preparation for the Flora of PA—Morris Arboretum	\$15,000
• Databasing the PA Vascular Collection at Youngstown Ohio University	Carl Chuey, YOU	\$ 5,400
• Rare Plant & Natural Community Inventories of Northwest PA	Cleveland Museum	\$ 9,600

<i>Project</i>	<i>Sponsor</i>	<i>Amount</i>
• Botanical Studies for Pennsylvania Natural Diversity Inventory	Western PA Conservancy	\$10,000
• Wild Action Grant Program	Theresa Alberici PA Game Comm.	\$ 4,000
• Denning & Resting Habitats used by Fishers & Otter Population Surveys	Frostburg State Univ.—T. Serfass	\$11,500
• Habitat Use and Selection by Neotropical Migratory Songbirds	Margaret Brittingham—Penn State	\$13,000
• Maintenance of the official list of birds of PA	PA Ornithological Records Committee	\$ 2,000
• Fact Sheets on PA Wildlife	Penn State—M. Brittingham	\$11,000
• Special Concern Mammal Species Research	The Nature Conservancy	\$10,000
• Pennsylvania Bio-Blitz	PA Biological Survey	\$ 8,000

The following project involved two or more of the State agencies and is therefore considered a Special Administrative Project.

• Promotion and Public Relations	Bob Clark	\$ 8,000
----------------------------------	-----------	----------

*Wild Resource Conservation Board Members*

John Oliver, Secretary  
Department of Conservation and Natural Resources

Honorable Peter A. Colangelo, Executive Director  
Fish and Boat Commission

Honorable Vern Ross, Executive Director  
Game Commission

Honorable Raphael J. Musto  
Majority Chairperson  
Senate Environmental Resources & Energy Committee

Honorable Mary Jo White  
Minority Chairperson  
Senate Environmental Resources & Energy Committee

Honorable Arthur D. Hershey  
Majority Chairperson  
House Committee on Environmental Resources & Energy

Honorable Camille "Bud" George  
Minority Chairperson  
House Committee on Environmental Resources & Energy

The Balance Sheet and Statement of Unreserved Fund Balance provided were prepared by the Comptroller's Office on a cash basis of accounting, combined with an encumbrance budgetary system. They were not prepared in accordance with General Accepted Accounting Principles.

Department of Conservation and Natural Resources  
Wild Resource Conservation Fund  
Statement of Unreserved Fund Balance  
for the period ended June 30, 1999

Unreserved Fund Balance, Beginning		\$797,943.49
Revenue Received:		
Income Tax Check-offs	\$307,264.81	
Voluntary Donations	22,318.59	
Income from "Osprey" Film	5,594.00	
Wild Plants License/Permits	1,756.00	
Sale of Publications	20,123.30	
Wild Resource License Plate	50,721.53	
Wild Resource Tee Shirts	3,809.00	
Interest on Securities	66,392.49	
Total Revenue Received	<hr/>	\$477,999.72
Prior Year Commitment Liquidation's		\$405,582.05
Total Funds Available		\$1,681,525.26
Deductions:		
Administrative Expenses	\$297,911.75	
Administrative Commitments (1)	39,946.25	
Project Expenses (2)	310,350.36	
Project Commitments (3)	456,977.41	
Total Deductions		\$1,105,185.77
Unreserved Fund Balance, Ending		\$576,339.49

(1) This figure does not include administrative commitments of \$112,732.13 contingently committed against future years spending authorizations.

(2) This figure does include \$53,073.02 in expenses from special projects approved by the WRCF Board.

(3) This figure does not include project commitments of \$40,372.50 (of which \$27,000.00 are special projects) contingently committed against future years spending authorizations. This figure does include \$62,704.14 in special projects approved by the WRCF Board

(PREPARED BY COMPTROLLER'S OFFICE)

Department of Conservation and Natural Resources  
Wild Resource Conservation Fund  
Balance Sheet  
June 30, 1999

ASSET	Cash		\$476.69
	Temporary Investments	\$1,073,000.00	
	Total Assets		\$1,073,476.69
LIABILITIES AND FUND EQUITY			
LIABILITIES	Vouchers Payable	\$213.54	
	Total Liabilities		\$213.54
FUND EQUITY	Unreserved Fund Equity		\$576,339.49
	(1) Reserved for Administrative Commitments		39,946.25
	(2) Reserved for Wild Resource Projects		456,977.41
	Total Fund Equity		\$1,073,263.15
	Total Liabilities and Fund Equity		\$1,073,476.69

(1) This figure does not include administrative commitments of \$112,732.13 contingently committed against future years spending authorizations

(2) This figure does not include project commitments of \$40,372.50 (of which \$28,000.00 are special projects) contingently committed against future years spending authorizations. This figure does include \$62,704.14 in special projects by the WRCF Board.

(PREPARED BY COMPTROLLER'S OFFICE)

*Public Hearing*

The Wild Resource Conservation Board has scheduled a public hearing for Wednesday, September 16, 1999, 1 p.m. at the Game Commission Office, 2001 Elmerton Ave., Harrisburg. The purpose of the hearing is to provide individuals and organizations the opportunity to comment on the recommendations and programs funded with moneys from the Wild Resource Conservation Fund. The Wild Resource Conservation Board is interested in hearing from any individual or organization that wishes to make comment on the projects submitted for funding to the agencies, Game Commission, Fish and Boat Commission or the Department of Conservation and Natural Resources list published in this issue of the *Pennsylvania Bulletin*. Agencies project recommendations for funding will be presented at the public hearing.

Only comments from the general public regarding the projects received will be heard at the September 16, 1999 public hearing.

The Board will then evaluate all recommendations submitted for its consideration and final funding decisions will be approved at the annual meeting on November 18, 1998.

*Annual Meeting*

The Wild Resource Conservation Board annual meeting will be scheduled at a later date if funds are available for distribution, if no funds are available a meeting will be called at the discretion of the Chairmanship. A full report will be presented on the allocation of moneys from the Wild Resource Conservation Fund. The Board will con-

sider all presentations made at the public hearing and the plans outlined by the professional technical staffs of the Fish and Boat Commission, Game Commission and Department of Conservation and Natural Resources.

The recommendations funded by the Board will be administered by the Fish and Boat Commission, the Game Commission and the Department of Conservation and Natural Resources. The recommendation selections will be based on their individual contribution to the management goals of three agencies and those outlined in the Wild Resource Conservation Act.

The following list includes the project recommendations requesting funding for 1999-2000 received by the Wild Resource Conservation Board. The public is invited to offer comment at the public hearing on September 16, 1999. The public hearing will be held at the Game Commission Headquarters, 2001 Elmerton Ave. at 1 p.m. Please limit comments to 5 minutes and provide eight copies for the Wild Resource Conservation Board.

*Project Submissions to DCNR for WRCF Funding in 1999*

- *Title:* Herbarium and Field Studies of the Pennsylvania Plants of Special Concern

*Objective:* Data recording and specimen verification discover and document new taxa for Pennsylvania, field surveys for POSCIP species, provide herbarium services to the Heritage Program.

*Justification:* Monitoring and conserving Pennsylvania's plant diversity is dependent on the most complete and accurate information possible, including data from cur-

rent field surveys, historical collections and literature reviews. Correct identification of historical specimens is critical to the reliability of the PNDI database as a tool for environmental review as well as to current monitoring efforts.

*Sponsor:* Carnegie Museum of Natural History

*Cost:* \$20,019

- *Title:* Field and Office Studies of Plant Species of Special Concern in Eastern PA

*Objective:* Conduct field surveys in eastern Pennsylvania to attempt to locate denovo populations and confirm extant or historical populations of plant species of special concern having state suggested status of endangered, threatened, rare or undetermined. The surveys will involve a minimum of 25 species on the Plants of Special Concern in Pennsylvania (POSCIP) list.

*Justification:* Field work is necessary for the proper conservation of wild plant resources in Pennsylvania without the new and revised data that field surveys provide the completeness and reliability of the PNDI database, and therefore plant conservation, would be compromised.

*Sponsor:* The Nature Conservancy

*Cost:* \$25,000

- *Title:* Upgrades and Modifications to the data management system for the Pennsylvania Natural Diversity Inventory - East

*Objective:* Develop methods to record, store and map negative data, and develop protocols for releasing the data.

*Justification:* Negative data, indicating where rare elements have been searched for unsuccessfully, could be an important component of site surveys and Environmental Reviews. At present, the only negative data we record is for previously known occurrences searched for but not found. The Biological Conservation Database has no capability for storing or managing negative data for new sites. Our goal is to establish a way to record and manage information for cases in which new locations are searched but no species or community is found. Therefore, we will design and implement a secondary database and mapping system for negative data.

*Sponsor:* The Nature Conservancy

*Cost:* \$21,900

- *Title:* Field, Herbarium and Literature Surveys, Taxonomic Studies, PA Flora Project Web Site and Environmental Review

*Objective:* The field, herbarium and literature surveys are intended to continue to collect the information necessary to refine the classification of plants currently listed as temporarily undetermined (TU) on the POSCIP list and other plants recommended for consideration for listing by the Vascular Plants Technical Committee. Funding to support updates at website of Pennsylvania Flora Database, provide environmental review services to Bureau of Forestry.

*Justification:* The Plants of Special Concern list is still being reviewed and updated to assure that the status of each listed plant is well documented and justified, and that all plants that require protection are appropriately classified.

*Sponsor:* Morris Arboretum

*Cost:* \$24,000

- *Title:* Refining the Classification of Natural Communities on PA Through Zoological Studies on State Forest Lands

*Objective:* Bureau of Forestry and PNDI staff review the classification of natural communities and select a list of several types for which zoological data would be most useful. Determine which groups of animals are the most useful in terms of adding relevant descriptive information to the classification system.

*Justification:* The classification of PA's natural communities is an important endeavor for science and conservation. Resource management and regulatory agencies in PA recognize the need for ecological classification, including natural communities.

*Sponsor:* Western Pennsylvania Conservancy

*Cost:* \$40,000

- *Title:* Pennsylvania Aquatic Community Classification Project

*Objective:* Further the Pennsylvania Natural Community Classification project for aquatic systems within the Susquehanna River watershed, develop comparative data on species diversity among high-quality aquatic communities, provide data on high quality aquatic systems to government and private conservation groups, identify potential biotic indicators of community integrity and/or impairment (both floral and faunal), compile a database of information for future monitoring/mitigation-assessment projects.

*Justification:* The regulator and conservation communities will enter any site-specific data into the PNDI database for use. They can use the information to protect the highest quality water bodies and their watersheds in the State.

*Sponsor:* The Nature Conservancy

*Cost:* \$5339

- *Title:* The re-evaluation of potentially dated Plant Community Element Occurrence records in the PNDI-East Biological and Conservation Database (BCD)

*Objective:* Updating plant community information in the PNDI-East BCD. BCD plant community data will be analyzed and all sites >5 years old will be prioritized based on time since last observation and ecological importance. The 20 highest priority sites will be revisited during calendar year 2000 and current site and plant community data collected.

*Justification:* The PNDI Biological and Conservation Database is used to track the status of rare plant and animal species as well as rare and unique plant communities within Pennsylvania. The database is relied upon by Pennsylvania State agencies such as DCNR and DEP for the environmental review of proposed public and private projects. To accurately assess impacts, the BCD must be kept reasonably current.

*Sponsor:* The Nature Conservancy

*Cost:* \$17,000

*Project Submissions to the PA Fish and Boat Commission for Funding in 1999*

- *Title:* Conservation and Management of Fish, Herptiles and Aquatic Species—Special Projects.

*Objective:* Complete a series of specific projects related to the monitoring and management of nongame fish, amphibians, reptiles and aquatic organisms.

*Justification:* 46 fish, 12 amphibians, and 2 freshwater mussels are presently on the Pennsylvania Endangered and Threatened and/or Candidate Species Lists. Project views, special studies and data management to adequately address the conservation of these species will be accomplished by the special projects.

*Sponsor:* The Nature Conservancy

*Cost:* \$44,180

- *Title:* Assessment of Genetic Variation and Gene Flow Among Populations of the Timber Rattlesnake, *Crotalus horridus*, in Eastern and Northcentral Pennsylvania

*Objective:* Assessing the level of genetic variation present in populations of timber rattlesnake, *Crotalus homidus*, in eastern and northcentral Pennsylvania. Collect tissue samples, which will allow us to expand our analysis of genetic variation of timber rattlesnakes to six populations in the Northeastern, Southeastern and Northcentral regions of PA.

*Justification:* This project will provide information about the gene flow among these populations of timber rattlesnakes in Pennsylvania.

*Sponsor:* Beaver College

*Cost:* \$20,015

*Project Submissions to the PA Game Commission for Funding in 1999*

- *Title:* Wild Action Grant Program

*Objective:* Provide financial support for 25 schools and/or youth groups to improve habitat for wildlife on school and community grounds and incorporate these habitats into classroom curriculum and club programming.

*Justification:* To ensure habitat conservation for native plants and wildlife both now and in the future, it is essential that habitat conservation education programs be implemented in our schools and youth organizations.

*Sponsor:* Game Commission

*Cost:* \$4,000

- *Title:* Special Concern Mammal Species Research and Management

*Objective:* Continue research on the least shrew in Franklin, Lebanon and Schuylkill Counties, coordinate all summer bat maternity concentration survey programs, research in Wyoming State Forest concerning the rock vole and rock shrew, coordinate the important mammal areas project for the PA Biological Survey's Mammal Committee

*Justification:* The continuation of inventories of the various special concern species coupled with long term research of communities and populations will result in the information needed by wildlife management professionals as the formulate strategies. These continued inventories would also permit us to create a picture for future referral in assessing the success of our wildlife management programs.

*Sponsor:* The Nature Conservancy

*Cost:* \$30,000

- *Title:* Maintenance of the Official List of Birds of Pennsylvania

*Objective:* To maintain the official list, review status of all species, archive copies of slides, review new records, publish results, to hold committee meetings.

*Justification:* Until recently no formalized system of reviewing current and historical bird records in Pennsylvania had been established. The ornithological and birding communities usually accepted published historical records, without question. To achieve a system of review and records the Pennsylvania Ornithological Records Committee was founded and a system established.

*Sponsor:* PA Ornithological Records Committee

*Cost:* \$2,000

- *Title:* Bat Maternity Condo at Blue Marsh Lake

*Objective:* The construction of a bat maternity condo to provide supplemental and eventually permanent roosting of an existing population of 1,500+ little brown bats who currently roost in a barn whose future is uncertain. The condo will be located at a watchable wildlife station in Blue Marsh Lake Recreation Area.

*Justification:* The condo will be located at watchable wildlife station at Blue Marsh Lake and used to educate the public on the importance of bats and their habits/life cycles. Annual surveys of the bat population will be conducted and the condo will be registered as a study site with the Pennsylvania Bat Concentration Survey.

*Sponsor:* US Army Corps of Engineers

*Cost:* \$2,000

*Project Submissions which Cover Multi-Agencies for Funding in 1999*

- *Title:* Wildlife in the Classroom

*Objective:* Get persons of all ages involved in outdoor Pennsylvania, provide appropriate standards with suggestions on how to use them to teachers in both public, private and home school arenas, supply needed additions to curriculum for educators especially in science/technology, environment/ecology by publishing *Keystone Conservationist* which will have the "Wildlife in the Classroom: A Teacher's Guide", teacher's in-services workshops, and calendar with pertinent information to educators.

*Justification:* Use *Keystone Conservationist* magazine to develop environmental curriculums in distressed school districts especially intercity schools where lack of funding is prevalent.

*Sponsor:* Penn-Wild Publications Inc.

*Cost:* \$14,950 for 1000 magazine subscriptions

- *Title:* Butterflies of Pennsylvania

*Objective:* Provide a publication to facilitate rapid identification of most Pennsylvania butterflies, increase public awareness of the critical link between habitat and host-plant requirements for maintaining butterfly biodiversity in Pennsylvania, provide introductory information on butterfly observation, collecting, conservation, and the importance of Pennsylvania's natural areas for butterfly biodiversity.

*Justification:* Butterflies provide an important gateway for the general public to begin an appreciation of the many thousands of insects and other small animals that contribute to the health and function of our natural environment.

*Sponsor:* Penn State

*Cost:* \$30,000

RAPHAEL J. MUSTO,  
*Chairperson*

[Pa.B. Doc. No. 99-1353. Filed for public inspection August 13, 1999, 9:00 a.m.]