

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 25, 2001.

#### BANKING INSTITUTIONS

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-24-01	Susquehanna Bancshares, Inc. Lititz Lancaster County	Lititz	Approved

Applications filed on behalf of four National banking associations, all wholly-owned subsidiaries of Susquehanna Bancshares, Inc., to convert to Pennsylvania State-chartered bank and trust companies as follows:

Citizens National Bank of Southern Pennsylvania Greencastle Franklin County	First American National Bank of Pennsylvania Everett Bedford County
<i>To:</i> Citizens Bank of Southern Pennsylvania Greencastle Franklin County	<i>To:</i> First American Bank of Pennsylvania Everett Bedford County
First National Trust Bank Sunbury Northumberland County	Williamsport National Bank Williamsport Lycoming County
<i>To:</i> First Susquehanna Bank & Trust Sunbury Northumberland County	<i>To:</i> WNB Bank Williamsport Lycoming County

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-19-01	Northwest Savings Bank Warren Warren County	Warren	Filed
	Purchase of assets/assumption of liabilities of one branch office of Reliance Bank, Altoona Located at: 873 Lovell Avenue Ebensburg Cambria County		

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-25-01	Keystone Savings Bank Bethlehem Northampton County	Route 412 and Meadows Road Lower Saucon Township Northampton County	Approved

## NOTICES

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-19-01	Farmers First Bank Lititz Lancaster County	Wal-Mart 2034 Lincoln Highway East Lancaster Lancaster County	Withdrawn

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1806. Filed for public inspection October 5, 2001, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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#### NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

#### NPDES APPLICATIONS

#### PART I PERMITS

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0056731	Historic Salem Village Homeowners Association 2193 Yellow Springs Road Malvern, PA 19355	Chester County Tredyffrin	UNT of Valley Creek	Renewal
PA0050466	East Vincent Municipal Authority Veterans Center STP 262 Ridge Road Spring City, PA 19475	Chester County East Vincent Township	UNT to Schuylkill River	Renewal

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0061450 Minor Renewal	Elmhurst Township Municipal Authority P. O. Box 204 Elmhurst, PA 18416	Elmhurst Township Lackawanna County	Roaring Brook Creek (5A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085014	Conestoga Township P. O. Box 98 Conestoga Center Conestoga, PA 17516-9616	Lancaster County Conestoga Township	Pequea Creek/ WWF/7-K	Yes

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

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

**No. PA0058351**, Sewage, **Dave Clark**, P. O. Box 239, Concordville, PA 19331.

This application is for issuance of an NPDES permit to discharge treated sewage from Clark Property STP in Concord Township, **Delaware County**. This is a new discharge to an unnamed tributary to West Branch of Chester Creek.

The first downstream potable water supply intake from the point of discharge is the Media Borough auxiliary intake in Middletown Township.

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 500 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
Total 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	

Other Conditions:

The EPA Waiver is in effect.

**No. PA0051284**, Industrial Waste, **Springfield Township**, 50 Powell Road, Springfield, PA 19064.

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

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.01 MGD 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 Suspended Solids	30	60	75
Total Dissolved Solids	Monitor/Report		
pH	Within limits of 6.0—9.0 Standard Units at all times		
Iron, Total	2.0	4.0	5.0
Iron, Dissolved	0.6	1.2	1.5
Color			100
Manganese	2.0	4.0	6.0
Magnesium	Monitor/Report		

## Other Conditions:

The EPA Waiver is in effect.

Conditions for future permit modification.

**No. PA0058378**, Sewage, **Upper Uwchlan Township Municipal Authority**, 140 Pottstown Pike, Chester Springs, PA 19425.

This application is for issuance of an NPDES permit to discharge treated sewage from Saint Andrews Brae STP in Upper Uwchlan Township, **Chester County**. This is a new discharge to Black Horse Creek.

The first downstream potable water supply intake from this facility is Downingtown water filtration plant in Caln Township.

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 3,600 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Suspended Solids	10	15	20
Ammonia (as N)			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Phosphorus (as P)	1.0		2.0
Total Residual Chlorine	0.5		1.2
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 6.0 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		

## Other Conditions:

The EPA Waiver is in effect.

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

**PA#0070386**, Sewage, **Shenandoah Municipal Sewer Authority**, 15 West Washington Street, Shenandoah, PA 17976. This proposed facility is located in West Mahanoy Township, **Schuylkill County**.

Description of Proposed Activity: The Department intends to renew an NPDES Permit. This is an existing discharge.

The receiving stream, Shenandoah Creek, is in the State Water Plan watershed #6B and is classified for: Cold water, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Dauphin Consolidated Water Company is located on Susquehanna River is 72 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 2.0 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Total Residual Chlorine	1.0		2.0
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 standard units at all times.		
pH			

Point Sources 002 through 014 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit. The permittee shall develop and submit a plan of action and implementation schedule as provided for in the permit.

Other conditions: Sludge disposal and combined sewer overflows.

The EPA waiver is not in effect.

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

**PA0088986**, CAFO, **Hostetter Management Company**, Owl Creek Farm, 120 Lake Street, P. O. Box 526, Ephrata, PA 17522-0526. This proposed facility is located in Heidelberg Township, **Lebanon County**.

Description of Proposed Activity: Owl Creek Farms is an existing 2,872 head swine operation with a total AEU of 392. Approximately 1.3 million gallons of manure is produced a year and stored in a lined impoundment. There are no tillable acres associated with this property. All of the manure produced by this swine operation is exported to neighboring farmers.

The receiving stream, Mill Creek, is in the State Water Plan watershed 3-C and is classified for: CWF.

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

**PA0246344**, CAFO, **Hostetter Management Company**, Penn Valley Pork, Inc., 120 Lake Street, P. O. Box 526, Ephrata, PA 17522-0526. This proposed facility is located in Upper Bern Township, **Berks County**.

Description of Proposed Activity: Penn Valley Pork, Inc. is an existing swine operation with total AEU of 776. Approximately 3.2 million gallons of manure is produced a year and stored in a 2 million gallon impoundment storage facility and then land applied. 1.7 million gallons is applied on the farm with the remaining 1.5 million gallons exported to three different importers.

The receiving stream, Leshner Run, is in the State Water Plan watershed 3-B and is classified for: WWF.

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

**PA 0088901**, Concentrated Animal Feeding Operation (CAFO), **Franklin Family Farms (Mountain View #1 and #2 Farms)**, 419 West High Street, Elizabethtown, PA 17022-2189.

Franklin Family Farms has submitted an application for an Individual NPDES permit for an expanding CAFO known as Mountain View Farms (#1 Farm existing, #2 Farm proposed), located on Frystown Road in Bethel Township, **Berks County**.

The CAFO is situated near an unnamed tributary of Little Swatara Creek in Watershed 7-D, which is classified for cold water fishery. The CAFO will be designed to maintain an animal population of approximately 1,796 animal equivalent units (AEUs) consisting of 14,300 swine (7,700 swine existing; 6,600 swine proposed). The animals will be housed in a total of seven barns (six barns containing 2,200 swine and one barn containing 1,100 swine). Manure from the existing Mountain View #1 operation is stored in a two-stage HDPE-lined holding pond system with a design storage capacity of approximately 2.2 million gallons. Manure from the proposed Mountain View #2 operation would be stored in a similar facility as the #1 operation, with a design storage capacity of approximately 2.4 million gallons. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate Pennsylvania Technical Guide Standards. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the draft permit.

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Individuals may make an appointment to review the files by calling the File Review Coordinator at (717) 705-4732.

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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 the determination may be appealed to the Environmental Hearing Board.

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

**PA0023434**, Sewage, **Borough of Koppel**, P. O. Box 1, Arthur Street and Third Avenue, Koppel, PA 16136.

This application is for amendment of an NPDES permit to discharge treated sewage from the Koppel Borough Wastewater Treatment Facility in the Borough of Koppel, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Beaver 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: Beaver Falls Municipal Authority located on the Beaver River.

*Outfall 001*: existing discharge, design flow of 0.22 mgd. The following effluent limitations will apply when the plant is expanded to a flow of 0.24 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)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0026417**, Sewage, **Municipality of Penn Hills**, 12245 Frankstown Road, Pittsburgh, PA 15235.

This application is for Renewal of an NPDES permit to discharge treated sewage from Plum Creek Sewage Treatment Plant in the Municipality of Penn Hills, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Allegheny 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: Fox Chapel Water Authority.

*Outfall 001*: existing discharge, design flow of 3.9 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)	45,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

**PA0095346**, Sewage, **William Fiore, Owner, Rolling Hills Village Mobile Home Park**, 1 Oak Drive, Buena Vista, PA 15018.

This application is for renewal of an NPDES permit to discharge treated sewage from Rolling Hills Village Mobile Home Park STP in Elizabeth Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Youghiogheny 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: Westmoreland County Municipal Authority McKeesport Plant, on the Youghiogheny River.

*Outfall 001*: existing discharge, design flow of 0.035 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	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0205737**, Sewage, **Dominion Transmission**, 175 Sheffield Drive, Suite 100, Delmont, PA 15626.

This application is for renewal of an NPDES permit to discharge treated sewage from South Oakford Station Sewage Treatment Plant in Hempfield Township, **Westmoreland County**.

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

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
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	Monitor & Report			
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0217514**, Sewage, **The Alta Group**, 195 Hartzell School Road, Fombell, PA 16123-9518.

This application is for renewal of an NPDES permit to discharge treated sewage from Alta Sewage Treatment Plant in Marion Township, **Beaver County**.

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

*Outfall 001*: existing discharge, design flow of 0.015 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Phosphorus	2			4
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			

*Other Conditions*: This permit renewal also authorizes discharge of uncontaminated stormwater runoff from areas in and around the facility from outfalls SW1, SW2 and SW3. There are no specific effluent limitations on the stormwater outfalls.

The EPA waiver is in effect.

**PA0218995**, Sewage, **John McClatchey**, 107 Osage Path, Stoystown, PA 15563.

This application is for issuance of an NPDES permit to discharge treated sewage from the McClatchey single residence STP in Indian Lake Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Indian Lake, 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: Hooversville Municipal Authority.

*Outfall 001*: new discharge, design flow of 0.0004 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	20			40
Fecal Coliform	200/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0219011**, Sewage, **Paul and Claudia Price**, 1323 Trim Tree Road, Indiana, PA 15701.

This application is for issuance of an NPDES permit to discharge treated sewage from the Price Single Residence STP in Armstrong Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary to Curry 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: Buffalo Township Municipal Authority.

*Outfall 001*: new discharge, design flow of 0.0004 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	20			40
Fecal Coliform	200/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

## WATER QUALITY MANAGEMENT PERMITS CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER APPLICATIONS UNDER THE CLEAN STREAMS LAW PART II PERMITS

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

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

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

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

**WQM Permit No. 5401405**, Sewerage, **Branch Township Municipal Authority**, P. O. Box 295, Llewellyn, PA 17944. This proposed facility is located in Branch Township, **Schuylkill County**.



Description of Proposed Action/Activity: To construct a 0.450 mgd wastewater treatment facility and associated collection system to treat domestic wastewater from Branch Township and Cass Township. The project serves 1492 EDU's of which Branch Township contributes 672 EDU's, collected via 64,000 linear feet of 8' PVC gravity sewer. The proposed treatment plant is a sequencing batch reactor (SBR) consisting of two 46.0' x 46.0' reactors, headworks building, aerobic digester, flow equalization basin, ultra-violet light disinfection, control building and sludge digesters. Effluent will be discharged to the West Branch Schuylkill River via a gravity outfall.

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

**Application No. 2601405**, Sewerage, **City of Uniontown**, 20 North Gallatin Avenue, Uniontown, PA 15401. Application for the replacement and operation of sewers and appurtenances to serve the Redstone Creek Interceptor located in the City of Uniontown, **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.

**WQM Permit No 4301422**, Sewerage, **Timothy P. Yesko**, 565 Fredonia Road, Greenville, PA 16125. This proposed facility is located in Perry Township, **Mercer County**.

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

**NPDES Stormwater Individual Permit**

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

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

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

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

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

*Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, (610) 391-9583.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q228	Gateway Farms LLC 135 Bird Neck Rd. Barto, PA 19504	Lehigh County Weisenberg Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10U157	Henry Lubsen, President CTHL-1, Inc. 824 Eighth Ave. Bethlehem, PA 18018	Northampton County Palmer Township Tatamy Borough	Bushkill Creek HQ-CWF
PAS10U158	Thomas Fox 2601 Northwood Ave. Easton, PA 18045	Northampton County Plainfield Township	Little Bushkill HQ-CWF

*Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10V040	Phillip Rizzo 10 Kerby Lane Mendham, NJ 07945	Pike County Lehman Township	Saw Creek, HQ-CWF Little Bushkill Creek, EV

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10N033	Scranton Lackawanna Industrial Building Co. 222 Mulberry St. P. O. Box 431 Scranton, PA 18503-0431	Lackawanna County Jessup Borough	Grassy Island Creek (Lackawanna River) HQ-CWF

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.*

**NPDES Permit PAS104111**, Stormwater. **Catalyst Energy, Inc.**, 117 Radcliff Drive, Pittsburgh, PA 15237-3384 has applied to discharge stormwater associated with a construction activity located in Lafayette Township, **McKean County** to Libby Run (HQ-CWF) and Thunder-shower Run (HQ-CWF).

**PUBLIC WATER SUPPLY PERMIT**

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

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

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

The permit application and any related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

**SAFE DRINKING WATER**

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

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

<b>Permit No. 2801509</b> , Public Water Supply.	
Applicant	<b>DCNR Bureau of State Parks Caledonia</b>
Municipality	Green Township
County	<b>Franklin</b>
Responsible Official	Roger Fickes, Director P. O. Box 8551 Harrisburg, PA 17105-8551
Type of Facility	Public Water Supply
Consulting Engineer	David J Brenneman, P.E. DCNR Bureau of Facility Design and Construction P. O. Box 8451 Harrisburg, PA 17105-8451
Application Received Date	June 21, 2001
Description of Action	Installation of lead and copper corrosion control facilities. Revised facilities will include equipment to add soda ash and zinc orthophosphate.

<b>Permit No. 0601515</b> , Public Water Supply.	
Applicant	<b>Clover Farms Dairy Co.</b>
Municipality	Muhlenberg Township
County	<b>Berks</b>
Responsible Official	Craig Saul, Supervisor in charge P. O. Box 14627 Reading, PA 19612
Type of Facility	Public Water Supply
Consulting Engineer	Thomas J Motley, P.E. Motley Engineering Co. Inc. 1300 New Holland Rd. Kenhorst, PA 19607
Application Received Date	August 27, 2001
Description of Action	New bottled water system at the existing dairy bottling facility

<b>Permit No. 3601516</b> , Public Water Supply.	
Applicant	<b>The Jay Group</b>
Municipality	East Lampeter Township

County **Lancaster**  
 Responsible Official Larry L Miller, Water System Operator  
 2021 Horseshoe Road  
 Lancaster, PA 17602  
 Type of Facility Public Water Supply  
 Consulting Engineer Parley E Hess, Jr., P.E.  
 113 Liberty Street  
 Lancaster, PA 17602  
 Application Received Date September 7, 2001  
 Description of Action Inatallation of anion exchange for the removal of high nitrates in the source water. Project will also involve the use of UV light system for disinfection.

**Permit No. 2101504**, Public Water Supply.

Applicant **Regency Woods Mobile Home Park**  
 Municipality Middlesex Township  
 County **Cumberland**  
 Responsible Official James F McGraw, Group Manager  
 107 Texaco Road  
 Mechanicsburg, PA 17055  
 Type of Facility Public Water Supply  
 Consulting Engineer George W Ruby, P.E.  
 Ruby Engineering  
 P. O. Box 127  
 Rexmont, PA 17085-0127  
 Application Received Date September 19, 2001  
 Description of Action Installation of iron and manganese treatment system at an existing system well.

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

**Permit No. 0489509-A3**, Public Water Supply.

Applicant **Greater Johnstown Water Authority**  
 Township or Borough Johnstown  
 Responsible Official George Davidson  
 Greater Johnstown Water Authority  
 P. O. Box 1287  
 Vanport, PA 15009-1287  
 Type of Facility Water treatment plant  
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 P. O. Box 853  
 Latrobe, PA 15650  
 Application Received Date September 5, 2001  
 Description of Action Saltlick Water Treatment Plant

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

**Permit No. 1601503**, Public Water Supply.  
 Applicant **PA-American Water Co.**  
 800 West Hershey Park Drive  
 Hershey, PA 17033  
 Township or Borough Clarion Township, **Clarion County**  
 Responsible Official Dave Swanson, Operations Superintendent  
 1073 E Main St.  
 Clarion, PA 16214.  
 Type of Facility PWS  
 Consulting Engineer Gene C. Koontz, P.E.  
 Gannett Fleming Inc.  
 P. O. Box 67100  
 Harrisburg, PA 17106-7100  
 Application Received Date September 18, 2001  
 Description of Action Construct raw water pump station at the Clarion WTP.

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

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

**Application No. 2595501-MA2**, Minor Amendment.

Applicant **Erie City Water Authority**  
 340 West Bayfront Parkway  
 Erie, PA 16507-2004  
 Township or Borough Harborecreek Township, **Erie County**  
 Responsible Official Christopher J. Heberd, Director of Engineering  
 Type of Facility PWS  
 Consulting Engineer Craig J. Bauer, Vice President  
 KLH Engineers Inc.  
 5173 Campbells Run Rd.  
 Pittsburgh, PA 15205.  
 Application Received Date September 19, 2001  
 Description of Action Water storage tank at Depot Road pump station.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION****UNDER ACT 2, 1995****PREAMBLE 1****Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to

use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Hao Van Nguyen Residence**, New Holland Borough, **Lancaster County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603 (on behalf of Hao Van Nguyen, 35 North Kinzer Avenue, New Holland, PA 17557) has submitted a Notice of Intent to Remediate site soils contaminated with PHCs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements.

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

**L M Stevenson Inc.**, Park and Monroe Streets, Grove City, PA, City of Grove City, **Mercer County** and Martin Knuth, P.G., CEC Inc., 333 Baldwin Road, Pittsburgh, PA 15205 has submitted a Notice of Intent to remediate soil and groundwater contaminated with Lead, Heavy Metals, PHCs and PAHs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the

Notice of Intent to Remediate will be published in the Allied News on September 26, 2001.

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

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

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

**Permit Application No. 400558. Montenay Montgomery LTD Partnership**, 1155 Conshohocken, PA 19428. This application was received for a Radiation Monitoring Plan. Facility located in Plymouth Township, **Montgomery County**. Application was received in the Southeast Regional Office on September 21, 2001.

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

**Permit Application No. 400556. Bridgeview, Inc.**, 1525 Chestnut Hill Road, Morgantown, PA 19543, Robeson Township, **Berks County**. The application has been determined to be administratively complete. The application was deemed administratively complete by Southcentral Region on September 17, 2001.

Comments concerning the application should be directed to Keith Kerns, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Persons interested in obtaining more information about the general permit application may contact the Southcentral Regional Office, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

### **AIR QUALITY**

#### **NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

##### **NEW SOURCES AND MODIFICATIONS**

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

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities.

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

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest

to the DEP Regional Office within 30 days of the date of this notice and must file protests or comments on a Proposed Plan Approval or Operating Permit within 30 days of the DEP providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with DEP Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If DEP schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121 through 143, the Federal Clean Air Act and regulations adopted under the Act.

#### PLAN APPROVALS

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

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

**31-03006A: The Mead Corp.** (P. O. Box 317, Alexandria, PA 16611-0317) for construction of a Maxson Sheeter, which tints paper stock with ink for colored posterboard, at their Blair Plant in Porter Township, **Huntingdon County**.

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

**25-025D: General Electric Transportation Systems—Erie Plant** (2901 East Lake Road, Erie, PA 16531) for maintenance activities scheduled over the next 4 years for three coal fired boilers in Erie, **Erie County**.

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

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

**23-0027: Dyneon LLC** (50 Milton Drive, Aston, PA 19014) for modification of operations of their thermal oxidizer, covered under Operating Permit 23-313-036, at their facility in Chester Township, **Delaware County**. The modification is the adoption of 1600°F as the combustion temperature, which was originally 1750°F. The ther-

mal oxidizer will continue to maintain a destruction efficiency of 96%, as permitted under Operating Permit 23-313-036. There will be no increase in potential emissions from the thermal oxidizer.

**23-0058: Haverford College** (370 Lancaster Avenue, Haverford, PA 19041) for installation of three 1000 kW peak shaving generators, located at Haverford's campus in Haverford Township, **Delaware County**. The three 1000 kW peak shaving generators will replace two 600 kW peak shaving generators. Haverford College is a non-Title V (synthetic minor) facility. The installation of the three 1000 kW peak shaving generators will result in emissions of 0.3 ton per year of particulate matter; 19.65 tons per year of nitrogen oxides; 0.15 ton per year of volatile organic compounds; and, 2.4 tons per year of carbon monoxide. The sulfur content of the fuel oil combusted will be limited to 0.2%, by weight, or less. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**09-0124B: S.W.E.C., LLC** (5000 Dominion Boulevard, Glen Allen, VA 23060) to expand their plant in USX Industrial Park in Falls Township, **Bucks County**. This plan approval will authorize the applicant to construct and double the size of its combined-cycle electric power generation plant to 1190 MW. The plant will include two additional combined-cycle combustion turbines, two respective heat recovery steam generators and a single steam turbine. The emissions from the plant will be controlled by selective catalytic reduction and catalytic oxidizer. The sources and air pollution control devices are described in the applicant's application of January 4, 2001 and subsequent submissions.

Based on the information provided by the Applicant and DEP's own analysis, the operation of the completed facility will emit 488.7 tons per year of nitrogen oxides (NO<sub>x</sub>), 88.4 tons per year of volatile organic compounds (VOC), 360.5 tons per year of carbon monoxide (CO), 386.7 tons per year of particulate matter (PM/PM-10) and 96.3 tons per year of sulfur oxides (SO<sub>2</sub>). These emissions will consume the following the Prevention of Significant Deterioration air quality increments available in the area of the maximum impact of the facility:

Pollutant	Averaging Time	Maximum Modeled Impact $\mu\text{m}^3$
CO	1-hour	65.15
CO	8-hour	35.32
NO <sub>2</sub>	Annual	0.83
PM-10	24-hour	4.34
PM-10	Annual	0.50
SO <sub>2</sub>	3-hour	2.66
SO <sub>2</sub>	24-hour	0.81
SO <sub>2</sub>	Annual	0.09

In order to assure compliance with the applicable standards, DEP will place the following conditions on the plan approval:

#### General Requirements

A. This Plan Approval is issued to the owner and operator for the construction of a major modification to its combined cycle electric generating plant with a nominal electric output of 1190 megawatts. After completion of the major modification the plant will include the following sources and associated air pollution control devices:

i. Four GE PG7241-FA combined cycle combustion turbines, each equipped with a heat recovery steam genera-

tor with duct burners and two single steam turbines. The emissions from each turbine and associated duct burner shall be controlled by dry low NO<sub>x</sub> combustion, a selective catalytic reduction system and an oxidation catalyst system.

- ii. Two cooling towers equipped with mist eliminators.
- iii. Two auxiliary boilers, each rated at 45 million Btu heat input per hour.
- iv. Two emergency diesel generators, each rated at 750 kW.
- v. One diesel fired emergency pump rated at 140 kW output.

B. This Plan Approval authorizes temporary operation of the additional sources covered by this Plan Approval, provided the following conditions are met:

i. The Department must receive written notice from the owner/operator of the completion of construction and the operator's intent to commence operation at least 5 working days, prior to the completion of construction. The notice should state when construction will be completed and when operator expects to commence operation.

ii. Operation is authorized only to facilitate the start-up and shake-down of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

iii. This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the owner/operator pursuant to subpart i.

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

v. The notice submitted by the owner/operator under subpart i, prior to the expiration of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of commencement of operation.

vi. The emission reduction credit (ERC) use and transfer are approved by the Department for this major modification.

D. This approval to construct shall become invalid if:

i. Construction, as defined in 40 CFR 52.21(b)(8), has not commenced within 18 months from the issue date of this Plan Approval; or

ii. Construction is discontinued for a period of 18 months or more; or

iii. Construction is not complete within a reasonable time as defined in the Plan Approval Application.

E. If construction has commenced, but cannot be completed before the expiration of Plan Approval No. PA-09-0124B, an extension of the Plan Approval must be obtained to continue construction. To allow adequate time for Departmental action, a request for the extension must be postmarked at least 30 days prior to the expiration

date. The Department will not issue an extension after the Plan Approval expires. Requests for extension shall comply with 25 Pa. Code § 127.13. The request for an extension shall include the following:

- i. A justification for the extension and
- ii. A schedule for the completion of the construction.

*New Source Review (NSR) and ERC Requirements:*

A. The owner and operator shall comply with all the requirements of 25 Pa. Code § 127.208—ERC Use and Transfer Requirements prior to the initial startup of any of the sources specified in the condition previously listed.

B. The owner and operator provided ERC at a 1.3:1.0 ratio to offset the nitrogen oxides (NO<sub>x</sub>) emissions of 488.7 tons per year and volatile organic compounds (VOC) emissions of 88.4 tons per year. The required ERC of 635.3 tons of NO<sub>x</sub> and 114.9 tons of VOC have been provided per Plan Approval No. PA-09-0124C.

*New Source Performance Standards Requirements:*

The combustion turbines are subject to Subpart GG, the duct burners are subject to Subpart Da and the auxiliary boilers are subject to Subpart Dc of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of the Subparts. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to: Director, Air Protection Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

Any variations from the compliance monitoring, testing and reporting methods specified in the New Source Performance Standards shall be approved in advance by the EPA.

*Acid Rain Requirements:*

A. Upon start-up, the facility is subject to the applicable requirements contained in 40 CFR Parts 72—78. In addition, the facility is subject to the applicable requirements contained in 25 Pa. Code § 127.531, regarding special conditions related to acid rain.

B. The owners and operators of each affected source and each affected unit at the source shall:

i. Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and,

- ii. Have an Acid Rain permit.

*NO<sub>x</sub> Allowance Requirements*

A. The facility shall comply with the applicable regulations contained in 25 Pa. Code §§ 123.101—123.120.

B. The owner and operator shall establish a compliance account prior to the commencement of operations and shall be responsible to acquire any required NO<sub>x</sub> allowances from those available in the NATS (25 Pa. Code § 123.117(a)).

C. The owner and operator shall comply with 25 Pa. Code Chapter 145.

*Operating Requirements:*

A. Each unit and its associated air cleaning devices shall be installed, maintained and operated in accordance with manufacturers' specifications and good air pollution control practices.

B. All combustion turbines, duct burners, auxiliary boilers and natural gas preheaters located at this facility shall fire natural gas only.

C. The operation of each auxiliary boiler shall not exceed 3,500 hours per year in a 12-month rolling sum. Equipment (a timer or equivalent) shall be provided on the fire pump so that, at the request of the Department, the total operating hours of each boiler can be measured.

D. The operation of each emergency diesel generator shall not exceed 500 hours in a consecutive 12-month rolling sum. Equipment (a timer or equivalent) shall be provided on the fire pump so that, at the request of the Department, the total operating hours of each emergency generator can be measured.

E. The operation of the fire pump shall not exceed 500 hours in a consecutive 12-month rolling sum. Equipment (a timer or equivalent) shall be provided on the fire pump so that, at the request of the Department, the total operating hours of the fire pump can be measured.

F. The dissolved/suspended solids in the cooling tower blow down water shall not exceed 1,000 ppm by weight. Prior to commencing the combustion turbine operation,

the owner and operator shall submit to the Department for approval the methods to demonstrate compliance with this requirement.

G. The following condition applies to the start-up or shutdown of each combustion turbine:

i. A cold start-up shall be defined as an event that occurs after the combustion turbine has not been operating for at least 48 hours. A cold start-up shall not last longer than 5 hours after ignition.

ii. A warm start-up shall be defined as an event that occurs after the combustion turbine has not been operating for 8 to 48 hours. A warm start-up shall not last longer than 3 hours after ignition.

iii. A hot start-up shall be defined as an event that occurs after the combustion turbine has not been operating for less than 8 hours. A hot start-up shall not last longer than 2 hours after ignition.

iv. The emissions from a start-up or shutdown shall be included in the 12-month rolling sum.

v. A shut down commences with the termination of fuel injection into the combustion chambers.

*Emission Limitations*

A. The emissions from each combustion turbine shall not exceed the following limitations:

<i>Pollutants</i>	<i>Units</i>	<i>Emissions*</i>
Nitrogen Oxides (NO <sub>x</sub> )	ppmvd@15%O <sub>2</sub>	3.0
Volatile Organic Compounds (VOC)**	lb/MMBtu	0.002
Carbon Monoxide (CO)	ppmvd@15%O <sub>2</sub>	3.0
Particulate Matters (PM and PM-10)	lb/MMBtu	0.014
Sulfur Dioxide (SO <sub>2</sub> )	lb/MMBtu	0.002
Ammonia Slip Concentration	ppmvd@15%O <sub>2</sub>	10

\* The emission limit shall be calculated as a one-hour average.  
 \*\* The VOC emissions shall be reported as methane.

B. The short-term emission limitations contained in the previous condition do not apply during startup and shutdown of the combustion turbines. The combustion turbine startup and shutdown emissions shall be calculated using the following emission factors:

<i>Pollutants</i>	<i>Cold Startup</i> lb/startup	<i>Warm Startup</i> lb/startup	<i>Hot Startup</i> lb/startup	<i>Shutdown</i> lb/shutdown
NO <sub>x</sub>	321	223	219	48
VOC	181	70	23	8.5
CO	474	435	192	28.8
PM/PM <sub>10</sub>	43.2	43.2	43.2	43.2
SO <sub>2</sub>	10.9	10.9	10.9	10.9

C. The emissions from each auxiliary boiler shall not exceed the following limitations :

<i>Pollutants</i>	<i>lb/MMBtu</i>	<i>Emission Limits</i> <i>lb/hr/boiler</i>	<i>TPY(total)</i>
Nitrogen Oxides	0.035	1.60	5.6
Volatile Organic Compounds (VOC)	0.004	0.19	0.7
Carbon Monoxide (CO)	0.037	1.67	5.8
Particulate Matter (PM)	0.010	0.45	1.6
Sulfur Dioxide (SO <sub>2</sub> )	0.002	0.09	0.3

D. The emissions from all facility natural gas pre-heaters shall not exceed the following limitations:

<i>Pollutants</i>	<i>lb/MMBtu</i>	<i>Emission Limits</i> <i>lb/hr/boiler</i>	<i>TPY(total)</i>
Nitrogen Oxides	0.035	0.27	4.8
Volatile Organic Compounds (VOC)	0.003	0.02	0.4
Carbon Monoxide (CO)	0.082	0.64	11.3
Particulate Matter (PM)	0.010	0.08	1.4
Sulfur Dioxide (SO <sub>2</sub> )	0.002	0.02	0.28

E. The emissions from all facility emergency diesel generators shall not exceed the following limitations:

<i>Pollutants</i>	<i>Emission Limits</i>		
	<i>lb/MMBtu</i>	<i>lb/hr/boiler</i>	<i>TPY(total)</i>
Nitrogen Oxides	6.9	18	9.0
Volatile Organic Compounds (VOC)	0.17	0.4	0.2
Carbon Monoxide (CO)	8.5	22.1	11.1
Particulate Matter (PM)	3.28	1.0	0.5
Sulfur Dioxide (SO <sub>2</sub> )	1.0	2.6	1.3

F. The emissions from the fire pump shall not exceed the following limitations:

<i>Pollutants</i>	<i>Emission Limits</i>		
	<i>lb/MMBtu</i>	<i>lb/hr/boiler</i>	<i>TPY (total)</i>
Nitrogen Oxides	7.2	3.5	0.88
Volatile Organic Compounds (VOC)	0.17	0.1	0.02
Carbon Monoxide (CO)	1.2	0.6	0.15
Particulate Matter (PM)	0.22	0.1	0.03
Sulfur Dioxide (SO <sub>2</sub> )	0.47	0.2	0.06

G. The PM emissions from the cooling towers shall not exceed 0.53 pound per hour and 4.6 tons per year as a 12-month rolling sum.

H. The combined emissions from the entire facility shall not exceed the following limitations:

<i>Pollutants</i>	<i>Facility Annual Emission Limits (TPY)*</i>
<i>Nitrogen Oxides</i>	488.7
Volatile Organic Compounds (VOC)	88.4
Carbon Monoxide (CO)	360.5
Particulate Matter (PM)	386.7
Sulfur Dioxide (SO <sub>2</sub> )	96.3
Sulfur Acid (H <sub>2</sub> SO <sub>4</sub> ) Mist	29.3

\* The facility annual emission limits are a 12-month rolling sum calculated monthly. The facility annual emission limits include the emissions during startups and shutdowns.

#### *Continuous Source Monitoring Requirements:*

A. Each combustion turbines shall be equipped with continuous monitoring systems to monitor and record nitrogen oxides (NO<sub>x</sub>) emissions, carbon monoxide (CO) emissions and oxygen (O<sub>2</sub>) content in the flue gas.

B. The continuous emission monitoring systems for NO<sub>x</sub>, CO and O<sub>2</sub> shall be approved by the Department and installed, calibrated, operated and maintained in accordance with the requirements of 25 Pa. Code Chapter 139.

C. The continuous emission monitoring system for the parameters in the previous condition must be approved by the Department. The continuous emission monitoring system shall be installed, operated and maintained in accordance with the requirements of 25 Pa. Code Chapter 139. Proposals containing the information as listed in Phase I section of the Department's Continuous Source Monitoring Manual for the continuous emission monitoring system must be submitted at least 180 days prior to the start-up of each combined cycle combustion turbine.

D. Testing as listed in the Phase II section of the Department's Continuous Source Monitoring Manual must be completed for the CEMs no later than 180 days after initial source start-up date and no later than 60 days after the source achieves normal process capacity.

E. The final report as listed in the Phase III section of the Department's Continuous Source Monitoring Manual must be submitted no later than 60 days after the completion of testing.

F. The continuous monitoring systems shall be installed, maintained and operated to achieve the following data availability requirements:

	<i>Monitored Pollutants or Parameters</i> <i>NO<sub>x</sub>, CO, O<sub>2</sub></i>
Data Availability	≥90% valid hours/calendar month
	≥95% valid hours/calendar quarter
Valid Hour	≥75% valid readings (45 minutes/hour)

G. Equipment shall be installed, operated and maintained to continuously monitor and record the ammonia solution injection rate and the pH or ammonia concentration of the solution to the SCR system.

H. Equipment shall be installed, operated and maintained to continuously monitor and record the amount of natural gas combusted in the combustion turbines and the duct burners.

#### *Recordkeeping Requirements*

A. The owner and operator shall maintain records on all air pollution control system performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment, which is subject to this Plan Approval.

B. The owner and operator shall maintain a copy of the manufacturer's specifications for the combustion turbines, the duct burners, cooling towers and air cleaning devices on-site.

C. The owner and operator shall maintain a copy of the manufacturer's specifications for all CEMs that are required by this Plan Approval.

D. The owner and operator shall keep a record of all the stack tests that are required in this Plan Approval.

E. The owner and operator shall keep a monthly record of the fuel usage.

F. The owner and operator shall keep a record of the date of any malfunction, the time period of the malfunction, the cause of the malfunction and the action taken to correct the malfunction.

G. The owner and operator shall keep a record, on a monthly basis, of the facility's emissions in order to demonstrate compliance with the emission limits in emission limitations condition of this Plan Approval.

H. The owner and operator shall keep all records that are required under 40 CFR Part 60 Subparts Da, Dc and



GG and 40 CFR Parts 72–78, unless the permittee receives approval of an alternative method from the EPA.

I. The owner and operator shall keep a record of each startup and shutdown of the combustion turbines.

J. The owner and operator shall keep a record of the results of the testing for cooling tower blow down water total dissolved and suspended solids.

#### Testing Requirements

A. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after the initial startup of the facility, the owner or operator shall conduct performance tests as per section 60.8 and Subparts GG and Db of 40 CFR Part 60 and 25 Pa. Code Chapter 139.

B. The perform test shall be conducted on the gas turbines and the duct burners for nitrogen oxides, carbon monoxide, volatile organic compounds, sulfur dioxide, ammonia slip concentration and total particulate matter and PM<sub>10</sub>.

C. During the stack test, the ammonia solution flow rate in GPM and its pH shall be measured and recorded.

D. At least 60 days prior to the test, the company shall submit to the Department for approval the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

E. At least 30 days prior to the test, the Regional Air Quality Manager shall be informed of the date and time of the test.

F. Within 30 days after the source tests, two copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Manager for approval.

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

**48-328-006: Conectiv Mid-Merit, Inc.** (P. O. Box 6066, Newark, DE 19714) for construction of six combined-cycle combustion turbines and two cooling towers in Lower Saucon Township and Bethlehem, **Northampton County**.

The following table summarizes the potential emissions from the maximum operation of the facility according to the application submitted for the Department's own analysis:

<i>Pollutant</i>	<i>Emission Rate (tons/year)</i>
<i>Nitrogen Oxides (NO<sub>x</sub>)</i>	460.2
Carbon Monoxide (CO)	439.3
Volatile Organic Compounds (VOCs)	46.0
Sulfur Dioxide (SO <sub>2</sub> )	301.0
Particulate Matter (TSP/PM <sub>10</sub> )	528.0
Sulfuric Acid Mist	46.1

The emissions will consume the following portion of the available Prevention of Significant Deterioration (PSD) air quality increments:

<i>Pollutant</i>	<i>Averaging Time</i>	<i>Ambient Air Quality Impact, • g/m<sup>3</sup></i>
PM <sub>10</sub>	24-Hour	14.4
SO <sub>2</sub>	3-Hour	50.6
	24-Hour	25.2

In order to show compliance with the applicable standards, the Department will place the following conditions in the Plan Approval:

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

2. Nothing in this permit shall be construed to supersede, amend or authorize violation of the provisions of any valid and applicable local law, ordinance or regulation, provided that said local law, ordinance or regulation is not preempted by the Air Pollution Control Act (35 P. S. §§ 4001–4015).

3. The permittee shall comply with the Air Pollution Control Act and Title 25, Rules and Regulations, Article III, Air Resources promulgated thereunder.

4. In accordance with the provisions of the State and Federal New Source Performance Standards, (40 CFR 60.7) the permittee shall provide to the Department and the EPA notifications of:

a. The date that construction commenced for each simple cycle gas turbine (to be submitted within 30 days of commencement of construction).

b. The anticipated date of start up (first fires) for each simple cycle gas turbine (to be submitted not more than 60 days nor less than 30 days prior to the date).

c. The actual date of initial start up for each simple cycle gas turbine (to be submitted at least 15 days following the date).

5. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met.

a. In addition to the previous notification requirements specified, the Department must receive written notice from the Owner/Operator of the anticipated date of the completion of construction for each gas turbine and the Operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice should state when construction is anticipated to be completed and when the Operator expects to commence operation.

b. Operation is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of all sources for a period of 180 days from the date of commencement of operation of the last combined cycle source coming on line, provided the Department receives notice from the Owner/Operator under subpart (a).

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

e. The notice submitted by the Owner/Operator under subpart (a), prior to the expiration of this Plan Approval shall modify the plan approval expiration date. The new

plan approval expiration date shall be 180 days from the date of the written notice and may be re-extended for cause.

6. This Plan Approval is issued for the construction of a nominal 1100 MW combined cycle combustion turbine electric generating plant including the following:

a. Six natural gas/distillate fuel oil fired combustion turbines (Siemens-Westinghouse Model V84.2), each rated at a nominal 122 MW (gross) and controlled, when in simple cycle operation, by dry, low NO<sub>x</sub> combustors (when firing natural gas, in the premix mode of operation), water injection (when firing low sulfur distillate fuel oil and natural gas in the diffusion mode of operation). In addition, selective catalytic reduction (SCR) shall be used when in the combined cycle mode of operation

b. Six heat recovery steam generators (HRSGs)

c. Two steam turbine generators each rated at a nominal 200 MW

d. Two 10 cell cooling towers with drift eliminators.

e. One 4,000,000-gallon above ground low sulfur distillate fuel oil tank.

f. Two 12,000-gallon above ground anhydrous ammonia storage tank.

7. This approval to construct shall become invalid if:

a. Construction (as defined in 40 CFR 52.21 (b)(8)) has not commenced within 18 months of the issue date of the approval; or

b. Construction is discontinued for a period of 18 months or more.

8. The six Siemens-Westinghouse combustions turbines shall primarily fire natural gas with capability for low sulfur distillate fuel oil (liquid fuel) with sulfur content no greater than 0.05% by weight.

9. The total fuel consumption of liquid fuel in the six combustion turbines shall not exceed a total of 61,038,000 gallons during any consecutive rolling 12-month period.

10. The six combustion turbines at the site shall not operate more than a combined total of 108 unit operating hours on a daily (24 hour calendar day) basis while firing liquid fuel, in the combined cycle mode of operation. The units may operate on natural gas for the remaining 36 unit operating hours. Operation in simple cycle mode, while burning liquid fuel, shall not be limited on a daily basis.

11. Each Combustion Turbine shall not be operated more than 200 hours in Peak load and 200 hours in base load in the Diffusion Mode operation. Each combustion turbine shall not be operated more than 100 hours in peak load in the pre-mix mode operation.

12. The permittee shall construct, operate and maintain the six combustion turbines, six HRSGs, two steam turbine generators, two cooling towers and air pollution control equipment in accordance with manufacturer's recommendations, as well as good air pollution control practices to ensure compliance with all air quality emission limitations.

13. For any unit, the duration of operation in the simple cycle mode shall not exceed 12 months from the initial start-up of the unit. At anytime after start-up of any unit in combined cycle mode the unit shall not operate in simple cycle mode except during periods of unavailability of the combined cycle portion of the facility

due to forced or planned maintenance outages, during electrical testing, or as required for compliance testing.

14. The combustion turbines are subject to Subpart GG of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

15. The one 4 million gallon low sulfur distillate fuel oil storage tank is subject to Subpart Kb of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

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

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

17. The six combustion turbines are subject to the NO<sub>x</sub> Budget Program established in 25 Pa. Code §§ 123.102—123.120 and shall comply with all of the following applicable requirements.

§ 123.112. Source operating permit requirements.

The permittee shall comply with the requirements of 25 Pa. Code §§ 123.101—123.120 (relating to NO<sub>x</sub> allowance requirements).

§ 123.102. Source NO<sub>x</sub> allowance requirements and NO<sub>x</sub> allowance control period.

For each NO<sub>x</sub> affected source identified in this permit, the permittee shall hold a quantity of NO<sub>x</sub> allowances meeting the requirements of § 123.110(a) (relating to source compliance requirements) in the source's current year NATS account by December 31 of each calendar year. The NO<sub>x</sub> allowances shall be equal to or greater than the total NO<sub>x</sub> emitted from the source during that year's NO<sub>x</sub> allowance control period.

#### *Monitoring Requirements*

§ 123.108. Source emissions monitoring requirements.

a. The NO<sub>x</sub> emissions from each NO<sub>x</sub> affected source at this facility shall be monitored as specified in 25 Pa. Code § 123.108 and in accordance with the procedures contained in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program."

b. As referenced in 25 Pa. Code § 123.108(2), the permittee shall submit to the Department and the NO<sub>x</sub> Budget Administrator a monitoring plan in accordance with the procedures outlined in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program."

c. New and existing unit emission monitoring systems, as required and specified by 25 Pa. Code § 123.108(4) and the NO<sub>x</sub> affected source's monitoring plan approved by

the Department, shall be installed and operational. The installed emission monitoring systems shall have met all of the certification testing requirements in accordance with the procedures and deadlines specified in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program" in a manner consistent with 25 Pa. Code Chapter 139 (relating to sampling and testing).

d. Sources subject to 40 CFR Part 75 shall demonstrate compliance with 25 Pa. Code § 123.108 by using a certified Part 75 monitoring system.

e. During a period when valid data is not being recorded by devices approved for use to demonstrate compliance with the NO<sub>x</sub> Allowance Requirement subchapter, the permittee shall replace missing or invalid data with representative default data in accordance with 40 CFR Part 75 (relating to continuous emission monitoring) and the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program." For non-Part 75 sources that have Department approved NO<sub>x</sub> CEMS reporting of NO<sub>x</sub> emissions in pounds of NO<sub>x</sub> per hour as required under 25 Pa. Code § 139.101, the data shall be reported to the NETS. The permittee shall continue to report submissions as required under 25 Pa. Code Chapter 139 to the Department.

#### *Testing Requirements*

§ 123.108. Source emissions monitoring requirements.

Monitoring systems for each NO<sub>x</sub> affected source shall comply with the initial performance testing and periodic calibration, accuracy testing and quality assurance/quality control testing as specified in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program."

#### *Reporting Requirements*

§ 123.109. Source emissions reporting requirements.

The authorized account representative shall submit to the NO<sub>x</sub> Budget Administrator, electronically, emissions and operations information for each calendar quarter of each year in accordance with the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program." The emissions and operations information shall be submitted in a format, which meets the requirements of EPA's Electronic Data Reporting convention.

#### *Compliance Requirements*

§ 123.110. Source compliance requirements.

a. Each year from November 1 through December 31, inclusive, the authorized account representative shall request the NO<sub>x</sub> Budget Administrator to deduct, consistent with 25 Pa. Code § 123.107 (relating to NO<sub>x</sub> allowance transfer procedures), a designated amount of NO<sub>x</sub> allowances by serial number from the NO<sub>x</sub> affected source's compliance account in an amount equivalent to the NO<sub>x</sub> emitted from the NO<sub>x</sub> affected source during that year's NO<sub>x</sub> allowance control period. The designated NO<sub>x</sub> allowances shall be used in accordance with the requirements specified in 25 Pa. Code § 123.110.

b. For each NO<sub>x</sub> allowance control period, the authorized account representative for the NO<sub>x</sub> affected source shall submit an annual compliance certification to the Department no later than the NO<sub>x</sub> allowance transfer deadline (December 31) of each year.

c. At a minimum, the compliance certification shall contain the information and statement required under 25 Pa. Code § 123.110(e)(1)–(6).

#### *Recordkeeping Requirements*

§ 123.113. Source recordkeeping requirements.

The owner or operator shall maintain for each NO<sub>x</sub> affected source at this facility, the measurements, data, reports and other information required by 25 Pa. Code §§ 123.101–123.120. The records shall be maintained for 5 years or any other period consistent with the terms of the NO<sub>x</sub> affected source's operating permit.

16. § 123.121 NO<sub>x</sub> Allowance Program Transition

The emission limitations and monitoring requirements established in 25 Pa. Code §§ 123.101–123.120 (relating to NO<sub>x</sub> allowance requirements) are replaced by the requirements in Chapter 145 beginning with the May 1, 2003, control period. If a source has failed to demonstrate compliance with 25 Pa. Code § 123.111 (relating to failure to meet source compliance requirements), the provisions in 25 Pa. Code § 145.54(d) (relating to compliance) shall be used to withhold NO<sub>x</sub> allowances in calendar year 2003 and beyond. If no NO<sub>x</sub> allowances are provided to the source under 25 Pa. Code § 145.52 (relating to NO<sub>x</sub> allowance allocations), the source will be obligated to acquire and retire a number of NO<sub>x</sub> allowances as specified in 25 Pa. Code § 145.54.

§§ 145.1–145.90 NO<sub>x</sub> Budget Trading Program Incorporation.

The emissions limitations, monitoring and all other requirements of the NO<sub>x</sub> Budget Trading Program established in 25 Pa. Code §§ 145.1–145.90 are hereby incorporated by reference.

§ 145.10 Authorization and responsibilities of the NO<sub>x</sub> authorized account representative.

a. [§ 145.10(a)] Except as provided under 25 Pa. Code § 145.11 (relating to alternate NO<sub>x</sub> authorized account representative), each NO<sub>x</sub> budget source, including all NO<sub>x</sub> budget units at the source, shall have one and only one, NO<sub>x</sub> authorized account representative, with regard to all matters under the NO<sub>x</sub> Budget Trading Program concerning the source or any NO<sub>x</sub> budget unit at the source.

b. [§ 145.10(e)] Each submission under the NO<sub>x</sub> Budget Trading Program shall be submitted, signed and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> budget source on behalf of which the submission is made.

§ 145.6(a) Standard requirements—Monitoring requirements.

a. The owners and operators and the NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall comply with the monitoring requirements of 25 Pa. Code §§ 145.70–145.76 (relating to recordkeeping and recording requirements) by May 1, 2002.

b. The emissions measurements recorded and reported in accordance with 25 Pa. Code §§ 145.70–145.76 shall be used to determine compliance by the unit with the NO<sub>x</sub> budget emissions limitation under 25 Pa. Code § 145.6(c)

§ 145.6(b) Standard requirements—NO<sub>x</sub> requirements.

a. The owners and operators of each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under 25 Pa. Code § 145.54 (relating to compliance), as of the NO<sub>x</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount

not less than the total NO<sub>x</sub> emissions for the control period from the unit, as determined in accordance with 25 Pa. Code §§ 145.70–145.76 (relating to recordkeeping and reporting requirements) plus any amount necessary to account for actual heat input under § 145.42(e) (relating to NO<sub>x</sub> allowance allocation) for the control period or to account for excess emissions for a prior control period under 25 Pa. Code § 145.54(d) or to account for withdrawal from the NO<sub>x</sub> budget trading program, or a change in regulatory status, of a NO<sub>x</sub> budget opt-in unit under 25 Pa. Code §§ 145.86 and 145.87 (relating to withdrawal from NO<sub>x</sub> Budget Trading Program; and opt-in source change in regulatory status).

b. A NO<sub>x</sub> budget unit shall be subject to the requirements under paragraph (a) starting on May 1, 2003, or the date on which the unit commences operation, whichever is later.

§ 145.6(c) Standard requirements—Excess emissions.

The owners and operators of a NO<sub>x</sub> budget unit that has excess emissions in any control period shall do the following:

Surrender the NO<sub>x</sub> allowances required for deduction under 25 Pa. Code § 145.54(d)(1) (relating to compliance).

§ 145.6(d) Standard requirements-Recordkeeping and reporting requirements

Unless otherwise provided, the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall maintain at a central location and provided upon request by the Department of the NO<sub>x</sub> budget administrator all documents required under 25 Pa. Code § 145.6(d) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of the 5 years, in writing by the Department or the Administrator.

§ 145.74(b) Standard requirements—Monitoring plans.

a. The owner or operator of a unit subject to an acid rain emissions limitation shall comply with requirements of 40 CFR 75.62 (relating to monitoring plans), except that the monitoring plan shall also include all of the information required by 40 CFR Part 75, Subpart H.

b. The owner or operator of a unit that is not subject to an acid rain emissions limitation shall comply with requirements of 40 CFR 75.62, except that the monitoring plan is only required to include the information required by 40 CFR Part 75, Subpart H.

§ 145.74(c) Certification applications.

The NO<sub>x</sub> authorized account representative shall submit an application to the Department within 45 days after completing all initial certification or recertification tests required under 25 Pa. Code § 145.71 (relating to initial certification and recertification procedures) including the information required under 40 CFR Part 75, Subpart H.

§ 145.74 Source emission reporting requirements.

a. The authorized account representative shall submit to the Department and to the NO<sub>x</sub> Budget Administrator a quarterly emissions report in accordance with the requirements of 25 Pa. Code § 145.74(d).

b. The NO<sub>x</sub> authorized account representative shall submit to the Department and the NO<sub>x</sub> Budget Administrator a compliance certification in support of each quarterly report required under 25 Pa. Code § 145.74(d) based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the units emissions are correctly and fully monitored.

§ 145.30 Compliance certification report.

For each control period in which one or more NO<sub>x</sub> budget units at a source are subject to the NO<sub>x</sub> budget emissions limitation, the NO<sub>x</sub> authorized account representative of the source shall submit to the Department and the NO<sub>x</sub> Budget Administrator by November 30 of that year, a compliance certification report for the source covering all of the units.

§ 145.90 Emission reduction credit provisions.

NO<sub>x</sub> budget units may create, transfer and use ERCs in accordance with 25 Pa. Code Chapter 127 and § 145.90. ERCs may not be used to satisfy NO<sub>x</sub> allowance requirements.

17. Under the provisions of 25 Pa. Code Chapter 127, Subchapter E, New Source Review, the permittee shall secure Department-approved nitrogen oxides (NO<sub>x</sub>) Emission Reduction Credits (ERCs) in the amount of 529.2 tons per year prior to the commencement of operation of the combustion turbines.

18. Under the Lowest Achievable Emission Rate (LAER) provisions of 25 Pa. Code § 127.205, the permittee shall limit the NO<sub>x</sub> emissions (corrected to 15% O<sub>2</sub>) from each combustion turbine to the following:

1 hour NO<sub>x</sub> averages calculated from a 3-hour rolling block average

Mode (At 15% Oxygen)	Natural Gas (Premix)		Natural Gas (Diffusion)		Liquid Fuel (Diffusion)	
	Base	Peak	Base	Peak	Base	Peak
Simple Cycle	9 ppmvd	25ppmvd	42ppmvd	42ppmvd	42ppmvd	42ppmvd
Combined Cycle	2.5ppmvd	7ppmvd	9ppmvd	9ppmvd	9ppmvd	9ppmvd

19. Under the Best Available Control Technology (BACT) provisions of 25 Pa. Code § 127.83, carbon monoxide (CO) emissions from the combustion turbines when firing natural gas or liquid fuel shall not exceed 6.0 ppmvd 15% oxygen on an hourly basis (3 hour rolling average) when operating in either simple cycle or combined cycle modes.

20. Under the BACT provisions of 25 Pa. Code § 127.83, sulfur dioxide (SO<sub>2</sub>) emissions from the combustion turbines operating in either simple or combined cycle modes shall not exceed:

a. 0.003 pound per million BTU (HHV) on an hourly basis when firing natural gas; and

b. 0.051 pound per million BTU (HHV) on an hourly basis when firing liquid fuel.

21. Under the BACT provisions of 25 Pa. Code § 127.83, PM/PM<sub>10</sub> emissions from the combustion turbines shall not exceed:

a. 0.0135 pound per million BTU (HHV) on an hourly basis when firing natural gas for the simple cycle mode of operation; and

b. 0.0184 pound per million BTU (HHV) on an hourly basis when firing liquid fuel for the simple cycle mode of operation; and

c. 0.0141 pound per million BTU (HHV) on an hourly basis when firing natural gas for the combined cycle mode of operation; and

d. 0.0288 pound per million BTU (HHV) on an hourly basis when firing liquid fuel for the combined cycle mode of operation.

22. Under the BACT provisions of 25 Pa. Code § 127.83, Sulfuric acid (H<sub>2</sub>SO<sub>4</sub>) mist emissions from the combustion turbines shall not exceed:

a. 0.00023 pound per million BTU (HHV) on an hourly basis when firing natural gas for the simple cycle mode of operation; and

b. 0.00390 pound per million BTU (HHV) on an hourly basis when firing liquid fuel for the simple cycle mode of operation; and

c. 0.00046 pound per million BTU (HHV) on an hourly basis when firing natural gas for the combined cycle mode of operation; and

d. 0.00780 pound per million BTU (HHV) on an hourly basis when firing liquid fuel for the combined cycle mode of operation.

23. Section 127.83, volatile organic compound (VOC) emissions (corrected to 15% oxygen) from the combustion turbines shall not exceed:

a. 1.2 ppmvd on an hourly basis when operating in either simple or combined cycle operation while firing natural gas in the premix configuration; and

b. 1.3 ppmvd on an hourly basis when operating in either simple or combined cycle operation while firing

either natural gas in the diffusion configuration or while burning liquid fuel.

24. Under the Best Available Technology (BAT) provisions of 25 Pa. Code § 127.1, the permittee shall limit the emission of ammonia for each selective catalytic reduction (SCR) system exhaust to 10 ppmvd, measured dry volume corrected to 15% oxygen, under normal operation.

25. The emission limitations specified in Conditions 20, 21, 22, 23, 24, 25, 26 and 29 shall not be applied to the periods of start-up and shutdown, defined and limited as follows:

*Startup:* Commences with the initiation of fuel injection into the combustion chambers and ends when the combustion turbine reaches 50% load

*Cold Startup:* Refers to restarts made more than 24 hours after shutdown. When operating in the simple cycle mode, a cold startup shall not exceed 20 minutes. When operating in the combined cycle mode, a cold startup shall not exceed 60 minutes.

*Hot Startup:* Refers to restarts made less than 24 hours after shutdown. When operating in the simple cycle mode, a hot startup shall not exceed 20 minutes. When operating in the combined cycle mode, a hot startup shall not exceed 30 minutes.

*Shutdown:* Commences when the combustion turbine load falls below 50% and ends when the fuel injection into the combustion chambers is terminated. Shutdown shall not exceed 20 minutes.

26. Total emissions from respective sources at the facility shall not exceed, during any consecutive 12 month rolling period, the following limits:

*Facility Emission Limits, tons  
Pollutant*

<i>Pollutant</i>	<i>Gas Turbines (All)</i>	<i>Cooling Tower</i>	<i>Fuel Oil Storage</i>	<i>Ancillary Equipment</i>	<i>Facility Total</i>
NO <sub>x</sub>	460.2				460.2
CO	439.3				439.3
VOC	45.0		0.4	0.6	46.0
PM <sub>10</sub>	520.6	7.4			528.0
SO <sub>2</sub>	50.2				301.0
Ammonia	444.5				444.5
Sulfuric Acid Mist	46.1				46.1

27. Hazardous Air Pollutant (HAP) emissions from the combustion turbines shall be less than 10 tons for any single HAP and 25 tons aggregate for any combination of HAPs during any consecutive rolling 12-month period.

28. Under the provisions of 25 Pa. Code § 123.31, there shall be no malodorous emissions from any operation related to any source covered under this Plan Approval.

29. Under the provisions of 25 Pa. Code § 123.41, the visible air contaminants from each combustion turbine exhaust stack shall not be emitted in a manner that the opacity of the emission is equal to or greater than 20% for a period or periods aggregating more than 3 minutes in any one hour; or equal to or greater than 60% at any time.

30. Within 60 days after achieving the maximum firing rate for each gas turbine source, but not later than 180 days after start-up, the permittee shall demonstrate compliance with each emission limit established in Conditions 20, 21, 22, 23, 24, 25, 26, 29 and opacity as per

Section 60.8 and 40 CFR Part 60 Subpart GG and Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

31. At least 60 days prior to the test, the permittee shall submit to the Department for approval the procedures for a test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

32. At least 30 days prior to the test, the Regional Air Quality Program Manager shall be informed of the date and time of the test.

33. Within 60 days after the source tests, two copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Program Manager for approval.

34. Continuous emission monitoring system for nitrogen oxides (as NO<sub>x</sub>), carbon monoxide (CO) and diluent

gas (O<sub>2</sub> or CO<sub>2</sub>) must be approved by the Department and installed, operated and maintained in accordance with the requirements of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. Proposals containing information as listed in the Phase I section of the Department's *Continuous Source Monitoring Manual* for CEMs must be submitted at least 3 months prior to the start-up of the combustion turbines.

35. Phase I Department approval must be obtained for the monitors described in Condition 33 prior to initial start-up of the combustion turbines. Phase III Department approval must be obtained within 60 days of achieving the maximum production rate at which the turbines will be operated, but not later than 180 days after initial start-up of the turbines. Department review time for the Phase III report (time between postmark of the permittee's Phase III report and the postmark of the Department's response letter) will not be charged against the turbines in determining compliance with this condition. Information on obtaining Department approval is included in the Department's *Continuous Source Monitoring Manual*.

36. The permittee shall install and maintain fuel flow monitors that meet the requirements of 40 CFR Part 75.

37. The permittee shall monitor the sulfur and nitrogen content of the fuel being fired in the combustion turbines as per 40 CFR 60.334(b), unless the permittee receives approval from the EPA to use an alternative method as per 40 CFR 60.13. In addition, the permittee shall monitor water to fuel ratios as required under 40 CFR 60 GG, unless the permittee receives approval from the EPA to use NO<sub>x</sub> continuous emission monitoring system to maintain conformance with the applicable NO<sub>x</sub> emissions permit limits.

38. In order to ensure the proper operation of the SCR system, the permittee shall measure outlet NO<sub>x</sub> emissions and ammonia flow control valve position (an indicator of the proper ammonia flow rate)

39. The permittee shall record each start-up and shut-down, including date and times of each event, for the combustion turbines.

40. The permittee shall, at a minimum, record the following:

- a. Monthly fuel consumption for each combustion turbine
- b. 12-month rolling total fuel consumption
- c. Monthly emissions of TSP/PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub>, CO, H<sub>2</sub>SO<sub>4</sub> and VOC
- d. 12-month rolling total of the emissions identified in Condition (41)(c)
- e. Results of fuel sampling
- f. SCR performance

41. All emissions shall be determined by the methods found in 40 CFR Part 60 Subpart GG, the Plan Approval Application and supplemental materials and *Continuous Source Monitoring Manual*.

42. The Facility shall limit the particulate emissions from the cooling tower to 7.4 tons per year in a 12-month rolling period. The solids concentration in the blowdown for each cooling tower shall not exceed 1160 mg/L (averaged over 12-month rolling period).

43. The Facility shall keep a record of the results of the testing for the cooling tower blowdown water total solids content.

44. Records required under this Plan Approval, 40 CFR Part 60 Subpart GG and 40 CFR Parts 72 and 75 shall be kept for a period of 5 years and shall be made available to the Department upon request.

a. The permittee shall maintain records on all air pollution control system performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment, which is subject to this plan approval.

b. The permittee shall maintain a copy of the manufacturer's recommendation for the six combustion turbines, two cooling towers and air pollution control equipment on-site.

c. The permittee shall maintain a copy of the manufacturer's recommendations for all CEMs that are required by this Plan Approval.

d. The permittee shall keep a record of the date of malfunction, the time of the malfunction, the cause of the malfunction and the action taken to correct the malfunction.

e. The permittee shall keep a record monitoring or testing associated with any cooling tower sampling for calculation of particulate emissions from this source.

45. The Department reserves the right to use the CEM data, stack test results and the operating parameters determined during optimization of the turbines and their associated air cleaning devices to verify emission rates, to establish emission factors and to develop compliance assurance measures in the Operating Permit.

46. The permittee shall conduct post-construction monitoring of PM-10 in order to ascertain attainment with National Ambient Air Quality Standards.

47. A post-construction PM-10 monitoring protocol shall be submitted to the Department within 3 months of issuance of the plan approval.

48. The monitoring of PM-10 shall commence at the start of simple cycle operation and shall be conducted in accordance with the "Ambient Monitoring Guidelines for Prevention of Significant Deterioration (EPA-450/4-87-007)."

As an alternative to EPA Guideline Models, AERMOD, was used in the air quality analysis. Specific approval for the use of AERMOD in this analysis was granted by the EPA Region III Administrator and was consistent with the recommendations under section 3.2 of Appendix W to 40 CFR Part 51.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval and the appropriateness of using the alternate air model AERMOD for air quality purposes. The hearing will be held on November 1, 2001, at 7 p.m. at City Hall, 10 East Church Street, Bethlehem, PA, 18018. Persons interested in commenting are invited to appear at the public hearing. Persons unable to attend the hearing can submit written testimony to the Department through November 11, 2001.

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

**07-05001E: Appleton Papers Inc.—Spring Mill** (100 Paper Mill Road, Roaring Spring, PA 16673) for installation of the High Volume Low Concentration (HVLC) Non-Condensable Gas (NCG) collection system in Roaring Spring Borough, **Blair County**. The NCG from the kraft pulping system vents will be collected and transported to

the facility's No. 3 Power Boiler for combustion. The HVLC NCG will be collected and combusted as required by 40 CFR Part 63 Subpart S, section 63.443. The No. 3 Power Boiler is expected to provide efficient control of hazardous air pollutants from the burning of the HVLC NCG. No net increase of nitrogen oxides or sulfur dioxide is expected from this project at the No. 3 Power Boiler. Appleton Papers Inc. is a kraft pulp and paper mill located in Roaring Spring Borough, Blair County. The facility currently has a Title V Permit No. 07-05001. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date. The Plan Approval will contain additional record-keeping and operating restrictions designed to keep the facility operating within the requirements of 40 CFR Part 63, Subpart S. The Title V Operating Permit will be modified to include the use of the No. 3 Power Boiler as a control device.

**38-03035: V & S Lebanon Galvanizing, LLC** (1000 Buckeye Park Road, Columbus, OH 43207) for construction of a hot dip galvanizing operation controlled by a fabric collector at its Lebanon Plant in Union Township, **Lebanon County**. The plant is a non-Title V (State only) facility. The operation will have the potential to emit about 1.1 TPY of CO, 0.6 TPY of NO<sub>x</sub> and 0.2 TPY of PM-10. The plant will have an annual steel throughput limit of 36,000 tons during any consecutive 12-month period. The plan approval will also contain additional work practice and emission standards, as well as testing, monitoring, record keeping and reporting requirements.

**38-05019A: AES Ironwood, L.L.C.** (305 Prescott Road, Lebanon, PA 17042) for the transfer of nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC) emission reduction credits (ERC). The 509 tons per year of NO<sub>x</sub> and 179 tons per year of VOC ERCs are required to offset potential emissions from the facility in South Lebanon Township, **Lebanon County** in accordance with 25 Pa. Code, Section 127, Chapter E, New Source Review. The ERC transfer language will be included in the facility's eventual Title V operating permit.

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

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

**67-03089: John W. Keffer Funeral Home, Inc.** (902 Mt. Rose Avenue, York, PA 17403-2938) for operation of its human crematory in York City, **York County**. The crematory has the potential to emit 3 tons of NO<sub>x</sub> per year. The Natural Minor operating permit will include monitoring and record keeping requirements, emission restrictions and work practice standards designed to keep the site operating within all applicable air quality requirements.

## MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to the applications will also address the appli-

cable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated before each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

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

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

### Coal Applications Received

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

**30940102. Shafer Brothers Construction, Inc.** (668 Lower Hildebrand Road, Morgantown, WV 26501). Received renewal application for reclamation only of a bituminous surface mine located in Greene Township, **Greene County** affecting 25.5 acres. Receiving streams: unnamed tributary of Whitely Creek. Renewal application received: September 11, 2001.

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

**32910105. GLR Mining, Inc.** (P. O. Box 105, Clymer, PA 15728). Permit Renewal for continued restoration of a bituminous surface mine in Canoe Township, **Indiana County**, affecting 52.8 acres. Receiving streams: unnamed tributary to Brewer Run. Application received: September 17, 2001.

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

**37840106. Kerry Coal Company** (R. R. 2, Box 2139, Wampum, PA 16157). Renewal of an existing bituminous surface strip, auger and tippel refuse disposal operation in Perry Township, **Lawrence County** affecting 278.0 acres. Receiving streams: Camp Run, classified for the following uses: Statewide water uses: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Application for reclamation only. Application received: September 17, 2001.

#### *Noncoal Applications Received*

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

**6075SM3C5. Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034), NPDES Permit #PA0069744 Renewal Application on existing noncoal permit in Union Township, **Union County**, affecting 415 acres. Receiving streams: unnamed tributary to Winfield Creek and Winfield Creek. No additional or increased discharges are proposed. Application received: September 17, 2001.

#### *Noncoal Applications Returned*

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

**7774SM3A1C. Eastern Industries, Inc.**, (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454), correction to an existing quarry operation in Maxatawny Township, **Berks County** affecting 205.0 acres, receiving stream—Maiden and Saucony Creeks. Application received: September 21, 1994. Application returned: September 20, 2001.

### **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of

comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

#### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**EA23-004SE. Milrow Development Corporation**, 533 Glendale Road, Havertown, PA 19083, Concord Township, **Delaware County**, ACOE Philadelphia District.

A request for an Environmental Assessment for impacts associated with the construction of a nonjurisdictional dam across Webb Creek (TSF), (West Branch Chester Creek) and a section of wetlands (PFO1). This project will provide stormwater management for the proposed Milrow Development Site. The dam and associated components will impact about 0.276 acres of wetlands (PFO1). The project is situated approximately 2000 feet northeast of the intersection of Route 491 and Garnet Mine Road (Wilmington-North, Quadrangle N: 17.80 inches; W: 2.30 inches).

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

**E45-418. Pennsylvania-American Water Company**, 20 East Union Street, Wilkes-Barre, PA 18701-1397, in Coolbaugh Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing sanitary sewer line and to construct and maintain 90 feet of 15-inch diameter P.V.C. sanitary sewer line in PEM wetlands for the purpose of correcting a negative slope condition while reducing exfiltration of the sewer line. The project is located in Pocono Country Place, Section G-14, between North Country Place Drive and Fawn Lane. (Tobyhanna, PA Quadrangle N: 12.8 inches; W: 0.7 inch).

**E35-346. Jefferson Township Sewer Authority**, R. R. 3, Box 394A, Lake Ariel, PA 18436, in Jefferson Township and Boroughs of Dunmore, Throop, **Lackawanna County**, U. S. Army Corps of Engineers, Baltimore District.

To place fill in a de minimis area of wetlands less than or equal to 0.05 acre within the West Branch Wal-lenpaupack Creek Watershed (HQ-CWF); to construct and



maintain numerous sanitary sewer line stream crossings of Eddy Creek (CWF), unnamed tributaries Eddy Creek and unnamed tributaries to West Branch Wallenpaupack Creek; and to construct and maintain numerous wetland crossings within the Eddy Creek and West Branch Wallenpaupack Creek Watersheds for the purpose of constructing the Jefferson Township Wastewater Collection System Project. The project consists of approximately 31 miles of collection system and five pumping stations. The project begins (Olyphant, PA Quadrangle N: 10.3 inches; W: 15.2 inches) in the Borough of Dunmore and extends west along S.R. 0247 to various locations (Lake Ariel, PA Quadrangle N: 10.5 inches; W: 10.4 inches) in Jefferson Township.

**E48-314. Department of Conservation and Natural Resources**, Jacobsburg State Park, 836 Jacobsburg Road, Windgap, PA 18091, in Bushkill Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream restoration project consisting of structural and soil bioengineering stabilization measures and fish enhancement structures in and along a 680 L.F. section of Bushkill Creek (HQ-CWF). The project is located in Jacobsburg State Park, approximately 0.5 mile west of the Belfast Exit of S.R. 0033. (Windgap, PA Quadrangle N: 4.5 inches; W: 4.1 inches).

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

**E06-553. Jeffrey Smallman**, PennDOT 5-0, 1713 Lehigh Street, Allentown, PA 18103 in Brecknock, Camru and Spring Townships, **Berks County**.

To (1) construct and maintain a bridge (60 feet by 105 feet); (2) construct and maintain two culverts (18 feet by 66 feet and 18 feet by 78 feet) and a stream enclosure (18 feet by 318) feet across Little Muddy Creek; (3) a bridge (54 feet by 60 feet) and a culvert (36 inches by 50 feet) across unnamed tributaries of Little Muddy Creek and two stream enclosures (7.2 feet by 240 feet and 8.1 feet by 240 feet) and a 918-foot stream relocation across Klines Creek; and (4) fill in the floodway of Little Muddy Creek and Klines Creek and fill in the floodplain of Little Muddy Creek. Proposed activity for overall project will impact 4.14 acres of wetland and 0.03 acre of temporary wetland impact. 8.24 acres of wetland creation and 7.57 acres of wetland enhancement are designed for wetland compensation. The project is located in Brecknock, Camru and Spring Townships, Berks County (Sinking Springs, PA Quadrangle N: 4.3 inches; W: 3.3 inches).

**E07-351. Martin Marasco**, Altoona-Blair County Development Corporation, 4500 Sixth Avenue, Altoona, PA 16602 in Antis Township, **Blair County**, ACOE Baltimore District.

To impact 0.38 acre of wetlands adjacent to a tributary to the Little Juniata River (WWF) at a point on the east side of SR 1001 (Old US Route 220) for the purpose of creating an industrial park (Bellwood, PA Quadrangle N: 22.2 inches; W: 6.7 inches) in Antis Township, Blair County. The applicant proposes to create 0.38 acre of replacement wetlands.

**E67-706. Jason Shamberger**, 14445 Laurel Road, Felton, PA 17322 in Chanceford Township, **York County**, ACOE Baltimore District.

To construct and maintain a stone masonry bridge with a span of 8 feet, 6 inches across the Bear Branch (CWF) (Stewartstown, PA Quadrangle N: 5.5 inches; W: 1.75 inches) in Chanceford Township, York County.

**E67-708. Steve Rogers**, Texas Eastern Products Pipeline Company, 71—73 Denison Parkway, P. O. Box 99, Corning, NY 14830 in Fairview Township, **York County**, ACOE Baltimore District.

To construct a remediation project for an exposed TEPPCO A-3 Products Pipeline (L.P.G.) which requires the placement of about 1.5 feet of R-3 size riprap cover over the pipeline in the unnamed tributary to Marsh Run (WWF) about 100 feet south of the eastbound lane of Marsh Run Road at a point about 1.1 miles east along Marsh Run Road of its intersection with the Susquehanna Trail (Steelton, PA Quadrangle N: 12.9 inches; W: 11.2 inches) in Fairview Township, York County.

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

**E26-288. Consolidated Rail Corporation**, 1000 Howard Boulevard, 4th Floor, Mt. Laurel, NJ 08054. Brownsville Borough and Brownsville Township, **Fayette County**, ACOE Pittsburgh District.

To remove an abandoned existing four span stone arch railroad bridge across Dunlap Creek (WWF) due to excessive deterioration and a court order issued by the Public Utility Commission. The project is located off of TR 652, approximately 0.75 mile south of its intersection with S.R. 4003 (California, PA Quadrangle N: 2.82 inches; W: 1.52 inches).

**E63-515. Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Independence and Jefferson Boroughs, **Washington County**. ACOE Pittsburgh District.

To remove the existing Meadowcroft Bridge and to construct and maintain a new bridge having a span of 25.75m (91.04 feet) with an underclearance of 3.34m (10.96 feet) across the channel of Cross Creek (WWF) for the purpose of improving highway safety. The bridge is located on S.R. 4018, Section B10. The applicant also proposes to construct and maintain a temporary road crossing consisting of three 600m (2.0 feet) diameter culverts (Avella, PA Quadrangle N: 6.5 inches; W: 16.3 inches).

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## ACTIONS

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### FINAL ACTIONS TAKEN UNDER THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT— NPDES AND WQM PART II PERMITS INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

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

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

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

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

**NPDES Permit No. PA0054780**, Sewage, **Stone Mill Estates, L.P.**, 3103 Philmont Avenue, Huntingdon Valley, PA 18966. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Renewal and transfer of NPDES Permit to discharge into Green Creek—3G Watershed.

**NPDES Permit No. PA0052507**, Sewage, **George W. Sharp**, 876 Shavertown Road, Boothwyn, PA 19061. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge into an UNT to West Branch of Chester Creek.

**WQM Permit No. 1500430**, Sewerage, **Edward and Elizabeth West**, 201 Chandler Mill Road, Kennett Square, PA 19348. This proposed facility is located in Kennett Township, **Chester County**.

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

**WQM Permit No. 4601405**, Sewerage, **Montgomery Township Municipal Sewer Authority**, 1001 Stump Road, Montgomeryville, PA 18936. This proposed facility is located in Montgomeryville Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction to expand the Eureka wastewater treatment plant.

**WQM Permit No. 4601409**, Sewerage, **Upper Gwynedd Township**, P. O. Box 1, Parkside Place, West Point, PA 19486. This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Proposed Action/Activity: Installation of dechlorination facility.

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

**NPDES Permit No. PA0087190 and WQM Permit No. 2801402**, Sewage, **St. Thomas Township Municipal Authority**, 6442 Lincoln Way West, St. Thomas, PA 17252. This proposed facility is located in St. Thomas Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Wilson Run in Watershed 13-C and Construction/Operation of Sewage Treatment Facilities/Sewers & Appurtenances.

**NPDES Permit No. PA0085707 and WQM Permit No. 3601204**, Sewage, **Cocalico Valley Poultry Farms**, 1095 Mt. Airy Road, Stevens, PA 17578. This proposed facility is located in West Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT to Indian Run in Watershed 7-J and Construction/Operation of Sewage Treatment Facilities.

**WQM Permit No. PA0070149 and WQM Permit No. 0601402**, Sewerage, **Leesport Borough Authority**, 10 East Wall Street, P. O. Box 201, Leesport, PA 19533. This proposed facility is located in Leesport Borough, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Schuylkill River in Watershed 3-C and Construction/Operation of Sewage Treatment Facilities.

**WQM Permit No. PA0020664**, Sewerage, **Middletown Borough Authority**, 60 West Emmaus Street, Middletown, PA 17057-1499. This proposed facility is located in Middletown Borough, **Dauphin County**.

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

**NPDES Permit No. PA0046221**, Sewage, **Newville Borough Water & Sewer Authority**, 99 Cove Valley Road, Newville, PA 17241. This proposed facility is located in Newville Borough, **Cumberland County**.

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

**NPDES Permit No. PA0084417**, Sewage, **Robert L. Brunner**, P. O. Box 310, Shermans Dale, PA 17090. This proposed facility is located in Carroll Township, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to UT Sherman Creek in Watershed 7-A.

**WQM Permit No. PA0080080**, Sewerage, **Conewago Valley Mobile Home Park, Inc.**, 800 York Road, Dover, PA 17315. This proposed facility is located in Newberry Township, **York County**.

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

**NPDES Permit No. PA0084581**, Industrial Waste, **New Holland Borough Authority**, 436 East Main Street, New Holland, PA 17557. This proposed facility is located in East Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Mill Creek in Watershed 7-J

**NPDES Permit No. PA0088561**, CAFO, **Evergreen Farms, Inc.**, HCR-1, Box 113, Spruce Creek, PA 16683. This proposed facility is located in Franklin Township, **Huntingdon County**.

Description of Size and Scope of Proposed Operation/Activity: Operation of a 3,744-AEU Dairy Concentrated Animal Feeding Operation located in Watershed 11-A.

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

**NPDES Permit No. PA0093611**, Sewage, **ST Development Company, LLC**, 2241 Industrial Drive, Connellsville, PA 15425 is authorized to discharge from a facility located at ST Development Company STP, Bullsken Township, **Fayette County** to receiving waters named Drainage Swale to Irish Run.

**NPDES Permit No. PA0110469-A1.** Sewage. **Borough of Patton**, P. O. Box 175, Patton, PA 16668 is authorized to discharge from a facility located at Borough of Patton Wastewater Treatment Plant, Borough of Patton, **Cambria County** to receiving waters named Chest Creek.

**Permit No. 0401403.** Sewerage. **Municipal Authority of the Borough of Conway**, 1208 Third Avenue, Conway, PA 15027. Construction of pump station located in Conway Borough, **Beaver County** to serve Catherine Drive Pump Station.

**Permit No. 2601401.** Sewerage. **Ohiopyle Borough**, P. O. Box 83, Ohiopyle, PA 15470. Construction of pump

station, force main and collector sewer system located in Ohiopyle Borough, **Fayette County** to serve Garrette Avenue and Falls City Bar-Restaurant.

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

**WQM Permit No. 2501413**, Sewerage, **Rodney S. Curtis**, 20923 Lindsey Hollow Road, Corry, PA 16407. This proposed facility is located in Concord Township, **Erie County**.

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

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

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

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

<i>NPDES No. Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS101322	Jim Thorpe Area School District 140 W. 10th St. Jim Thorpe, PA 18229	Carbon	Kidder Township	Dilldown Creek HQ-CWF
PAS10N028	Valley View School District Columbus Drive Archbald, PA 18403	Lackawanna	Archbald Borough	Lackawanna River HQ-CWF
PAS10Q214	Home Properties 610 Freedom Business Center Suite 110 King of Prussia, PA 19406	Lehigh	City of Allentown	Little Lehigh Creek HQ-CWF
PAS10Q128-1	Orefield Cold Storage Distribution Center 3424 Route 309 Orefield, PA 18069	Lehigh	N. Whitehall Township	Unnamed tributary to Jordan Creek HQ-CWF
PAS10U145	Kemmerer Corp. 3220 Valley View Drive Bath, PA 18014	Northampton	Moore Township	Monocacy Creek HQ-CWF

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

<i>NPDES No. Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10P027	Arborsgate, LTD 950 E. Kercher Ave. Myerstown, PA 17067-2191	Lebanon	Jackson Township	UNT to Tulpehocken Creek (TSF)

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

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

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

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

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

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**List of NPDES and/or Other General Permit Types**


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PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Carbon County Mahoning Township	PAR101329	Pencor Services, Inc. P. O. Box 215 Palmerton, PA 18071	Mahoning Creek (CWF)	Carbon County Conservation District (610) 377-4894
Lehigh County Upper Saucon Township	PAR10Q161	JET Properties Rt. 222 Breiningsville, PA 18031	Saucon Creek (CWF)	Lehigh County Conservation District (610) 391-9583
Lehigh County Upper Saucon Township	PAR10Q162	Career Education Corp. 2895 Green Point Parkway Hoffman Estates, IL 60195	Saucon Creek (CWF)	Lehigh County Conservation District (610) 391-9583
Carlisle Borough Cumberland County	PAR 10H269	S & A Custom Built Homes Chesterfield Development 501 Rolling Ridge Drive State College, PA 16801	UNT to Conodoguinet Creek (WWF)	Cumberland County Conservation District 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812
South Middleton Township Cumberland County	PAR10H262	Exel Royer Tract 501 West Schrock Rd. Westerville, OH 43081	UNT to Conodoguinet Creek (WWF)	Cumberland County Conservation District 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812
Lower Allen Township Upper Allen Township Cumberland County	PAR10H267	Wesley Affiliated Ser- vices, Inc. Bethany Village West 325 Wesley Drive Suite 100 Mechanicsburg, PA 17011	Cedar Run (CWF)	Cumberland County Conservation District 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812
Manheim Township Lancaster County	PAR10O514	Brighton Land Company 2131 Marietta Avenue Lancaster, PA 17603	UNT Buchman Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lower Paxton Township Susquehanna Township Dauphin County	PAR10I231	Ronald A. Burkholder Jr. Woodvale Development 524 Shippen Street Middletown, PA 17057	Paxton Creek	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Hummelstown Borough Derry Township Dauphin County	PAR10I278	Lower Dauphin School District 291 E. Main Street Hummelstown, PA 17036-1799	UNT Swatara Creek	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Hummelstown Borough Derry Township Dauphin County	PAR10I279	Lower Dauphin School District 291 E. Main Street Hummelstown, PA 17036-1799	2 UNT Swatara Creek	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Beaver County Aliquippa City	PAR100287	James Palmer Beaver County Corporation for Economic Development 250 Insurance Street Suite 300 Beaver, PA 15009	Ohio River (WWF)	Beaver County Conservation District (724) 774-7090
Beaver County North Sewickley Township	PAR100289	Thomas Smith, Copartner Salvage Auto Auctions 2000 River Road Elwood City, PA 16117	UNT Connoquenessing Creek (WWF)	Beaver County Conservation District (724) 774-7090
Washington County California Borough	PAR10W191	California University of Pennsylvania, SAI 250 University Avenue California, PA 15419	UNT Lilly Run (WWF)	Washington County Conservation District (724) 228-6774
Butler County Franklin Township	PAR10E149	Franklin Mobile Home Village Park Expansion Carol Kaufman 423 Dogwood Drive Butler, PA 16001	UNT Mulligan Run (CWF)	Butler Conservation District (724) 284-5270
Erie County Franklin Township	PAR10K183	McKean VFW 10613 Route 98 Edinboro, PA 16412	UNT Little Elk Creek (CWF)	Erie Conservation District (814) 796-6760 Ext. 5

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Montgomery Township Montgomery County	PAR230021	ITW Philadelphia Resins 130 Commerce Dr Montgomeryville, PA 18936	UNT to Little Neshaminy Creek—2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Bensalem Township Bucks County	PAR800059	Yellow Freight System, Inc. 10990 Roe Ave. Mail Stop A605 Overland Park, KS 66211	Delaware River—2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lackawanna County Dunmore Borough	PAR802205	New Penn Motor Express, Inc. 625 South Fifth Avenue P. O. Box 630 Lebanon, PA 17042	Eddy Creek WWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711
<i>General Permit Type—PAG-4</i>				
Concord Township Erie County	PAG048745	Rodney S. Curtis 20923 Lindsey Hollow Road Corry, PA 16407	Unnamed tributary of Winton Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-12</i>				
Huntingdon County Cromwell Township	PAG123519	M & M Farms R. R. 1 Box 42 Shirleysburg, PA 17260	Old Woman's Run/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

## PUBLIC WATER SUPPLY PERMITS

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

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

### SAFE DRINKING WATER

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

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

**Permit No. 0901513, Minor Amendment, Public Water Supply.**

Applicant	<b>Richlandtown Borough</b> 125 S. Main Street Richlandtown, PA 18955
Borough	Richlandtown
County	<b>Bucks</b>
Type of Facility	Public Water Supply System
Consulting Engineer	Philip W. Bear Engineering Company 834 Keystone Avenue Emmaus, PA 18049
Permit to Construct Issued	September 17, 2001

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

#### **Permit No. 4501504, Public Water Supply.**

Applicant	<b>Great Spring Waters of America, Inc.</b>
Borough or Township	Stroud Township
County	<b>Monroe</b>
Type of Facility	Bulk Water Hauling
Consulting Engineer	Edward E. Davis, P.E.
Permit to Construct Issued	September 17, 2001

#### **Permit No. 4801502, Public Water Supply.**

Applicant	<b>Green Waltz Water Company</b> 2521 Delabole Road Bangor, PA 18013
Borough or Township	Washington Township
County	<b>Northampton County</b>
Type of Facility	Bulk Water Hauling System

Consulting Engineer Edward E. Davis, P.E.  
WJP Engineers  
1406 Laurel Boulevard  
Pottsville, PA 17901

Permit to Construct September 20, 2001  
Issued

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

**Permit No. 2900501**, Public Water Supply.

Applicant **Lee Mummau**  
Municipality Licking Creek Township  
County **Fulton**  
Type of Facility A new community water system serving 22 modular homes. The water system consists of two wells, hypochlorite disinfection, greensand filtration, finished water pumps, storage and distribution. Average projected demand is 0.0055 million gallons per day.

Consulting Engineer Robert Schemmerling  
Civil Design & Management, Inc.  
41 S. Antrim Way  
Greencastle, PA 17225

Permit to Operate September 11, 2001  
Issued:

**Permit No. 2201501 MA, Minor Amendment**, Public Water Supply.

Applicant **United Water Pennsylvania**  
Municipality Middle Paxton Township  
County **Dauphin**  
Type of Facility Operation of the Forrest Hills Storage Tank after repainting.

Consulting Engineer R. Michael Gephart, P.E.  
United Water Pennsylvania  
4211 East Park Circle  
Harrisburg, PA 17111

Permit to Operate September 11, 2001  
Issued:

**Permit No. 3601510**, Public Water Supply.

Applicant **Solanco School District Little Britain Elementary School**  
Municipality Little Britain  
County **Lancaster**  
Type of Facility Installation of a nitrate treatment system to address high nitrate levels in the source water and the addition of corrosion control treatment to address the aggressive nature of the source water.

Consulting Engineer Thomas J Whitehill, P.E.  
Whitehill Consulting Engineers  
763 Conowingo Rd.  
Quarryville, PA 17566

Permit to Construct September 11, 2001  
Issued:

**Permit No. 3601513**, Public Water Supply.

Applicant **Shree Harikrupa LLC Motel 6 Gordonville**  
Municipality East Lampeter Township  
County **Lancaster**  
Type of Facility Installation of a nitrate treatment facility to reduce nitrate levels below the MCL. Project will also involve the installation of disinfection equipment.

Consulting Engineer James R Fisher, P.E.  
Fisher Engineering Inc  
18 C S 7th Street  
Akron, PA 17501

Permit to Construct September 17, 2001  
Issued:

**Permit No. 4400502 MA, Minor Amendment**, Public Water Supply.

Applicant **Municipal Authority of the Borough of Lewistown**  
Municipality Lewistown Borough  
County **Mifflin**  
Type of Facility Operation of the 2.0 million gallon finished water storage tank.

Consulting Engineer Mark V Glenn, P.E.  
Gwin, Dobson & Foreman, Inc.  
3121 Fairway Dr.  
Altoona, PA 16602-4475

Permit to Operate September 12, 2001  
Issued:

**Permit No. 4400501 MA**, Public Water Supply.

Applicant **Municipal Authority of the Borough of Lewistown**  
Municipality Granville Township  
County **Mifflin**  
Type of Facility Operation of the newly constructed distribution system expansion.

Consulting Engineer Mark V Glenn, P.E.  
Gwin, Dobson & Foreman, Inc.  
3121 Fairway Dr.  
Altoona, PA 16602-4475

Permit to Operate September 12, 2001  
Issued:

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

**Permit No. 1186502-A2, Minor Amendment**, Public Water Supply.

Applicant **Cambria Township Water Authority** P. O. Box 23, Reese Avenue  
Colver, PA 15927

[Borough or Township] Cambria Township

County **Cambria**  
Type of Facility Water supply

Consulting Engineer    The EADS Group  
 450 Aberdeen Drive  
 P. O. Box 837  
 Somerset, PA 15501

Permit to Construct    September 24, 2001  
 Issued

### WATER ALLOCATIONS

#### Actions taken on applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

**WA3-842E, Water Allocations. Kittanning Suburban Joint Water Authority, R. R. 1, Adrian, PA 16210-9712, Armstrong County.** The right to withdraw two million gallons per day, as a daily maximum, from the Allegheny River; 464,000 gallons per day, as a daily maximum, from the Elgin Well; 432,000 gallons per day, as a daily maximum from the Watts Well; to purchase 40,000 gallons per day, as a daily maximum, as available, from the South Buffalo Township Municipal Authority and to purchase 396,000 gallons per day, as a daily maximum and on an emergency basis, from the Pennsylvania-American Water Company, Kittanning District. The maximum allowable taking, from all sources, is two million gallons per day.

### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

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

Plan Location: on Nawakwa Rd., 1/2 mile east of the Brysonia-Wenksville intersection.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Menallen Township	C/O Nancy Cline 170 Memory Lane Aspers, PA 17304	Adams County

Plan Description: The Department disapproved the plan because the applicant exceeded the time limit for resubmission following an incomplete letter.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995

#### PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in

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

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

The Department has received the following final reports:

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

**Hao Van Nguyen Residence, New Holland Borough, Lancaster County.** RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603 (on behalf of Hao Van Nguyen, 35 North Kinzer Avenue, New Holland, PA 17557) has submitted a Final Report concerning remediation of site soils contaminated with PHCs. The report is intended to document remediation of the site to the Statewide Health standard.

**Boas School, City of Harrisburg, Dauphin County.** Skelly & Loy, Inc., 2601 North Front Street, Harrisburg, PA 17110-1185 (on behalf of Boas Associates, P. O. Box 622, Lemoyne, PA 17043) submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with BTEX and PHCs. The report is intended to document remediation of the site to a combination of the site-specific and Statewide Health standards.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regu-



lated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following final reports:

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

**Anvil International, Inc (formerly Grinnell Corporation, Borough of Columbia, Lancaster County.** Alliance Environmental Services, Inc., 117 South West End Avenue, Suite 15, Lancaster, PA 17603, (on behalf of Anvil International, Inc., 1411 Lancaster Avenue, Columbia, PA 17512-1900) submitted a combined Remedial Investigation and Risk Assessment concerning the remediation of site soils contaminated with lead and heavy metals. The report was approved by the Department on September 17, 2001.

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

The former **Gartner Harf—Pagewood Abatoir and Samuel S. Harrison**, of Harrison Hydrosciences, Main Street, Professional Building, Box 908 Saegertown, PA 16433, had submitted a Baseline Environmental Report concerning the remediation of groundwater. The site had been found to be contaminated with PHCs. The report was approved by the Department on February 16, 2001 and did demonstrate attainment of the Statewide Health Standard in a Special Industrial Area.

**Spang Specialty Metal Plant**, 154 Eastbrook Lane, East Butler, PA 16029, Summit Township, **Butler County** had submitted a Cleanup Plan on July 5, 2001 concerning remediation of sediment contaminated with heavy metals. The report was approved by the Department on September 24, 2001 and did demonstrate attainment of the Site Specific Standard.

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

**Permit 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.**

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

**Permit No. 314083. Cycle Chem, Inc.,** 217 South First Street, Elizabeth, NJ 07206, Fairview Township, **York County.** Major permit modification for Cycle Chem, Inc. Residual Waste Processing Facility. The permit was issued by the Southcentral Regional Office on August 30, 2001.

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

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

**Permit No. 602247. A&M Composting, Inc.,** 2022 Mountain Road, Manheim, PA 17545, Penn Township, **Lancaster County.** Permit renewal for operation of A&M Composting, Inc. The permit was approved by the Southcentral Regional Office on September 19, 2001.

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

## **AIR QUALITY**

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

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

**GP 25-993: Erie Aggregates, Inc.—Troyer Pit** (Wattsburg-Waterford Road, Erie, PA 16514) on September 10, 2001, for operation of a portable nonmetallic mineral processing plant in Waterford Township, **Erie County.**

**GP 42-196: Catalyst Energy, Inc.—Swamp Angel Station** (State Route 59 West, Timbuck, PA 16740) on September 14, 2001, for operation of a natural gas fired compressor engine in Lafayette Township, **McKean County.**

**GP 10-001: AK Steel, Butler Works** (210 Pittsburgh Road, Route 8 South, Butler, PA 16001) on September 17, 2001, for operation of a natural gas fired boiler in Butler Township, **Butler County.**

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

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

**15-0058A: Martin Limestone, Inc.** (199 Quarry Road, Honey Brook, PA 19344) on September 18, 2001, for operation of a primary crusher in West Brandywine Township, **Chester County.**

**46-0005P: Merck and Co. Inc.** (770 Sumneytown Pike, West Point, PA 19486) on September 19, 2001, for operation of a VOC Emission Reduction Credits in Upper Gwynedd Township, **Montgomery County**.

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

**06-05049A: Fleetwood Industries** (3001 St. Lawrence Avenue, St. Lawrence, PA 19606) on September 18, 2001, for construction of a wooden furniture coating line controlled by dry filters at its St. Lawrence Plant in St. Lawrence Borough, **Berks County**.

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

**26-00288D: Better Materials Corp.** (2200 Springfield Pike, Connellsville, PA 15425) on September 10, 2001, for modification to use recycled oil, #4 fuel oil or #6 fuel oil at Springfield Pike Asphalt Plant in Connellsville Township, **Fayette County**.

**04-00516B: Vesuvius McDanel Co.** (510 9th Avenue, Beaver Falls, PA 15010) on September 7, 2001, for construction of a lathe grinder and installation of a wet scrubber at Beaver Falls Plant in Beaver Falls, **Beaver County**.

**26-520: Dynamic Materials Corp.** (1138 Industrial Park Drive, P. O. Box 317, Mt. Braddock, PA 15465) on September 19, 2001, for a sandblasting building and fabric collector at the Mt. Braddock facility in North Union Township, **Fayette County**.

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

**16-133A: Clarion Bathware** (44 Amsler Avenue, Shippenville, PA 16254) on September 13, 2001, to modify fiberglass production processes in Washington Township, **Clarion County**.

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

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

**65-137A: Allegheny Ludlum Corp.** (100 River Road, Brackenridge, PA 15014) for their Z-9 Senzimir Mill in Vandergrift, **Westmoreland County**. Allegheny Ludlum has requested that the emission limitations contained the Plan Approval conditions be modified to reflect the results of stack testing recently conducted at the facility. This action changes particulate emission limits in the Plan Approval to 3.7 lbs/hr and 16.03 tons per year. Also, Z-mill operation will now be limited to only 8664 hours in any 12 consecutive months.

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

**10-281B: II-VI, Inc.** (375 Saxonburg Boulevard, Saxonburg, PA 16056) on August 31, 2001, for two reactors with controls in Clinton Township, **Butler County**.

**61-185A: Heath Oil Co.** (Route 8, P. O. Box 1128, Oil City, PA 16301) on August 30, 2001, for two portable oil refineries in Barkeyville, **Venango County**.

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

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

**09-00039: Atlas Roofing Corp.** (60 Pacific Drive, Quakertown, PA 18951) on September 18, 2001, for operation of a Facility Title V Operating Permit in Quakertown Borough, **Bucks County**.

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

**65-00713: Greenridge Reclamation, LLC, formerly Republic Services Group of Pennsylvania-IV, LLC** (R. D. Box 717, Scottsdale, PA 15683) on August 30, 2001, for operation of their landfill in East Huntingdon Township, **Westmoreland County**.

**11-00332: Cambria CoGen Co.** (7201 Hamilton Boulevard, Allentown, PA 18195) on August 2, 2001, for operation of their facility in Cambria Township, **Cambria County**.

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

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

**21-03004: ADM Milling Co.** (P. O. Box 3100, Shiremanstown, PA 1701) on September 17, 2001, for operation of a flour mill plant in Camp Hill Borough, **Cumberland County**.

**22-03041: Librandi's Machine Shop, Inc.** (93 Airport Drive, Middletown, PA 17057) on September 17, 2001, for operation of a chromium electroplating system in Middletown Borough, **Dauphin County**.

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

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

**16-00010: Owens Brockway Glass Container, Inc.** (151 Grand Avenue, Clarion, PA 16214) on September 11, 2001, for an Administrative Amendment to the Title V Operating Permit to change the Responsible Official for the facility in Clarion Borough, **Clarion County**.

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

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S.**

§§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

#### *Coal Permits Actions*

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

**54850108R3. JETT Contracting Company** (P. O. Box 243, Brockton, PA 17925), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 36.9 acres, receiving stream—none. Renewal issued: September 17, 2001.

**54851343R3. Buck Mountain Coal Company** (P. O. Box 6, Tremont, PA 17981), renewal of an existing anthracite underground mine operation in Frailey Township, **Schuylkill County** affecting 4.6 acres, receiving stream—none. Renewal issued: September 20, 2001.

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

**03930108. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728). Permit renewal issued for continued operation and reclamation of a bituminous surface/auger mine located in Wayne and Cowanshannock Townships, **Armstrong County**, affecting 281.7 acres. Receiving streams: unnamed tributaries to South Fork Pine Creek, South Fork Pine Creek. Application received: February 8, 2001. Renewal issued: September 21, 2001.

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

**32910105. GLR Mining, Inc.** (P. O. Box 105, Clymer, PA 15728). Permit Renewal for continued restoration of a bituminous surface mine in Canoe Township, **Indiana County**, affecting 52.8 acres. Receiving streams: unnamed tributary to Brewer Run. Application received: September 17, 2001. Application issued: September 21, 2001.

#### *Noncoal Permits Actions*

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

**58010834. Mark W. Tompkins**, R. R. 1 Box 11A, Montrose, PA 18801, Small Noncoal Mining Permit in Franklin Township, **Susquehanna County**, affecting 1.0 acres. Receiving stream: Snake Creek. Application received: June 18, 2001. Permit issued: September 17, 2001.

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

**03950401. Bradys Bend Corporation** (930 Cass Street, New Castle, PA 16101). NPDES renewal issued for continued operation and reclamation of a large noncoal surface mine (limestone quarry) located in Bradys Bend

Township, **Armstrong County**, affecting 3804.6 subsurface acres. Receiving streams: Cove Run. Application received: July 23, 2001. NPDES renewal issued: September 18, 2001.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

#### *Blasting Permits Actions*

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

**21014001. Hall Explosives, Inc.** (2981 Elizabethtown Rd., Hershey, PA 17033), construction blasting in Mechanicsburg Borough, **Cumberland County** with an expiration date of October 17, 2002. Permit issued: September 19, 2001.

**38014012. Hall Explosives, Inc.** (2981 Elizabethtown Rd., Hershey, PA 17033), construction blasting in North Londonderry Township, **Lebanon County** with an expiration date of October 17, 2002. Permit issued: September 19, 2001.

**38014011. Hall Explosives, Inc.** (2981 Elizabethtown Rd., Hershey, PA 17033), construction blasting in South Londonderry Township, **Lebanon County** with an expiration date of November 2, 2001. Permit issued: September 19, 2001.

**28014010. Wampum Hardware** (2856 Stoystown Rd., Friedens, PA 15541), construction blasting in Marion Township, **Franklin County** with an expiration date of April 5, 2002. Permit issued: September 19, 2001.

**38014010. ABEL Construction Co., Inc.** (3925 Columbia Ave., Mountville, PA 17554), construction blasting in South Londonderry Township, **Lebanon County** with an expiration date of April 1, 2002. Permit issued: September 20, 2001.

**67014010. ABEL Construction Co., Inc.** (3925 Columbia Ave., Mountville, PA 17554), construction blasting in Windsor Township, **York County** with an expiration date of May 17, 2002. Permit issued: September 20, 2001.

**40014004. Charlie Evans** (2337 Peat Moss Road, White Haven, PA 18661), construction blasting in White Haven Township, **Luzerne County** with an expiration date of October 31, 2001. Permit issued: September 20, 2001.

**40014005. Mericle Construction, Inc.** (600 Baltimore Drive, Wilkes-Barre, PA 18702), construction blasting for Sears Project in Hanover Township, **Luzerne County** with an expiration date of October 15, 2001. Permit issued: September 20, 2001.

**54014002. Eagle Rock Resort** (1031 Valley of Lakes, Hazleton, PA 18201), construction blasting in North and East Union, Black Creek and Hazle Townships, **Schuylkill and Luzerne Counties** which expire December 31, 2003. Permit issued: September 20, 2001.

**46014014. Amroc, Inc.** (7531 Chestnut St., Zionsville, PA 18092), construction blasting in Upper Providence Township, **Montgomery County** with an expiration date of November 1, 2001. Permit issued: September 20, 2001.

**45014007. Holbert Explosives, Inc.** (237 Masthope Plank Rd., Lackawaxen, PA 18435), construction blasting in Coolbaugh Township, **Monroe County** with an expiration date of October 27, 2002. Permit issued: September 20, 2001.

**15014010. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting in West Whiteland Township, **Chester County** with an expiration date of November 2, 2001. Permit issued: September 20, 2001.

**22014004. Hall Explosives, Inc.** (2981 Elizabethtown Rd., Hershey, PA 17033), construction blasting in Derry Township, **Dauphin County** with an expiration date of October 31, 2002. Permit issued: September 20, 2001.

**22014005. Hall Explosives, Inc.** (2981 Elizabethtown Rd., Hershey, PA 17033), construction blasting in Derry Township, **Dauphin County** with an expiration date of October 31, 2001. Permit issued: September 20, 2001.

**22014006. Hall Explosives, Inc.** (2981 Elizabethtown Rd., Hershey, PA 17033), construction blasting in Derry Township, **Dauphin County** with an expiration date of October 31, 2002. Permit issued: September 20, 2001.

**38014013. Hall Explosives, Inc.** (2981 Elizabethtown Rd., Hershey, PA 17033), construction blasting in North Londonderry Township, **Lebanon County** with an expiration date of January 31, 2002. Permit issued: September 20, 2001.

**36014015. Lefever Construction** (135 Durlach Road, Stevens, PA 17578), construction blasting for Laurel Pond Development in Manheim Township, **Lancaster County** with an expiration date of October 31, 2006. Permit issued: September 21, 2001.

**39014001. Amroc, Inc.** (7531 Chestnut St., Zionsville, PA 18092), construction blasting in Hanover Township, **Lehigh County** with an expiration date of November 6, 2001. Permit issued: September 21, 2001.

**46014015. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting in Horsham Township, **Montgomery County** with an expiration date of December 12, 2001. Permit issued: September 21, 2001.

**36014020. Gerlach's Drilling & Blasting** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Bent Creek Development in Manheim Township, **Lancaster County** with an expiration date of January 31, 2003. Permit issued: September 21, 2001.

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

**63014001. Atlas Services, Inc.** (1600 Route 136, Washington, PA 15301). Blasting activity permit issued for construction activities at the MIDA Industrial Park in Fallowfield Township, **Washington County**. Expected duration of blasting is one year. Permit issued: September 18, 2001.

**04014001. Kanawha Stone Company, Inc.** (P. O. Box 503, Nitro, WV 26143). Blasting activity permit issued for construction activities at the site of the Chippewa Wal-Mart in Chippewa Township, **Beaver County**. Expected duration of blasting is 120 days. Permit issued: August 24, 2001.

**26014001. Penn Transportation Services, Inc.** (P. O. Box 110, Uniontown, PA 15401). Blasting activity permit issued for construction of a power plant in German

Township, **Fayette County**. Expected duration of blasting is 90 days. Permit issued: September 18, 2001.

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

**05014004. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664). Blasting activity permit issued for road widening construction, along Route 30, 31/2 miles south of Everett, **Bedford County**. Expected duration is 60 days. Permit Issued: September 12, 2001.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

(Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

*Permits Issued and Actions on 401 Certifications:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E23-412. James C. Watson**, 67 Sweetwater Road, Glen Mills, PA 193342-1719, Thornbury Township, **Delaware County**, ACOE Philadelphia District.

To excavate and maintain a 0.20-acre on-stream reservoir by excavating a 130-foot by 70-foot pool to a maximum depth of 8-foot along an unnamed tributary of Chester Creek (TSF). The permit also authorizes impacts associated with the construction and maintenance of a 3-foot high and 40-foot wide on-stream nonjurisdictional concrete dam impacting 150 linear feet of an unnamed tributary of Chester Creek. The site is located approximately 3,000 feet northeast of the intersection of Sweet Water Road and Creek Road (Media, PA-USGS Quadrangle, N: 9.30 inches, W: 15.20 inches).

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

**E66-126. Richard C. Florey**, 1216 West Grove Street, Clarks Summit, PA 18411. Overfield Township, **Wyoming County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a pile supported private recreational dock having a surface area of approximately 1,100 S.F. and extending 60 feet from the southern shore of Lake Winola. The project is located approximately 0.6 mile northwest of the intersection of S.R. 0307 and S.R. 2006 (Factoryville, PA Quadrangle N: 1.6 inches; W: 14.0 inches).

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

**E07-346. Northern Blair County Recreation Commission, Incorporated**, 3229 Pleasant Valley Road, Altoona, PA 16602 in Antis Township, **Blair County**, ACOE Baltimore District.

To do minor regrading within the floodway of the Little Juniata River (TSF) at a point upstream of SR 1001 for the purpose of creating recreational facilities (Tipton, PA Quadrangle N: 0.3 inch; W: 7.3 inches) in Antis Township, Blair County.

**E21-327. Shippensburg Township**, P. O. Box 219, Shippensburg, PA 17257 in Shippensburg Township, **Cumberland County**, ACOE Baltimore District.

To relocate and place fill in about 1,100 linear feet of stream channel of Burd Run (CWF) to mitigate excessive stream bank erosion by (1) constructing and maintaining about 1,300 linear feet of new channel with a 40-foot wide riparian buffer on both sides of the stream channel and (2) construct a 1.0-foot high 87.0-foot long clay dike across an excavated drainage channel through a wetland area to provide water retention for the wetland area (3) to impact about 0.24 acre of existing wetlands which will be replaced with an equal amount of new wetland area all for purpose of restoring Burd Run to its historic location on 21 acres of Township property located on the north west side of Britton Road, between Britton Road and the

CONRAIL tracks (Shippensburg, PA Quadrangle N: 11.3 inches; W: 2.3 inches) in Shippensburg Township, Cumberland County.

**E22-431. Myron Johnson**, 171 River Drive, Dalmatia, PA 17017 in Upper Paxton Township, **Dauphin County**, ACOE Baltimore District.

To authorize previously placed fill material including rock riprap for bank protection in the floodway of the Susquehanna River (WWF) for the purpose of development of a fire lane and site landscaping located at a private residence (Millersburg, PA Quadrangle N: 17.5 inches; W: 9.2 inches) in Upper Paxton Township, Dauphin County.

**E36-716. Caernarvon Township**, 2147 Main Street, Narvon, PA 17555 in Caernarvon Township, **Lancaster County**, ACOE Baltimore District.

To remove the existing bridge and to construct and maintain a box culvert having a span of 19-feet by 6.5-feet underclearance at the channel of an unnamed tributary to Conestoga River (WWF) on Glick Road (T-924) located about 4,000 feet northeast of Wenger Church in Churchtown Village, (Morgantown, PA Quadrangle N: 3.7 inches; W: 10.8 inches) in Caernarvon Township, Lancaster County.

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

**E10-339. Minnock Development Company**, 7202 Old McKnight Road, Pittsburgh, PA 15237. Lot No. 51 in St. Leonard's Woods Phase II Residential Development, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 13.0 inches; W: 11.0 inches).

To fill a 0.025 acre wetland area on Lot No. 51 in St. Leonard's Woods Phase II residential development along St. Leonards Lane south of Beacon Hill Road approximately 0.75 mile west of Franklin Road.

**E20-497. Titusville Redevelopment Authority**, P. O. Box 425, Titusville, PA 16354. Walnut Street Across Church Run, in City of Titusville, **Crawford County**, ACOE Pittsburgh District (Titusville North, PA Quadrangle N: 0.75 inch; W: 6.4 inches).

To remove the remaining stone wall abutments, relocate an 8-inch diameter waterline and a 15-inch diameter stormwater outfall and to construct and maintain a 105-foot long, 17-foot wide by 6-foot high reinforced concrete box stream enclosure providing a 3.5-foot high waterway opening in Church Run on Walnut Street east of Martin Street.

**E61-245. Pennsylvania Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823. Franklin Access Along Allegheny River, in City of Franklin, **Venango County**, ACOE Pittsburgh District (Franklin, PA Quadrangle N: 1.2 inches; W: 9.6 inches).

To modify and maintain the existing Franklin Access along the right bank of the Allegheny River approximately 0.5 mile downstream of the S.R. 322 bridge. Work authorized by this permit includes augmenting the existing riprap deflector by adding rock riprap, constructing a concrete cap extending approximately 55 feet to the end of the existing rock riprap deflector, widening the existing 31-foot long launch ramp by 8 feet to a total width of 20 feet and constructing a concrete handicap parking stall adjacent to the ramp.

**E62-376. Sheffield Volunteer Fire Department**, 318 South Main Street, Sheffield, PA 16347. Sheffield Volun-

teer Fire Department Parking Lot Along West Branch Tionesta Creek and Two Mile Creek, in Sheffield Township, **Warren County**, ACOE Pittsburgh District (Sheffield, PA Quadrangle N: 3.8 inches; W: 4.5 inches).

To maintain fill placed within the flood plain and floodway of West Branch Tionesta Creek and Two Mile Creek measuring approximately 150 feet long, 100 feet wide and 2 feet deep for a parking lot adjacent to the Sheffield Volunteer Fire Department along South Main Street (S.R. 948).

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## SPECIAL NOTICES

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

### Public Hearing Notice

The Department of Environmental Protection (Department) will conduct a public hearing on Wednesday, November 7, 2001, beginning at 7 p.m. at the Greenfield Township Volunteer Fire Company Hall, 10160 Station Road, North East in response to an application from Lake Erie Promotions, Inc. (Lake Erie Speedway) for construction of a land application spray irrigation system to dispose of treated sewage from the Lake Erie Speedway. This application is for a new Water Quality Management Permit (WQM) for the sewage disposal system proposed in Greenfield Township, Erie County. The WQM application number is #2501414.

Any person who wishes to present testimony at the hearing should submit a written notice to Dave Balog, Water Quality Program, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494, on or before October 29, 2001. The written notice should include the person's name, address, telephone number and a brief statement as to the nature of the testimony to be offered at the hearing. Testimony may be presented in either written or oral form. All testimony should be concise, to the point and relevant to the permit issue. Oral testimony will be limited to a maximum of 5 minutes per speaker. Those presenting written testimony can submit a written copy of the comments and any relevant documents at the hearing. Written testimony can also be sent to Dave Balog in the Meadville Water Quality Program either prior to the hearing or until October 29, 2001.

After the hearing the Department will prepare a document including a summary of the written and oral comments submitted at the hearing, the Department's responses to the comments and the reasons for the responses. The Department will make its decision on the application following completion of this summary.

Interested persons may obtain further information or inspect and copy public forms and related documents at the Department Regional Office at 320 Chestnut Street in Meadville between the hours of 8 a.m. and 4 p.m. Monday through Friday. Appointments for file reviews can be made by calling (814) 332-6340.

[Pa.B. Doc. No. 01-1807. Filed for public inspection October 5, 2001, 9:00 a.m.]

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### Availability of Technical Guidance

Technical guidance documents are on DEP's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "July 2001 Inventory" heading is the Govern-

nor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

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

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

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

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

#### *Changes to Technical Guidance Documents*

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

#### *Draft Technical Guidance*

DEP ID: 562-2100-001 Title: Blasting Activity Permits and Permits-by-Rule Description: This policy will be used to provide a consistent, standardized process, review and approval methods for blasting activity permits. It applies to all blasting activities, except those covered by permits issued under the Surface Mining Conservation and Reclamation Act and the Noncoal Surface Mining Conservation and Reclamation Act. Comment Period Ends: November 5, 2001 Anticipated Effective Date: December 11, 2001 Contact: Rick Lampkie at (717)787-5103 or e-mail: [rlampkie@state.pa.us](mailto:rlampkie@state.pa.us).

DEP ID: 562-2100-002 Title: Alternative Peak Particle Velocity or Airblast Level Description: This policy applies to all blasting activities and is implemented by DEP District Mining Operations staff. Upon request by blasting activity permittees, the Department may establish alternative peak particle velocity or airblast levels. District Mining Operations staff will use this guidance and shall, in a consistent manner, process, review and dispose of requests for the Department. The Department will only establish levels that with a reasonable degree of certainty will not jeopardize the safety of persons and property. Comment Period Ends: November 5, 2001 Anticipated Effective Date: December 11, 2001 Contact: Rick Lampkie at (717)787-5103 or e-mail: [rlampkie@state.pa.us](mailto:rlampkie@state.pa.us).

#### *Final Technical Guidance—Substantive Revision*

DEP ID: 400-2200-001 Title: Guidelines for the Development and Implementation of Environmental Emergency Response Plans Description: The purpose of this document is to improve and preserve the purity of the waters of the Commonwealth by prompt adequate response to all emergencies and accidental spills of polluting substances for the protection of public health, animal and aquatic life and for recreation. The document is being revised to reflect changes in the Addendum, Section 2, Item I, Certification Requirements for Nonstormwater Discharges. References to Regulations have been updated in Table I and Procedures, Item A. Some addresses and

telephone contact numbers have also been updated. Effective Date: October 6, 2001, Contact: Charles High at (717) 787-5027 or e-mail at CHigh@state.pa.us.

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 01-1808. Filed for public inspection October 5, 2001, 9:00 a.m.]

### Dam Safety and Waterway Management

*Water Quality Certification under section 401 of the Federal Clean Water Act and Coastal Zone Management Consistency under the Coastal Zone Management Act of 1972 for the Army Corps of Engineers Pennsylvania State Programmatic General Permit (PASPGP-2).*

On November 21, 2000, the Baltimore, Philadelphia and Pittsburgh Districts of the Army Corps of Engineers, under the authority of section 404(e) of the Federal Clean Water Act (33 U.S.C.A. § 1344(e)), proposed by its Special Public Notice 01-006, to reissue with modifications the State Programmatic General Permit to the Commonwealth (PASPGP-2). Section 401(a) of the Federal Clean Water Act (33 U.S.C.A. § 1341(a)) requires the State to certify that any activity requiring a Federal license or permit, which may result in a discharge into the waters of the United States, will comply with the applicable provisions of the Federal Clean Water Act as well as applicable State law related to water quality protection. In addition, section 307 of the Coastal Zone Management Act of 1972 (33 U.S.C.A. § 1456), requires that any Federal activity that affects a coastal zone be carried out in a manner consistent with the policies of an approved state Coastal Management Program. On June 11, 2001, the Army Corps of Engineers published Special Public Notice #01-041, reissuing the Pennsylvania State Programmatic General Permit (PASPGP-1) as PASPGP-2 for a 5-year period with an effective date of July 1, 2001.

This action by the Army Corps of Engineers continues the present Federal permitting process undertaken jointly with the State process for activities affecting waterways, water bodies and wetlands authorized under the State's Dam Safety and Encroachment Act. PASPGP-2 places the Department of Environmental Protection (Department) regional offices and delegated county conservation districts in the lead for the majority of permit actions. Through the incorporation of Federal and State permitting standards in one process, the PASPGP-2 continues a streamlined process for permit applicants without compromising comprehensive environmental protection.

The Department hereby provides public notice that 401 Water Quality Certification has been issued for the construction, operation and maintenance of an encroachment or water obstruction as proposed in PASPGP-2 and that those projects were determined to comply with the applicable provisions of sections 301—303, 306 and 307 of the Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The Department has further certified that the construction, operation and maintenance of the projects complies with applicable State laws related to water quality protection and that the construction, operation and maintenance of the projects does not violate applicable State water quality standards provided that the construction, operation and maintenance of the projects complies with the criteria and conditions of the permit.

Finally, the Department has concurred with the Army Corps of Engineers' determination that the use of the PASPGP-2 is consistent with Pennsylvania's Coastal Zone Management Program.

Copies of the PASPGP-2, the 401 Certification and the Coastal Zone Management Program consistency determination may be obtained by contacting Kenneth R. Reisinger, Chief, Division of Waterways, Wetlands and Erosion Control, Bureau of Watershed Management, P. O. Box 8775, Harrisburg, PA 17105-8775, (717) 787-6827 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD).

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 01-1809. Filed for public inspection October 5, 2001, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Northumberland County Home Mountain View Manor  
2050 Trevorton Road  
Coal Township, PA 17866

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(a) (relating to nurses' station):

Beverly Healthcare-Titusville  
81 Dillon Drive  
Titusville, PA 16354

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.32 (relating to janitor closet):

Mt. Hope Dunkard Brethren Church Home  
3026 Mt. Hope Home Road  
Manheim, PA 17545

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.16(b) (relating to social services):

Beverly Healthcare-Titusville  
81 Dillon Drive  
Titusville, PA 16354

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommoda-

tion to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.  
*Secretary*

[Pa.B. Doc. No. 01-1810. Filed for public inspection October 5, 2001, 9:00 a.m.]

### **Solicitation for Letters of Interest; Tobacco Settlement Act; Community-Based Health Care Assistance Grants for Coordination and Outreach**

In anticipation of the release of the Community-Based Health Care Assistance, Grants for Coordination and Outreach, Request for Applications (RFA) 01-07-08, the Department of Health (Department) is soliciting Letters of Interest and comments from eligible nonprofit community-based health care providers and collaboratives for participation in the Community-Based Health Care Assistance, Grants for Coordination and Outreach, defined in Chapter 21, Sections 2101-2103, of The Tobacco Settlement Act, Act 2001-77 (Act). The Act defines eligible nonprofit Community-Based Health Care Providers as:

1. A Federally qualified health center as defined by section 1861(aa)(4) of the Social Security Act (49 Stat. 620, 42 U.S.C.A. § 1395x(aa)(4)).
2. A rural health clinic as defined by section 1861(aa)(2) of the Social Security Act (49 Stat. 620, 42 U.S.C.A. § 1395x(aa)(2)), certified by Medicare.
3. A freestanding hospital clinic serving a Federally designated Health Professional Shortage Area.
4. A free or partial pay health clinic which provides services by volunteer medical providers.

The Act defines eligible collaboratives as an entity located in this Commonwealth that provides an integrated delivery system for coordinating health care and outreach efforts.

Letters are being solicited to inform the Department about the number of potential applicants for Grants for Coordination and Outreach, to allow the Department to determine the amount of funds to be allocated among interested and eligible community-based health care providers and collaboratives, and to solicit public comments regarding the implementation of the Community-Based Health Care Assistance, Grants for Coordination and Outreach program.

Grants for Coordination and Outreach are available to eligible community-based health care providers and collaboratives that meet all of the following:

1. Identify and assess the general health status of low-income individuals with or at risk for chronic diseases and provide enrollment assistance to these individuals for available health benefit insurance programs.
2. Provide case management services to low-income individuals to improve their physical health, behavioral health and social condition and to reduce medical complications.
3. Refer and coordinate care for individuals who require additional health care services.
4. Reduce the inappropriate use of hospital emergency departments and hospital inpatient stays by persons who are chronically ill.

5. Educate patients, medical providers, caregivers and the community on the coordinated management of chronic diseases.

6. Develop regional, nonprofit, community-based integrated delivery systems capable of carrying out the purposes and goals of the program.

Eligible community-based health care providers and collaboratives must meet all of the following criteria:

1. Be nonprofit;
2. Submit an application provided by the Department listing strategic goals and objectives set forth in the application;
3. Report to the Department on all of the following:
  - a. The progress of its efforts to improve delivery and management of health care to low-income persons, as measured by the goals and objectives developed by the Department;
  - b. Documentation of the reduction of unnecessary and redundant health care to these persons;
  - c. The data necessary for evaluation of the programs, as defined by the Department.

Upon release of RFA 01-07-08, a copy will be provided to all known community-based health care providers and collaboratives as well as to all entities submitting a Letter of Interest. The Department is requesting the Letter of Interest form and comments be submitted by October 26, 2001, to Department of Health, Bureau of Health Planning, Room 1033 Health and Welfare Building, Harrisburg, PA 17120.

To receive a copy of the Letter of Interest materials and form, contact Joseph B. May, Director, Bureau of Health Planning, 1033 Health and Welfare Building, Harrisburg, PA 17120, (717) 772-5298. The Letter of Interest form and instructions may also be downloaded from the Department's website [www.health.state.pa.us](http://www.health.state.pa.us).

Persons with disabilities desiring a copy of this notice or a Letter of Interest form in alternative formats (such as larger print, audio tape or Braille) should contact Joseph B. May at (717) 772-5298 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1811. Filed for public inspection October 5, 2001, 9:00 a.m.]

### **Solicitation for Letters of Interest; Tobacco Settlement Act; Community-Based Health Care Assistance Grants for Resources**

In anticipation of the release of the Community-Based Health Care Assistance, Grants for Resources, Request for Applications (RFA) 01-07-07, the Department of Health (Department) is soliciting Letters of Interest and comments from eligible community-based health care providers for participation in the Community-Based Health Care Assistance, Grants for Resources, defined in Chapter 21, Sections 2101-2103, of The Tobacco Settlement Act, Act 2001-77 (Act). The Act defines eligible Community-Based Health Care Providers as:



1. A Federally qualified health center as defined by section 1861(aa)(4) of the Social Security Act (49 Stat. 620, 42 U.S.C.A. § 1395x(aa)(4)).

2. A rural health clinic as defined by section 1861(aa)(2) of the Social Security Act (49 Stat. 620, 42 U.S.C.A. § 1395x(aa)(2)), certified by Medicare.

3. A freestanding hospital clinic serving a Federally designated Health Professional Shortage Area.

4. A free or partial pay health clinic which provides services by volunteer medical providers.

Letters are being solicited to inform the Department about the number of potential applicants for Grants for Resources, to allow the Department to determine the amount of funds to be allocated among interested and eligible community-based providers, and to solicit comments regarding the implementation of the Community-Based Health Care Assistance, Grants for Resources program.

Grants for Resources are available to eligible community-based health care providers to increase access and to improve the delivery and quality of health care by developing and maintaining necessary community-based health care resources.

Eligible community-based health care providers must meet all of the following criteria:

1. Be nonprofit;
2. Submit an application provided by the Department listing strategic goals and objectives set forth in the application;
3. Report to the Department on all of the following:
  - a. The progress of its efforts to improve delivery and management of health care to low-income persons, as measured by the goals and objectives developed by the Department;
  - b. Documentation of the reduction of unnecessary and redundant health care to these persons;
  - c. The data necessary for evaluation of the programs, as defined by the Department.

Upon release of RFA 01-07-07, a copy will be provided to all known community-based health care providers as well as to all entities submitting a Letter of Interest. The Department is requesting the Letter of Interest form and comments be submitted by October 26, 2001, to Department of Health, Bureau of Health Planning, Room 1033 Health and Welfare Building, Harrisburg, PA 17120.

To receive a copy of the Letter of Interest materials and form, contact Joseph B. May, Director, Bureau of Health Planning, 1033 Health and Welfare Building, Harrisburg, PA 17120, (717) 772-5298. The Letter of Interest form and instructions may also be downloaded from the Department's website [www.health.state.pa.us](http://www.health.state.pa.us).

Persons with disabilities desiring a copy of this notice or a Letter of Interest form in alternative formats (such as larger print, audio tape or Braille) should contact Joseph B. May at (717) 772-5298 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1812. Filed for public inspection October 5, 2001, 9:00 a.m.]

### Solicitation for Letters of Interest; Tobacco Settlement Act; HealthLink

In anticipation of the release of the HealthLink Request for Applications (RFA) 01-07-06, the Department of Health (Department) is soliciting Letters of Interest and comments from eligible hospitals for participation in the HealthLink program defined in Chapter 19, Sections 1901—1904, of The Tobacco Settlement Act, Act 2001-77 (Act). The Act defines eligible hospitals as those licensed by the Department as a health care facility providing medical and surgical services under the act of July 19, 1979 (P. L. 130, No. 48) known as the Health Care Facilities Act and located in counties of the sixth, seventh or eighth class. Letters are being solicited to inform the Department about the number of potential applicants for grants under this chapter, to allow the Department to determine the amount of funds to be allocated among interested and eligible hospitals and to solicit comments regarding the implementation of the HealthLink program.

HealthLink grants are available to eligible hospitals for the purchase of medical and surgical equipment used in the diagnosis and treatment of patients and for reimbursement of expenses related to the purchase of equipment. Eligible hospitals must meet all of the following criteria:

1. Be located in a county of the sixth, seventh or eighth class;
2. Submit an application to the Department describing the equipment to be purchased and its intended purpose;
3. Provide matching funds in the amount of 100% of the amount of the grant.

Eligible hospitals must agree to provide medically necessary services to individuals regardless of the individual's ability to pay for services and be a participating provider with the Department of Public Welfare for services provided to persons eligible for Medical Assistance. Grant recipients under the HealthLink program will be subject to audit by the Department to ensure that funds are used in accordance with program requirements, and must provide information relating to the expenditure of moneys in a format to be specified by the Department.

Upon release of RFA 01-07-06, a copy will be provided to all known hospitals located in counties of the sixth, seventh or eighth class as well as all entities submitting a Letter of Interest. The Department is requesting the Letter of Interest form and comments be submitted by October 26, 2001, to Department of Health, Bureau of Health Planning, Room 1033 Health and Welfare Building, Harrisburg, PA 17120.

To receive a copy of the Letter of Interest materials and form, contact Joseph B. May, Director, Bureau of Health Planning, 1033 Health and Welfare Building, Harrisburg, PA 17120, (717) 772-5298. The Letter of Interest form and instructions may also be downloaded from the Department's website [www.health.state.pa.us](http://www.health.state.pa.us).

Persons with disabilities desiring a copy of this notice or a Letter of Interest form in alternative formats (such as larger print, audio tape or Braille) should contact Joseph B. May at (717) 772-5298 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1813. Filed for public inspection October 5, 2001, 9:00 a.m.]

### Tobacco Use Prevention and Cessation Advisory Committee Meeting

The Tobacco Use Prevention and Cessation Advisory Committee, established by Chapter 7, Section 705 of The Tobacco Settlement Act (Act 2001-77), will hold a public meeting on October 12, 2001, from 9:30 a.m. to 4 p.m. The meeting will be held in the Wildwood Conference Center of Harrisburg Area Community College, Harrisburg, PA.

For additional information contact Emilie M. Tierney, Director, Bureau of Chronic Diseases and Injury Prevention, (717) 787-6214; or Judy Ochs, Director, Division of Tobacco Prevention and Control, Bureau of Chronic Dis-

ease and Injury Prevention, 1000 Health and Welfare Building, Harrisburg, PA 17120, (717) 787-6600.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Emilie M. Tierney or Judy Ochs, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1814. Filed for public inspection October 5, 2001, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### 2001 Group One Exception Requests; Medical Assistance Long Term Care 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 refuse to enter into new Medical Assistance (MA) provider agreements and to terminate any provider of MA nursing facility services that sought to increase the number of MA certified nursing facility beds through expansion, unless the Department granted an exception on a case-by-case basis to permit that provider to enroll or expand. A statement of policy that sets forth the guidelines the Department will use when making its case-by-case exception request decisions was published at 28 Pa.B. 138 (January 10, 1998) and is codified at 55 Pa. Code § 1187.21a (relating to nursing facility exception requests—statement of policy).

By this notice, published under 55 Pa. Code § 1187.21a(e)(4), the Department announces the 2001 Group One Exception Requests covering the submission period of January 1, 2001, through June 30, 2001.

#### *Expansion Projects*

<i>Number</i>	<i>Facility</i>	<i>Address</i>	<i>County</i>	<i>Beds</i>
JJ01002	Saint John Neumann Nursing Home	10400 Roosevelt Blvd. Philadelphia, PA 19116	Philadelphia	50
JJ01004	Canterbury Place	310 Fisk Street Pittsburgh, PA 15201	Allegheny	40
JJ01001	Bradford Ecumenical Home	100 St. Francis Drive Bradford, PA 16701	McKean	1

#### *New Facility Projects*

<i>Number</i>	<i>Facility</i>	<i>Address</i>	<i>County</i>	<i>Beds</i>
JJ01003	Clara Burke Community, The	251 Stenton Avenue Plymouth Meeting	Montgomery	76

Copies of the previously 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 2675, 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*

**Fiscal Note:** 14-NOT-302. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 01-1815. Filed for public inspection October 5, 2001, 9:00 a.m.]

# DEPARTMENT OF STATE

## Official Forms

On August 25, 2001, the Department of State's Corporation Bureau (Bureau) forms and instructions to replace the outdated forms and instructions currently in 19 Pa. Code Appx. A (relating to official forms) were published in the *Pennsylvania Bulletin* as proposed at 31 Pa.B. 4723. The forms and instructions, which do not constitute agency regulations, are subject to the opportunity for public comment under section 201 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1201).

The Bureau did not receive any comments during the intervening 30-day public comment period. Therefore, the forms and instructions are being codified in new Appendix B as they were published in proposed form. Appendix A will be reserved.

KIM PIZZINGRILLI,  
*Secretary of the Commonwealth*

[Pa.B. Doc. No. 01-1816. Filed for public inspection October 5, 2001, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Finding Carbon County

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

The Federal Highway Administration and the Department of Transportation plan to replace the Parryville Bridge which carries S.R. 2008 over Pohopco Creek in Parryville Borough, Carbon County.

The project will require use and acquisition of 0.024 hectares (0.06 acres) of land from the National Register-eligible Parryville Historic District and 0.23 hectares (0.57 acres) from Parryville Borough Park. The project will also require the demolition of the Parryville Bridge, which is a contributing element of the National Register-eligible Parryville Historic District.

The environmental, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize such effects. A Memorandum of Agreement (MOA) has been prepared and signed by all appropriate agencies for the proposed action. Recommended mitigation includes recordation of the bridge, stone masonry treatment of the replacement structure, appropriate painting, and the placement of a plaque commemorating the history and significance of the Parryville Historic District.

Minimization and mitigation measures for the Parryville Borough Park will consist of relocation of the affected playground equipment to the west in an existing open area of the park, construction of a retaining wall along the western edge of the road in the park vicinity to minimize property acquisition from within the park, replacement of the existing fence, and planting of screen-

ing shrubbery. Additionally, the Borough will be compensated at fair market value for the property acquisition.

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.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1817. Filed for public inspection October 5, 2001, 9:00 a.m.]

# HEALTH CARE COST CONTAINMENT COUNCIL

## Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council (Council) review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin Holl, Chairperson of the Senate Banking and Insurance Committee, to review Senate Bill 779 which would require all group and individual health insurance policies to provide coverage for annual prostate specific antigen (PSA) examinations for men 50 years of age and older. In addition, policies would be required to provide coverage for PSA examinations for men under 50 years of age upon a physician's recommendation.

Initial notification of request for information and documentation was published at 31 Pa.B. 4022 (July 12, 2001), with documentation due to the Council by September 21, 2001.

Following is a list of the documentation received. This information is available for public review and comment at the Council offices during regular business hours (8:30 a.m. to 5 p.m.) until November 9, 2001. Any additional comments on this information must be received by this time. Council offices are located at 225 Market Street, Suite 400, Harrisburg, PA 17101. Send comments to Flossie Wolf at this address.

### *Senate Bill 779 Submissions*

1. AFLAC (American Family Life Assurance Company of Columbus)
  - Letter from Richard J. Gmerek of the Law Offices of Gmerek & Hayden addressing Section 9 requirements.
  - Information addressing health insurance administration.
2. Blue Cross of Northeastern Pennsylvania
  - Letter from Kimberly Kockler, Director, Policy Management, addressing Section 9 requirements.
  - Prostate cancer facts/incidence information.
  - Relevant research articles.
3. Geisinger Health Plan
  - Letter from Duane E. Davis, M.D., Senior Vice President, Medical Director addressing Senate Bill 779.
4. Highmark

- Letter from Bruce R. Hironimus, Vice President of Government Affairs, addressing Section 9 requirements.
  - Relevant research articles.
  - Cancer facts/incidence information.
5. The Insurance Federation of Pennsylvania, Inc.
- Letter from John R. Doubman, Secretary and Counsel, addressing Section 9 requirements.
  - Relevant research articles.
6. Managed Care Association of Pennsylvania
- Letter from Dolores M. Hodgkiss, Executive Director, addressing Section 9 requirements.

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 01-1818. Filed for public inspection October 5, 2001, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission (Commission) met publicly at 10:30 a.m., Thursday, September 20, 2001, and took the following actions:

*Regulations Deemed Approved under Section 5(g) of the Regulatory Review Act—Effective September 18, 2001*

Office of the Budget #9-1: Fiscal Notes (amends 4 Pa. Code Chapter 7)

*Regulations Approved:*

Department of Agriculture #2-134: Fees—Pesticide Control Act (amends 7 Pa. Code § 128.3)

Environmental Quality Board #7-361: Household Hazardous Waste (amends 25 Pa. Code Chapters 261a, 271, 272 and 283)

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by phone; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III, Acting Chairperson; John F. Mizner

Public Meeting held  
September 20, 2001

*Department of Agriculture; Fees—Pesticide Control Act; Regulation No. 2-134*

On August 21, 2001, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code § 128.3. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking increases four fees in the pesticide program. The Pesticide Control Act of 1973 requires that the program be self-sufficient. These fee increases will affect approximately 20,000 individuals and generate approximately \$591,000 in additional revenue.

We have determined this regulation is consistent with the statutory authority of the Department (3 P.S. § 111.57a) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by phone; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III, Acting Chairperson; John F. Mizner

Public Meeting held  
September 20, 2001

*Environmental Quality Board; Household Hazardous Waste; Regulation No. 7-361*

On January 29, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends 25 Pa. Code Chapters 261a, 271, 272 and 283. The proposed regulation was published in the February 10, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 21, 2001.

The EQB is amending regulations governing household hazardous waste collection events, grants, transportation and management. The amendments clarify collection sponsor, collection contractor and transporter requirements and make the regulations consistent with the Small Business and Household Pollution Prevention Program Act (Act 190 of 1996).

We have determined this regulation is consistent with the statutory authority of the EQB (35 P.S. § 6029.207(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-1819. Filed for public inspection October 5, 2001, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

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

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-360	Environmental Quality Board Radiological Health	9/21/01
7-363	Environmental Quality Board Fees	9/21/01

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-356	Environmental Quality Board Administration of Land Recycling Program	9/21/01
7-355	Environmental Quality Board Storage Tank Program	9/21/01
7-346	Environmental Quality Board Solvent Cleaning Operations	9/21/01

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-1820. Filed for public inspection October 5, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Highmark Inc. d/b/a Pennsylvania Blue Shield; ERISA-Exempt Gatekeeper Preferred Provider Organization; Filing No. 200146

On September 18, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted an application for review and approval by the Insurance Department and the Department of Health of an ERISA-Exempt Gatekeeper Preferred Provider Organization program for the service area of Berks, Cumberland, Dauphin, Lancaster, Lebanon, Lehigh, Perry and York Counties. This application was submitted in accordance with the provisions of 31 Pa. Code Chapter 152 (relating to preferred provider organizations).

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office at 1311 Strawberry Square, Harrisburg, PA 17120.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1821. Filed for public inspection October 5, 2001, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Re- fusal of Insurance

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

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Patricia Yost and Allison Hicks; file no. 01-124-05808; Continental Insurance Company; doc. no. PH01-09-007; December 6, 2001, at 9 a.m.

Appeal of Mary Hattersen; file no. 01-210-03191; Hartford Insurance Company; doc. no. PH01-09-009; December 7, 2001, at 11 a.m.

Appeal of Gerald J. Lester; file no. 01-215-03237; Travelers Insurance Company; doc. no. PH01-09-010; December 7, 2001, at 3 p.m.

The following hearings will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Johnny and Angela Johnson; file no. 01-494-90589; American International Insurance Company; doc. no. E01-09-008; January 4, 2002, at 11 a.m.

Appeal of Michael C. Schatzel; file no. 01-303-72586; National Union Fire Insurance Company of Pittsburgh, PA; doc. no. PI01-09-006; January 4, 2002, at 12:30 p.m.

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

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

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator, at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1822. Filed for public inspection October 5, 2001, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a

common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before October 29, 2001, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-00118274. Primo Transportation, Inc.** (2914 N. 5th Street, city and county of Philadelphia, PA 19133), a corporation of the Commonwealth of Pennsylvania, to transport persons in paratransit service, from points in the city and county of Philadelphia, to all State Correctional Institutions located in Pennsylvania, and return. *Attorney:* Hae Yeon Baik, 2333 Fairmount Avenue, Philadelphia, PA 19130.

**A-00118275. Hollidaysburg American Legion Ambulance Service, Inc.** (P. O. Box 461, Hollidaysburg, Blair County, PA 16648), a corporation of the Commonwealth of Pennsylvania, to transport, as a common carrier, by motor vehicle, in paratransit service, ambulatory and nonambulatory persons, in vehicles equipped with wheelchair lift and stretcher, between points in the county of Blair, and from points in said county, to points in Pennsylvania, and return.

**A-00118278. South Central Emergency Medical Services, Inc.** (8065 Allentown Boulevard, Harrisburg, Dauphin County, PA 17112), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Dauphin, and from points in said county, to points in Pennsylvania, and return. *Attorney:* Christie M. Mellott, 5002 Lenker Street, Suite 202, Mechanicsburg, PA 17050.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-00116740, Folder 2. South Hills Carriages, Inc.** (250 Bower Hill Road, Venetia, Washington County, PA 15367), a corporation of the Commonwealth of Pennsylvania—additional right—persons in group and party service in vehicles seating 15 passengers or less, including the driver: (1) between points in the counties of Washington and Fayette, and from points in said counties, to points in Pennsylvania, and return; and (2) from points in the county of Allegheny, to points in Pennsylvania, and return.

**Notice of Motor Carrier Applications—  
Persons in Limousine Service**

The following applications for authority to transport persons in limousine service between points in Pennsylvania have been filed with the Pennsylvania Public Utility Commission. The applications will be considered without hearing in the absence of substantive protests limited to the issue of applicant fitness. Protests to these applications are due on or before October 29, 2001.

*A-00110575,  
F. 2.*

River Park Cab Co., Inc.  
2612 Virginia Lane  
Jamison, PA 18929

*Attorney:* Michael S. Henry  
Eleven Penn Center, Suite 515  
1835 Market Street  
Philadelphia, PA 19103

*A-00117312,  
F. 3.*

Entertainment Transportation  
Associates, Inc.  
t/d/b/a E. T. A. Limousine Service  
PMB 195, 100 Springdale Road  
Suite A-3  
Cherry Hill, NJ 08003

*A-00118263*

Avalon Limousine, LLC  
830 Montgomery Avenue, Suite 114  
Bryn Mawr, PA 19010

*A-00118264*

Yankee Limousine, Inc.  
t/d/b/a Yankee Limousine  
1129 W. Main Street  
Stroudsburg, PA 18360

*A-00118265*

United Limousine Service, Inc.  
3247 Frankford Avenue  
Philadelphia, PA 19134

*Attorney:* John J. Gallagher  
Suite 1100  
1760 Market Street  
Philadelphia, PA 19103

*A-00118268*

William Matthew Sullivan  
t/d/b/a Casual Executive Car Service  
18 Lunar Lane  
Moon Township, PA 15108

*A-00118279*

John Chapman  
t/d/b/a Chapman's Limousine Service  
3303 Iowa Street  
Pittsburgh, PA 15219

*A-00118282*

Mark A. Cooper  
t/d/b/a PrimeTyme Limousine Service  
213 Maple Street  
Suite C-37  
Horsham, PA 19044

**Complaint**

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Diplomat Limousine Ser-  
vice, Inc.; Doc. No. A-00104714C01 F.1*

*Complaint*

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Diplomat Limousine Service, Inc., respondent, maintains a principal place of business at 7423 N. 20th Street, Philadelphia, PA 19138.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00104714, F. 1.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Diplomat Limousine Service, Inc. at Docket No. A-00104714, F. 1, for failure to maintain evidence of current insurance on file with the Commission.

Respectfully submitted,

Michael E. Hoffman, Acting Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
Michael E. Hoffman

*Notice to Plead*

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding

shall be closed. *ACORD Certificates of Insurance are unacceptable as evidence of insurance.*

D. you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. if you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

PETRO-CHEMICAL TRANSPORT INC  
P O BOX 7002  
ADDISON TX 75001-7002

In re: A-00111442C0101  
A-00111442

Dear Respondent:

On July 17, 2001, the Bureau of Transportation and Safety instituted a complaint against Petro-Chemical Transport, Inc., respondent, alleging failure to maintain proper evidence of current insurance in violation of the Public Utility Code. The respondent was duly notified that if acceptable evidence of insurance or an answer was not filed, the Bureau would request that the Secretary of the Commission revoke the certificate of public convenience issued to the respondent at A-00111442.

The complaint and notice were published in the August 18, 2001 issue of the Pennsylvania Bulletin; to date, more than twenty (20) days later, neither evidence of insurance nor an answer to the complaint has been filed. Therefore, the allegation in the complaint is deemed to be admitted.

The complaint at A-00111442C0101 is hereby sustained and the right(s) and the certificate of public convenience issued to the respondent at A-00111442 be and are hereby revoked; and the respondent has no other operating authority. The respondent is hereby notified to cease and desist from providing service previously authorized under the certificate of public convenience.

James J. McNulty  
Secretary

VERMACK ENTERPRISES INC  
105 N KEYSER AVENUE  
OLD FORGE PA 18518

In re: A-00114954C0101  
A-00114954

Dear Respondent:

On July 17, 2001, the Bureau of Transportation and Safety instituted a complaint against Vermack Enterprises, Inc., respondent, alleging failure to maintain proper evidence of current insurance in violation of the Public Utility Code. The respondent was duly notified that if acceptable evidence of insurance or an answer was not filed, the Bureau would request that the Secretary of the Commission revoke the certificate of public convenience issued to the respondent at A-00114954.

The complaint and notice were published in the August 18, 2001 issue of the Pennsylvania Bulletin; to date, more than twenty (20) days later, neither evidence of insurance

nor an answer to the complaint has been filed. Therefore, the allegation in the complaint is deemed to be admitted.

The complaint at A-00114954C0101 is hereby sustained and the right(s) and the certificate of public convenience issued to the respondent at A-00114954 be and are hereby revoked; and the respondent has no other operating authority. The respondent is hereby notified to cease and desist from providing service previously authorized under the certificate of public convenience.

James J. McNulty  
Secretary

CCI CONSTRUCTION CO INC  
2500 OLD GETTYSBURG ROAD  
CAMP HILL PA 17011-7507

In re: A-00115110C0001  
A-00115110

**Dear Respondent:**

On April 11, 2000, the Bureau of Transportation and Safety instituted a complaint against CCI Construction Co., Inc., respondent, alleging failure to maintain proper evidence of current insurance in violation of the Public Utility Code. The respondent was duly notified that if acceptable evidence of insurance or an answer was not filed, the Bureau would request that the Secretary of the Commission revoke the certificate of public convenience issued to the respondent at A-00115110.

The complaint and notice were served on the respondent on or about April 13, 2000; to date, more than twenty (20) days later, neither evidence of insurance nor an answer to the complaint has been filed. Therefore, the allegation in the complaint is deemed to be admitted.

The complaint at A-00115110C0001 is hereby sustained and the right(s) and the certificate of public convenience issued to the respondent at A-00115110 be and are hereby revoked; and the respondent has no other operating authority. The respondent is hereby notified to cease and desist from providing service previously authorized under the certificate of public convenience.

James J. McNulty  
Secretary

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1823. Filed for public inspection October 5, 2001, 9:00 a.m.]

**Telecommunications**

**A-310489F7002. United Telephone Company of Pennsylvania d/b/a Sprint and Cellco Partnership and Pennsylvania RSA No. 6 (II) d/b/a Verizon Wireless.** Joint Petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Cellco Partnership and Pennsylvania RSA No. 6 (II) d/b/a Verizon Wireless for Approval of a Commercial Mobile Radio Services Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Cellco Partnership and Pennsylvania RSA No. 6 (II) d/b/a Verizon Wireless filed on September 7, 2001, at the Pennsylvania Public Utility Commission (Commis-

sion), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania d/b/a Sprint and Cellco Partnership and Pennsylvania RSA No. 6 (II) d/b/a Verizon Wireless Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1824. Filed for public inspection October 5, 2001, 9:00 a.m.]

**Telecommunications**

**A-310593F7002. United Telephone Company of Pennsylvania d/b/a Sprint and 1-800-Reconex, Inc.** Joint Petition of The United Telephone Company of Pennsylvania d/b/a Sprint and 1-800-Reconex, Inc. for Approval of a Master Interconnection and Resale Agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and 1-800-Reconex, Inc. filed on September 7, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Master Interconnection and Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of The United Telephone Company of Pennsylvania d/b/a Sprint and 1-800-Reconex, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1825. Filed for public inspection October 5, 2001, 9:00 a.m.]

**Telecommunications**

**A-310535F7001. Verizon North Inc. and Network Access Solutions Corp.** Joint Petition of Verizon North Inc. and Network Access Solutions Corp. for Approval of Amendment No. 2 to Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and Network Access Solutions Corp. filed on September 12, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of Amendment No. 2 to Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.



Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of Verizon North Inc. and Network Access Solutions Corp. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1826. Filed for public inspection October 5, 2001, 9:00 a.m.]

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### Telecommunications

**A-310593F7001. Verizon North Inc. and 1-800-Reconex, Inc.** Joint Petition of Verizon North Inc. and 1-800-Reconex, Inc. for Approval of Amendment No. 1 to Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and 1-800-Reconex, Inc. filed on September 12, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of Amendment No. 1 to Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of Verizon North Inc. and 1-800-Reconex, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1827. Filed for public inspection October 5, 2001, 9:00 a.m.]

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### Telecommunications

**A-310581F7001. Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue.** Joint Petition of Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue for Approval of Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon Avenue filed on September 12, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of Verizon North Inc. and VIC-RMTS-DC, LLC d/b/a Verizon

Avenue Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1828. Filed for public inspection October 5, 2001, 9:00 a.m.]

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### Water Service Without Hearing

**A-212285 F0092. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of: 1) the transfer, by sale, of the water works property and rights of Shippenville Borough and/or Shippenville Municipal Authority to Pennsylvania-American Water Company; and 2) the right of Pennsylvania-American Water Company to begin to offer, render, furnish or supply water service to the public in all of Shippenville Borough, Clarion County, and a portion of Elk Township, Clarion 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 October 22, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hershey Park Drive, Hershey, PA 17033.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1829. Filed for public inspection October 5, 2001, 9:00 a.m.]

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## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept faxed bids for Project #0154.P, Rock Salt, until 2 p.m. on Thursday, October 18, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available October 9, 2001. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

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

[Pa.B. Doc. No. 01-1830. Filed for public inspection October 5, 2001, 9:00 a.m.]