

# 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 March 18, 1997.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
3-17-97	First Maryland Bancorp, Baltimore, MD, to acquire 100% of the voting shares of Dauphin Deposit Corporation, Harrisburg, PA	Baltimore, Maryland	Filed

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-14-97	Susquehanna Interim Bank Bryn Mawr Montgomery County	Bryn Mawr	Approved

Application to charter an interim bank will be used to facilitate the acquisition of Founders' Bank, Bryn Mawr, by Susquehanna Bancshares, Inc., Lititz.

##### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
3-13-97	Wilbur Savings and Loan Association Bethlehem Northampton County	Bethlehem	Approved

*To:*

Wilbur Savings Bank  
Bethlehem  
Northampton County

Represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.

##### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-7-97	Clearfield Bank and Trust Company Clearfield Clearfield County	Clearfield	Effective

Purchase of assets/assumption of liabilities of one branch office of Mid-State Bank and Trust Company, Altoona, located at:

1925 Daisy Street  
Clearfield  
Clearfield County

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-18-97	Northern Central Bank Williamsport Lycoming County	10 Reitz Boulevard Lewisburg Union County	Opened
3-12-97	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	WalMart Routes 83 and 851 Shrewsbury York County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-17-97	Franklin First Savings Bank Wilkes-Barre Luzerne County	15 S. Franklin St. Wilkes-Barre Luzerne County	Approved

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
3-14-97	SEI Trust Company Oaks Montgomery County	To provide for a change in the post office address of the principal place of business <i>From:</i> 100 Cider Mill Road; <i>To:</i> One Freedom Valley Drive, both addresses in Oaks, Montgomery County, PA 19456.	Approved and Effective

**Voluntary Liquidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Action</i>
3-13-97	Bank of Delaware Valley Fairless Hills Bucks County	Articles of Dissolution filed in the Department of State. Corporate existence terminated.

**SAVINGS ASSOCIATIONS****Branch Relocations**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
3-14-97	Iron Workers Savings Bank, PaSA Aston Delaware County	<i>To:</i> 3 Old State Road Media Delaware County  <i>From:</i> 10 Old State Road Media Delaware County	Filed

**CREDIT UNIONS****Articles of Amendment**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
3-18-97	Utilities Employees Credit Union Sinking Spring Berks County	To eliminate the street address from Article 3 and to change the physical address of the principal of business <i>From:</i> 125 Exeter St., Reading; <i>To:</i> 2850 Windmill Road, Sinking Spring, Berks County, PA 19608.	Approved and Effective

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-481. Filed for public inspection March 28, 1997, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION****Applications, Actions and Special Notices****APPLICATIONS****APPLICATIONS RECEIVED UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT****[National Pollution Discharge Elimination System Program (NPDES)]****DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER****(Part I Permits)**

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

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

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

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

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

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

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

**PA 0003425.** Industrial waste, SIC: 2851, **Ranbar Technology, Inc.**, 1114 William Flinn Highway, Glenshaw, PA 15116-2657.

This application is for renewal of an NPDES permit to discharge untreated boiler blowdown and stormwater from Glenshaw Plant in Shaler Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters of Pine Creek, classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Millvale MWW, located on the Allegheny River, 4.78 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0015 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Temperature (°F)					110
pH	6.0—9.0				

Outfall 002: existing discharge, design flow of variable mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Dissolved Solids	monitor and report				
Oil and Grease	monitor and report				
Phenol	monitor and report				
Aluminum	monitor and report				
Arsenic	monitor and report				
Barium	monitor and report				
Zinc	monitor and report				
Xylene	monitor and report				
1,1,1 TCE	monitor and report				

The EPA waiver is in effect.

**PA 0004821.** Sewage, **Kennametal, Inc.**, P. O. Box 231, Latrobe, PA 15650-0231.

This application is for renewal of an NPDES permit to discharge treated sewage from Chestnut Ridge Sewage Treatment Plant in Derry Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.01 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	30			60
Suspended Solids	45			90
Ammonia Nitrogen (5-1 to 10-31)	8			16
(11-1 to 4-30)	12.5			25
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine 1st month—36th month	monitor and report			
37th month—expiration	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	6.0—9.0			

Outfall SW1—SW3: These discharges shall consist solely of uncontaminated stormwater runoff.

The EPA waiver is in effect.

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

**PA 0209864.** Sewage, **William I. and Delores A. Carrier**, 6321 Sterrettania Road, Fairview, PA 16415.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage to an unnamed tributary to Thomas Run in McKean Township, **Erie County**. This is an existing discharge.

The receiving water is classified for high-quality, cold-water plus migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the City of Erie intake, located in Lake Erie, approximately 9 miles downstream from the point of discharge.

The proposed effluent limits for Outfall 001, based on average design flow of 0.0012 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N (5-1 to 10-31)	4	8
(11-1 to 4-30)	12	24
Phosphorus as "P"	1.0	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0103241.** Sewage, **Moniteau School District**, Marion Elementary School, 1810 W. Sunbury Road, West Sunbury, PA 16061.

This application is for renewal of an NPDES permit to discharge treated sewage to the unnamed tributary to Seaton Creek in Marion Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Camp Allegheny on Slippery Rock Creek located at Ellwood City, approximately 30 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of .00273 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum ( mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	17	34
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	14,000/100 ml as a geometric average	
Total Residual Chlorine (Interim)	monitor and report	
(Final)	.5	1.2
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0210528. Robert Bailey Construction,** 111 Walton Street, Philipsburg, PA 16866.

This application is for renewal of an NPDES permit, to discharge treated sewage to unnamed tributary to Wolf Run in Washington Township, **Jefferson County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Hawthorn Water Authority on Redbank Creek located at Hawthorn, approximately 36 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.000528 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
TSS	30		60
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	21,200/100 ml as a geometric average		
Total Residual Chlorine	monitoring only		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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

**PA 0050903. Industrial waste, Flagg Brass, Inc.,** 1020 West High Street, Stowe, PA 19464.

This application is for renewal of an NPDES permit to discharge stormwater from the facility into the Schuylkill River in West Pottsgrove Township, **Montgomery County**. This is an existing discharge to the Schuylkill River.

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

The proposed effluent limits for Outfalls 004, 205, 005 and 006, from noncontact cooling water and stormwater are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	monitor/report		
Total Suspended Solids	monitor/report		
Oil and Grease	monitor/report		
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Kjeldahl Nitrogen	monitor/report		
Total Phosphorus	monitor/report		
Total Iron	monitor/report		
Total Copper	monitor/report		
Total Lead	monitor/report		
Total Zinc	monitor/report		
Total Nickel	monitor/report		
Trichloroethylene	monitor/report		

The proposed effluent limits for Outfall 016, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor/report		
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

**PA 0057118.** Industrial waste, **Keystone Ozone Pure Water Company**, P. O. Box 365, 1075 General Sullivan Road, Washington Crossing, PA 18977.

This application is for issuance of an NPDES permit to discharge untreated bottle rinse water from a water bottling facility in Lower Makefield Township, **Bucks County**. This is a new discharge to a retention basin to a dry swale tributary to Core Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 6,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Dissolved Solids	500	750	1,500
Total Suspended Solids	30	60	75
MBAS			0.5
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

**PA 0054283.** Amendment No. 1, Industrial waste, **Unisys Corporation**, Corporate Environmental Affairs, P. O. Box 203, Paoli, PA 19301.

This application is for an amendment to an existing NPDES permit to discharge treated groundwater from a groundwater remediation system to Little Valley Creek in East Whiteland Township, **Chester County**.

This amendment reflects revised effluent limits based on a site-specific analytical method detection limit study as required by the permit.

The receiving stream is classified for the following uses: exceptional value waters, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 0.367 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>
Chromium, Hexavalent	monitor/report		
Chromium, Total	0.0165	0.033	0.041
Iron, Total	0.3	0.6	0.75
1,1 Dichloroethane	0.0022	0.0044	0.0055
1,2-Dichloroethane	0.0026	0.0052	0.0065
1,1-Dichloroethylene	0.002	0.004	0.005
Methylene Chloride	0.002	0.004	0.005
Tetrachloroethylene	0.0029	0.0058	0.0072
1,1,1 Trichloroethane	0.0024	0.0048	0.006
Trichloroethylene	0.0022	0.0044	0.0055
1-2 TransDichloroethylene	0.0025	0.005	0.0063

The EPA waiver is in effect.

**PA 0054500.** Sewage, **Keith Aldinger**, 184 Lone Pine Road, Barto, PA 19504.

This application is for renewal of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant serving the Aldinger residence in Douglass Township, **Montgomery County**. This is an existing discharge to the tributary of the west branch of Perkiomen Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 400 are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	10	20
Ammonia (as N) (5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliforms	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0081922	Lewisberry Area Joint Sewer Authority P. O. Box 363 Lewisberry, PA 17339	York Lewisberry Boro	Bennett Creek	TRC
PA 0082376	W. St. Clair Twp., Pleasantville Boro M. A. P. O. Box 88 Alum Bank, PA 15521	Bedford W. St. Clair Township	Barefoot Run	TRC
PA 0081850	Gettysburg Mun. Auth. Water Filtration Plant 601 E. Middle Street Gettysburg, PA 17325	Adams Cumberland Township	UNT of Marsh Creek	TRC
PA 0111422	Thompstontown Mun. Auth. P. O. Box 154 Thompstontown, PA 17094	Juniata Thompstontown Borough	Delaware Creek	TRC
PA 0033057	Crestview Village Mobile Home Park 455B Middlecreek Rd. Lititz, PA 17543	Dauphin Londonderry Township	Iron Run	TRC
PA 0021776	Fairfield Mun. Authority 180 Water Street Ext. Fairfield, PA 17320	Adams Hamiltonban Township	Spring Run Creek	TRC

**DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**  
**Applications under the Pennsylvania Clean Streams Law**  
**(Part II Permits)**

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

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number, identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it

is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest or protests. Each commentator will be notified in writing of the time and place if a hearing or conference concerning the plan or action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

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

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

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

**A. 2688413.** Amendment No. 2. Sewerage. **NWL Co.**, Route 40 East, P. O. Box 188, Farmington, PA 15437. Application for the construction and operation of a wastewater treatment plant to replace the existing system which services the Nemaocolin Woodlands Resort in the Township of Wharton, **Fayette County**.

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

**WQM Permit No. 3397401.** Sewerage. **Bell Township**, R. D. 2, Box 56A, Punxsutawney, PA 15767. This project is for the construction of sanitary sewer mains, service laterals, manholes and a pump station to service the Fairview, Cloe and Albion sections of Bell Township, **Jefferson County**.

**WQM Permit No. 2597407.** Sewerage. **Summit Township**, 8900 Old French Road, Erie, PA 16509. This project is for the construction of a pump station and gravity sewer to service a proposed residential development of 132 single family and 51 townhouse units in Summit Township, **Erie County**.

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

**A. 6782401.** (Amendment 97-1) Sewerage, **Borough of Hanover**, 44 Frederick Street, Hanover, PA 17331 in Hanover Borough, **Adams County** to upgrade their existing treatment plant including dechlorination was received in the Southcentral Region on March 5, 1997.

**INDIVIDUAL PERMITS**

**(PAS)**

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Regional Office of the

exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

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

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

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

*Northeast Regional Office, Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 825-2511.*

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

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

*Huntingdon County Conservation District, District Manager, R. R. 1, Box 7C, Huntingdon, PA 16652, telephone (814) 627-1627.*

**NPDES Permit PAS103005.** Stormwater. **DEP**, Bureau of Abandoned Mine Reclamation, P. O. Box 149, Ebensburg, PA 15931 has applied to discharge stormwater from a construction activity located in Todd Township, **Huntingdon County**, to Roaring Run.

*Indiana County Conservation District, District Manager, 251 Route 286 North, Indiana, PA 15701, telephone (412) 463-7702.*

**NPDES Permit PAS103108.** Stormwater. **DEP**, Bureau of Abandoned Mine Reclamation, P. O. Box 149, Ebensburg, PA 15931 has applied to discharge stormwater from a construction activity located in Canoe Township, **Indiana County**, to UNT to Little Mahoning Creek.

*Luzerne County Conservation District, District Manager, Smith Pond Road, Lehman, PA 18627, telephone (717) 674-7991.*

**NPDES Permit PAS10R023.** Stormwater. **DEP**, Bureau of Abandoned Mine Reclamation, 2 Public Square, Wilkes-Barre, PA 18701 has applied to discharge stormwater from a construction activity located in Newport Township, **Luzerne County**, to Newport Creek.

**NPDES Permit PAS10R024.** Stormwater. **Luzerne County Convention Center Authority**, 54 West Union Street, Wilkes-Barre, PA 18711 has applied to discharge stormwater from a construction activity located in Wilkes-Barre Township, **Luzerne County**, to Coal Brook and existing basin.

*Washington County Conservation District, District Manager, 602 Courthouse Sq., Washington, PA 15301, telephone (412) 228-6774.*

**NPDES Permit PAS10W059.** Stormwater. **Donald Wendel**, 1333 Plantation Drive, Bethel Park, PA 15102 has applied to discharge stormwater from a construction activity located in North Strabane Township, **Washington County**, to UNT to Little Chartiers Creek.

*Westmoreland County Conservation District, District Manager, Donohoe Ctr., R. R. 12, Box 202B, Greensburg, PA 15601, telephone (412) 837-5271.*

**NPDES Permit PAS10X073.** Stormwater. **Barbara Tomer**, P. O. Box 463, Murrysville, PA 15668 has applied to discharge stormwater from a construction activity located in Murrysville municipality, **Westmoreland County**, to Haymakers Run.

**NPDES Permit PAS10X074.** Stormwater. **Lakefront Properties LTD Inc.**, 772 Pine Valley Drive, Pittsburgh, PA 15239 has applied to discharge stormwater from a construction activity located in Salem Township, **Westmoreland County**, to Beaver Run.

**NPDES Permit PAS10X075.** Stormwater. **Franklin Regional School District**, 3210 School Road, Murrysville, PA 15668 has applied to discharge stormwater from a construction activity located in the municipality of Murrysville, **Westmoreland County**, to Turtle Creek.

#### SAFE DRINKING WATER

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

*Southwest Regional Office: Regional Manager, Water Supply and Community Health, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.*

**A. 0383502-A3.** **Worthington Municipal Authority**, P. O. Box 0, 434 North Bear Street, Worthington, PA 16262. Construction of a metering facility to provide an interconnection with the Kittanning Suburban Joint Water Authority, serving West Franklin Township, **Armstrong County**.

*Southcentral Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.*

**A. 2197501.** Public water supply. **Pine Grove Furnace State Park**, Cooke Township, **Cumberland County**, (Roger Fickes, Director, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105-8551), construction of potable microfiltration plant, disinfection and pumping facilities at Fuller Well, (Peter J. Lusardi, P. E., CET Engineering Services, 1240 North Mountain Road, Harrisburg, PA 17112-1754).

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

**6497501.** Public water supply. **Woodlyn Residence**, James Connor, Owner, P. O. Box 2875, Branchville, NJ 07826. This proposal involves the modification and permitting of an existing system serving private residences within a development. Treatment will include disinfection and storage.

*Engineer: James Knash, HC 62, Box 444A, Honesdale, PA 18431.*

#### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### Under Act 2, 1995

#### Preamble 1

Acknowledgment of Notices of Intent to Remediate submitted to the Department of Environmental Protection

under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

*Southcentral Regional Office: Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Lippert Family Tract**, Carlisle Borough, **Cumberland County**, John Lippert, et al., 1201 Newville Road, Carlisle, PA 17103 has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the background standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Carlisle Sentinel* March 13, 1997.

#### SOLID AND HAZARDOUS WASTE

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

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

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

**A. 603440.** **Wheelabrator Water Technologies, Inc.**, P. O. Box 266, Somerset, PA 15501. Mathews Farm, 1 mile south of Taylortown. Biosolids land application for agricultural utilization in Dunkard Township, **Greene County**. Application withdrawn in the Regional Office on March 6, 1997.

**A. 603440.** **Wheelabrator Water Technologies, Inc.**, P. O. Box 266, Somerset, PA 15501. Lilly Farm, 1 mile

south of Taylortown. Biosolids land application for agricultural utilization in Dunkard Township, **Greene County**. Application withdrawn in the Regional Office on March 6, 1997.

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

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*Regional Office: Regional Solid Waste Manager, One Ararat Boulevard, Harrisburg, PA 17110.*

**A. 101539. Dauphin Meadows Landfill, Dauphin Meadows, Inc.**, (Park West Two, Suite 420, 2000 Cliff Mine Road, Pittsburgh, PA 15275). Application for major modification for addition of a leachate evaporator and on-site power generator at the site in Upper Paxton and Washington Townships, **Dauphin County**. Application determined to be administratively complete in the Regional Office March 12, 1997.

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

**A. 100280. USA Valley Facility, Inc.**, R. D. 2, Box 282A, Pleasant Valley Road, Irwin, PA 15642. Valley Landfill, R. D. 2, Box 282A, Pleasant Valley Road, Irwin, PA 15642. Application for a major permit modification for change of ownership of a municipal waste landfill in Penn Township, **Westmoreland County**, was received in the Regional Office on February 28, 1997.

**A. 101421. Shade Landfill, Inc.**, R. D. 1, Box 305, off Rt. 160, Cairnbrook, PA 15924. Resource Conservation Corporation, R. D. 1, Box 305, off Rt. 160, Cairnbrook, PA 15924. Application for a major permit modification for change of ownership of a municipal waste landfill in Shade Township, **Somerset County**, was received in the Regional Office on February 28, 1997.

**A. 101467. Chambers of Pennsylvania, Inc.**, Rt. 7, Box 302, Pony Farm Rd., Kittanning, PA 16201. Tri-Valley Transfer Station, Rt. 7, Box 302, Pony Farm Rd., Kittanning, PA 16201. Application for a major permit modification for change of ownership of a municipal waste transfer station in Kittanning Township, **Armstrong County**, was received in the Regional Office on February 28, 1997.

**AIR POLLUTION  
OPERATING PERMITS**

**Construct, modify or activate air contaminant sources**

**25 Pa. Code § 129.1**

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**Applications received for Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

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

**06-302-141C.** The Department intends to issue an Air Quality Operating Permit to **Sunsweet Growers, Inc.** (P. O. Box 608, Fleetwood, PA 19522) for three boilers in Fleetwood, **Berks County**. Two boilers are subject to 40 CFR Part 60, Subpart Dc, Standards of Performance for New Stationary Sources.

**06-304-025C.** The Department intends to issue an Air Quality Operating Permit to **EAFCO, Inc.** (P. O. Box 388,

Boyertown, PA 19512) for four sand storage silos controlled by four fabric collectors in Boyertown, **Berks County**.

**ER-36-1001.** The Department intends to issue an Air Quality Emission Reduction Credit Approval to **Leggett & Platt, Inc.** (One Leggett Road, Carthage, MO 64836) for 30 tons of Volatile Organic Compounds (VOC) resulting from the shutdown of sources in Columbia, **Lancaster County**.

**38-2004A.** The Department intends to issue an Air Quality Operating Permit to **Kountry Kraft Kitchens, Inc.** (R. D. 2, Box 882, Newmanstown, PA 17073) for a modification to an existing spray paint booth in Millcreek Township, **Lebanon County**.

*Southwest Regional Office: Bureau of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**OP-30-040.** The Department received an Air Quality Operating Permit application from **Cyprus Cumberland Resources Corporation**, (145 Elm Drive, P. O. Box 1020, Waynesburg, PA 15370) for a coal preparation plant at its Cumberland Mine located in Whiteley Township, **Greene County**.

**OP-65-222.** The Department received an Air Quality Operating Permit application from **American Glass Inc.**, (1900 Liberty Street, Mt. Pleasant, PA 15666) for a pressed and blown glass manufacturing operation at its L. E. Smith Glass Company located in Mt. Pleasant Township, **Westmoreland County**.

*Northcentral Regional Office: Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**OP-53-0006A.** The Department intends to issue an operating permit to **Transcontinental Gas Pipe Line Corporation** (P. O. Box 1396, Houston, TX 77251) for the operation of a gasoline gas fired reciprocating engines at Compressor Station 535 in Wharton Township, **Potter County**.

**49-312-003A.** the Department intends to issue an operating permit to **Eldorado Properties Corporation, owner, and Petroleum Products Corporation, operator**, (PO Box 2621, Harrisburg, PA 17105) for the operation of a gasoline loading operation and associated air cleaning devices (two carbon adsorption vapor recovery units) at the Northumberland Terminal in Point Township, **Northumberland County**. This gasoline loading operation is subject to Subpart XX of the Federal Standards of Performance for New Stationary Sources.

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**NOTICE OF INTENT TO ISSUE**

**Title V Operating Permit**

**Permit No. TV-36-05079**

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Lancaster County

The Department of Environmental Protection intends to issue a Title V Operating Permit to Chester County Solid Waste Authority for the Lanchester Landfill located in Caernarvon, Lancaster County. The Title V Operating Permit is required under 25 Pa. Code, Chapter 127, Subchapter G for major stationary sources.

An appointment to review the application and other pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 541-7937 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Those wishing to comment on the proposed action may contact Kanubhai Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110.

Comments may be submitted during the 30-day period immediately following the publication of this notice. Each comment must include the name, address and telephone number of the persons submitting the comments along with the reference number of the permit (TV-36-05079).

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will give notice of any scheduled public hearing at least 30 days in advance of the hearing as per 25 Pa. Code § 127.521.

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### NOTICE OF INTENT TO ISSUE

#### Title V Operating Permit Permit No. TV-67-05009

York County

The Department of Environmental Protection intends to issue a Title V Operating Permit to Solar Turbines, Inc., located in Springettsbury Township, York County. The Title V Operating Permit is required under 25 Pa. Code, Chapter 127, Subchapter G for major stationary sources.

An appointment to review the application and other pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 541-7937 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Those wishing to comment on the proposed action may contact Kanubhai Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110.

Comments may be submitted during the 30-day period immediately following the publication of this notice. Each comment must include the name, address and telephone number of the persons submitting the comments along with the reference number of the permit (TV-67-05009).

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will give notice of any scheduled public hearing at least 30 days in advance of the hearing as per 25 Pa. Code § 127.521.

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#### Notice of Intent to Issue State Only Operating Permit #OP-63-650

Per 25 Pa. Code § 127.424, notice is here provided that the Department intends to issue a facility-wide State Only Operating Permit to Goldschmidt Industrial Chemical Corporation (941 Robinson Highway, McDonald, PA 15057) for the McDonald Plant operating in Robinson Township, Washington County.

Permit conditions cover all equipment located at the facility, including the Main Boiler, Stannous Chloride Mill, Sodium Stannate Evaporator, Potassium Stannate Evaporator, Potassium Stannate Leach Tank, 750 Gallon Evaporator, Electrochemical Cells and a Tin Chloride Scrubber. Maximum allowable annual emissions (after control) are established at 8 tons of NO<sub>x</sub>, 2 tons of CO, 1 ton of SO<sub>x</sub>, and 13 tons of PM<sub>10</sub>.

Copies of the application, DEP's analysis, and other documents used in evaluation of the application are available for public inspection during normal business

hours at the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

Any person wishing to either object to the operating permit or a proposed condition thereof or provide the Department with additional information which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify permit #OP-63-650).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or request for a public hearing should be directed to Joseph Pezze, Regional Air Quality Manager, Department of Environmental Protection, Southwest Regional Office, Field Operations, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000. For additional information contact Donald F. Rinald, Air Quality Control Engineer II, Air Quality at the same address.

### PLAN APPROVALS

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#### Notice of Plan Approval Application Minor Source

The following stationary sources have filed a request for a plan approval with the Department of Environmental Protection (DEP), Bureau of Air Quality. Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protest or comments to the Regional Office at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval application by filing a request with the Regional Office stating the reason for the request.

The Department will evaluate and consider all protests and comments received. The Department will, where appropriate, modify the proposed plan approval based on the protests and comments received.

The final plan approval will contain terms and conditions to ensure that the source is constructed and operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121 through 143 and the requirements of the Federal Clean Air Act. A notice of the Department's final decision on the proposed plan approval will be published in the *Pennsylvania Bulletin*. Air contaminants emitted from these sources are less than the amounts that would trigger major new source review requirements. For additional information on the following applications contact Devendra Verma, Engineering Services Chief, (814) 332-6940.

*Northwest Regional Office: Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335.*

**PA-10-286A.** The Department received a plan approval application for the operation of a surface coating line to

coat high pressure gas cylinders (200 units/yr) by **Portersville Sales and Testing, Inc.** (P. O. Box 131, Portersville, PA 16501) in Muddy Creek Township, **Butler County**.

**PA-24-012A.** The Department received a plan approval application for the installation of control equipment on an existing graphite mill, mix and extrusion facility (34,125,000 lbs/yr of petroleum coke). Control equipment will consist of a regenerative thermal oxidizer and four baghouses. The installation will be done by **The Carbide/Graphite Group, Inc.** (800 Theresia Street, St. Marys, PA 15857) in St. Marys, **Elk County**.

**PA-24-131A.** The Department received a plan approval application for installation of a baghouse (12,000 acfm) on a graphite cutting/finishing operation (24 million parts/year) by **SGL Carbon Corporation** (900 Theresia Street, St. Marys, PA 15857) in St. Marys, **Elk County**.

**PA-25-028A.** The Department received a plan approval application for construction of a hardwood chipper (5,000 tons of hardwood logs processed per day) by **International Paper—Erie Mill** (1540 East Lake Rd., Erie, PA 16533) in Erie, **Erie County**.

**PA-42-174A.** The Department received a plan approval application for construction of a wastewater treatment facility (30,000 gpd) by **McKean County Solid Waste Authority** (P. O. Box 448, Mount Jewett, PA 16740) in Sergeant Twp., **McKean County**.

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

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

**06-1040.** Construction of a material dryer controlled by a fabric collector and existing scrubber by **East Penn Mfg. Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536) in Richmond Township, **Berks County**. The source is subject to 40 CFR Part 63, Subpart X, National Emission Standards for Hazardous Air Pollutants.

**06-309-001B.** Installation of a fabric collector to control parts of an existing brick manufacturing facility by **Glen-Gery Corporation** (423 South Pottsville Pike, Shoemakersville, PA 19555) in Perry Township, **Berks County**.

**06-319-046B.** Installation of a fabric collector to control the material storage building by **General Battery Corporation** (P. O. Box 14294, Reading, PA 19612-4294) in Laureldale, **Berks County**. The source is subject to 40 CFR Part 63, Subpart X, National Emission Standards for Hazardous Air Pollutants.

**07-313-012I.** Installation of a natural gas fired enclosed flare by **QCI A ChemFirst Company** (P. O. Box 216, Tyrone, PA 16686) in Tyrone Borough, **Blair County**.

**21-318-002B.** Modification to an existing spray paint booth and construction of a new spray paint booth by **L. B. Smith, Inc.** (2001 State Road, Camp Hill, PA 17011) in Lower Allen Township, **Cumberland County**.

**21-322-001B.** Construction of an expansion at the existing landfill, associated landfill gas collection and control device by **Cumberland County Landfill** (142 Vaughn Road, Shippensburg, PA 17257) at the facility located in North Newton and Hopewell Townships. This source is subject to 40 CFR 60, Subpart WWW, Standards of Performance for New Stationary Sources.

**22-322-001A.** Construction of a landfill leachate vaporator and an internal combustion engine by **Dauphin Meadows, Inc. a subsidiary of USA Waste, Inc.** (Route 209, Millersburg, PA 17061) at the facility located in Upper Paxton and Washington Townships.

**36-313-030E.** Modification of an existing pharmaceutical manufacturing facility by **Warner-Lambert Company** (400 West Lincoln Avenue, Lititz, PA 17543) in Lititz Borough, **Lancaster County**.

**44-307-002A.** Modification of steel conditioning grinder control with a new dust collector by **Standard Steel** (500 North Walnut Street, Burnham, PA 17009) in Burnham Borough, **Mifflin County**.

**67-303-011A.** Construction of a new fabric filter by **Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) in Wrightsville Borough, **York County**.

*Southwest Regional Office: Bureau of Air Quality Control, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**26-316-001. Fay-Penn Fiber, Inc.** (7 East Congress Street, Suite 702, Savannah, GA 31401) for a raw material handling operation at its facility located in Georges Township, **Fayette County**.

**26-316-002. Fay-Penn Fiber, Inc.** (7 East Congress Street, Suite 702, Savannah, GA 31401) for drying systems and heater at its facility located in Georges Township, **Fayette County**.

**26-316-003. Fay-Penn Fiber, Inc.** (7 East Congress Street, Suite 702, Savannah, GA 31401) for an air transport and dust collection system at its facility located in Georges Township, **Fayette County**.

**26-316-004. Fay-Penn Fiber, Inc.** (7 East Congress Street, Suite 702, Savannah, GA 31401) for a building ventilation system at its facility located in Georges Township, **Fayette County**.

**PA-04-033A. Nova Chemicals, Inc.** (400 Frankfort Road, Monaca, PA 15061) for a D2 Liquid Lube Dylite process at its Beaver Valley Plant facility located in Potter Township, **Beaver County**.

**PA-63-070A. Dyno Nobel, Inc.** (P. O. Box 192, Donora, PA 15033) for a Prill Tower at its Donora Plant facility located in Donora Borough, **Washington County**.

**PA-65-890A. Basic Carbide Corporation** (900 Blythedale Road, P. O. Box 525, Buena Vista, PA 15018) for a carbide manufacturing process at its Lowber Facility located in Sewickley Township, **Westmoreland County**.

**PA-65-889A. Allegheny Energy Resources, Inc.** (20 Stanwix Street, Suite 600, Pittsburgh, PA 15222) for a LFG recycling facility at its Valley Landfill Site located in Penn Township, **Westmoreland County**.

**PA-63-884A. Mine Technik America, Inc.** (2045 West Pike Street, Houston, PA 15342) for a mine machinery manufacturing and repair operation at its Houston Facility located in Chartiers Township, **Washington County**.

*Northcentral Regional Office: Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**19-302-030.** Construction of a natural gas/number 2 oil fired boiler by **Blue Falcon Forge, Inc.** (P. O. Box 188, Berwick, PA 18603) in Berwick Borough, **Columbia County**.

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**Philadelphia Air Management Services Notice of Intent to Approve Construction and Operation of Maritank's, Inc. Thermal Fluid Heater and Mist Eliminator**

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Applicant: Maritank Philadelphia Incorporated

Plant Location: 67th St. and Schuylkill River, Philadelphia, PA 19153

Source Description: Thermal fluid heater and mist eliminator for asphalt tank truck loading operation.

Maritank Philadelphia Incorporated (Maritank) has requested an Air Management Services (AMS) Permit to operate a thermal fluid heater and mist eliminator with potential yearly emissions of: 2.4 tons particulate, 58 tons SO<sub>x</sub>, 40 tons NO<sub>x</sub>, 4 tons CO, and less than 1 ton VOC. A permit restriction will set the total yearly NO<sub>x</sub> emissions to less than 25 tons. Actual yearly emissions are estimated to be less than 5 tons for particulate, CO, SO<sub>x</sub> and VOC; and 10 tons NO<sub>x</sub>.

AMS is making a preliminary determination of approval, with conditions, for operation of the thermal fluid heater and mist eliminator.

Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protests or comments to AMS at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval with AMS stating the reason for the request.

Copies of all documents and information concerning this permit are available for review in the office of AMS, Room 218, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours by contacting Brenda Bonner at (215) 685-7572. Persons wishing to submit written comments should send the comments to Brenda Bonner at the above address. Comments received by facsimile will not be accepted.

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**Philadelphia Air Management Services Notice of Intent to Approve Construction and Operation of Allied Signal's, Inc. Dechoke Project**

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Applicant: Allied Signal Incorporated, Frankford Plant

Plant Location: Margaret and Bermuda Streets, Philadelphia, PA 19137

Source Description: Synthetic Organic Chemical Manufacturing Facility

Allied Signal Incorporated (Allied) has requested an Air Management Services (AMS) Permit to conduct a dechoke project.

The dechoke project will involve the following additions and/or modifications:

1. Addition of preflasher column PF-201.
2. Replacement of distillation column CL-111.
3. Oxygen enrichment of existing oxidizers.
4. Addition of another reboiler on distillation column CL-206.
5. Replacement of reboiler on distillation column CL-101.
6. Modification of distillation column CL-101 to allow vapor feed of distillation column CL-208.
7. Changes in pumps, valves and flanges as required for the changes listed above.

This project will result in a decrease in overall plant volatile organic compound (VOC) emissions of 7.5 tons per year. This reduction is a result of offsets achieved from the newly installed phenol barge loading scrubber operating at 95% efficiency.

AMS is making a preliminary determination of approval, with conditions, for the dechoke project listed above.

Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protests or comments to AMS at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval with AMS stating the reason for the request.

Copies of all documents and information concerning this permit are available for review in the office of AMS, Room 218, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours by contacting Brenda Bonner at (215) 685-7572. Persons wishing to submit written comments should send the comments to Brenda Bonner at the above address. Comments received by facsimile will not be accepted.

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**Philadelphia Air Management Services Notice of Intent to Approve Construction and Operation of Bartash Publications', Inc. Four Non-Heatset Web Lithographic Printing Presses**

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Applicant: Bartash Publications Incorporated

Plant Location: 5400 Grays Avenue, Philadelphia, PA 19143

Source Description: Printing operation using four non-heatset web lithographic printing presses.

Bartash Publications, Inc. (Bartash) has requested an Air Management Services (AMS) Permit to operate four non-heatset web lithographic printing presses with potential VOC emissions of 18.88 tons per year with an estimated actual VOC emission of 4.1 tons.

AMS is making a preliminary determination of approval, with conditions, for operation of the four non-heatset web lithographic printing presses.

Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protests or comments to AMS at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval with AMS stating the reason for the request.

Copies of all documents and information concerning this permit are available for review in the office of AMS, Room 218, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours by contacting Brenda Bonner at (215) 685-7572. Persons wishing to submit written comments should send the comments to Brenda Bonner at the above address. Comments received by facsimile will not be accepted.

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**Philadelphia Air Management Services Notice of Intent to Approve Installation and Operation of Sun Company's, Inc. Ultra Low NO<sub>x</sub> Burners in H-1 Heater at 433 Alkylation Unit**

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Applicant: Sun Company, Inc., Girard Point Facility

Plant Location: 3144 Passyunk Ave., Philadelphia, PA 19145

Source Description: Petroleum Refinery

Sun Company, Inc. (Sun) has requested an Air Management Services (AMS) Permit to install ultra low NOx burners in H-1 Heater at 433 Alkylation Unit. These ultra low NOx burners are estimated to reduce NOx emissions to a level of 0.035 lb/MMBTU.

AMS is making a preliminary determination of approval for the ultra low NOx burners described above.

Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protests or comments to AMS at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval with AMS stating the reason for the request.

Copies of all documents and information concerning this permit are available for review in the office of AMS, Room 218, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours by contacting Brenda Bonner at (215) 685-7572. Persons wishing to submit written comments should send the comments to Brenda Bonner at the above address. Comments received by facsimile will not be accepted.

### MINING

#### CONDUCT COAL AND NONCOAL ACTIVITIES

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District mining office indicated above 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 such 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—123 and 86.31—34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. Such 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 above, 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 Chs. 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-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.

*District Mining Operations, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.*

##### *Coal Applications Received*

**56860105.** Permit renewal, **Croner, Inc.** (R. D. 4, Box 83-C, Berlin, PA 15530), commencement, operation and restoration of bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 192.3 acres, receiving stream unnamed tributaries to Blue Lick Creek and Swamp Creek, application received March 10, 1997.

**56823143.** Permit renewal, **Croner, Inc.** (629 Main Street, No. 6, Berlin, PA 15530), commencement, operation and restoration of bituminous strip mine in Quemahoning Township, **Somerset County**, affecting 202.0 acres, receiving stream unnamed tributaries to Beaverdam Creek and Beaverdam Creek, application received March 11, 1997.

*Bureau of District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**63940101.** **Robinson Coal Company** (P. O. Box 9347, Neville Island, PA 15225). Application received to revise permit to add 31.4 acres, to include coal removal on an additional 12.0 acres, on a bituminous surface mine located in Robinson and Smith Townships, **Washington County**, amended acreage 160.4. Receiving streams unnamed tributary to Robinson Run, Robinson Run, Chartiers Run, Ohio River, unnamed tributary to Little Raccoon Run, Raccoon Creek, Ohio River. Application received: February 27, 1997.

**26970201.** **VanSickle Coal** (R. D. 1, Box 18, New Salem, PA 15468). Application received for commencement, operation and reclamation of a coal refuse reprocessing site located in North Union Township, **Fayette County**, proposed to affect 24.1 acres. Receiving streams: unnamed tributaries and Redstone Creek to the Monongahela River. Application received: March 6, 1997.

**65880113R.** **M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**. Receiving streams: unnamed tributaries to Conemaugh River and McGee Run. Renewal application received: March 6, 1997.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**33971301. Doverspike Brothers Coal Company** (R. D. 4, Box 271, Punxsutawney, PA 15767), to operate the Dora No. 8 bituminous deep mine in Perry Township, **Jefferson County**, new underground mine, receiving stream Mahoning Creek. Application received January 21, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**40663026C5. Pacton Corporation** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to existing anthracite refuse bank operation to include the operation of a coal preparation plant in Hazle Township, **Luzerne County**, affecting 6.2 acres, receiving stream—none. Application received March 4, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*Noncoal Permits Received*

**06970301. John T. Dyer Quarry** (R. D. 3, Box 188, Rock Hollow Road, Birdsboro, PA 19508), commencement, operation and restoration of a large noncoal surface mine operation in Robeson Township, **Berks County**, affecting 58.5 acres, receiving stream—Seidel Creek and Indian Corn Creek. Application received March 5, 1997.

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

**ENCROACHMENTS**

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

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

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

**Permit No. E35-278.** Encroachment. **Laminations, Inc.** (1300 Meylert Avenue, Scranton, PA 18509-2021). To construct and maintain approximately 360 linear feet of

trapezoidal channel having a bottom width of 8 feet with a 1.5H:1.0V side slopes and R4 riprap channel lining to relocate a portion of Meadow Brook (CWF). The project is located approximately 0.1 mile upstream of the confluence of Meadow Brook and the Lackawanna River (Scranton, PA Quadrangle N: 9.3 inches; W: 4.6 inches) in the City of Scranton, **Lackawanna County** (Baltimore District, Army Corp of Engineers).

**Permit No. E39-334.** Encroachment. **Parkland School District** (1210 Springhouse Road, Allentown, PA 18104-2119). To construct and maintain a 48-inch R.C.P. outfall structure along the left bank of Jordan Creek (TSF-MS). The project is associated with the new Parkland High School Project and is located on the south side of T599 (Ritter Road) approximately 0.4 mile west of the intersection of T599 and S. R. 1019 (Cedar Crest Boulevard) (Cementon, PA Quadrangle N: 2.0 inches; W: 6.9 inches) in South Whitehall Township, **Lehigh County** (Philadelphia District Army Corps of Engineers).

**Permit No. E39-335.** Encroachment. **Bruce J. Yocum**, 1101 West Tioga Street, Allentown, PA 18103. To construct and maintain a single span bridge having a total span of 58 feet, 3 inches with an underclearance of approximately 8 feet across Jordan Creek (TSF, MF). The project is located on the north side of S. R. 4007 approximately 0.3 mile southwest of the intersection of S. R. 4007 and T593 (Slatedale, PA Quadrangle N: 2.8 inches; W: 2.0 inches) in Lowhill Township, **Lehigh County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E40-460.** Encroachment. **Pennsylvania Power and Light Company**, Scranton Service Center, 600 Larch Street, Scranton, PA 18509-2420. To remove the existing structures and to construct and maintain a low flow crossing of a tributary to Hunlock Creek (CWF), consisting of a 14.7-foot × 4.7-foot open-bottom aluminum corrugated box culvert, for the purpose of providing access for maintenance of an existing electrical power line. The project is known as the Stanton/Susquehanna Line Bridge Replacement, and is located on the south side of S. R. 4001 (Hartman Road) approximately 0.4 mile east of the intersection of S. R. 4001 and T544 (Nanticoke, PA Quadrangle N: 18.2 inches; W: 7.7 inches), in Hunlock Township, **Luzerne County**. (Baltimore District, Army Corps of Engineers).

**Permit No. E48-252.** Encroachment. **City of Easton/Hugh Moore Park Commission**, City Hall, One South Third Street, Easton, PA 18042. To repair and maintain various aspects of a 2.5 mile section of the Lehigh Canal (WWF) situated in Hugh Moore Park to preserve the functional canal system for historical, educational and recreational purposes. The project begins approximately 0.8 mile upstream from S. R. 2012 and continues downstream to the intersection of Canal and Stewart Streets (Easton, PA Quadrangle N: 8.4 inches; W: 15.6 inches), in the City of Easton, **Northampton County**. (Philadelphia District, Army Corps of Engineers).

**Permit No. E54-231.** Encroachment. **Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, 2 Public Square, Wilkes-Barre, PA 18711-0790. To backfill 0.82 acre of water filled strip pits and 0.83 acre of associated PEM wetlands and to reestablish approximately 3,800 linear feet of the Little Tomhicken Creek (CWF) to eliminate a public safety hazard under BAMR Project No. OSM 54 (3042, 3727) 101.1. This project is located on the west side of S. R. 0924 between the towns of Oneida and Sheppton (Nuremberg, PA

Quadrangle N: 7.2 inches; W: 1.0 inch) in East Union Township, **Schuylkill County**. (Baltimore District, Army Corps of Engineers).

**Permit No. E58-216.** Encroachment. **Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a 3-span prestressed concrete box beam bridge, having normal span lengths of approximately 52.7 feet and an underclearance of approximately 11.7 feet across Wyalusing Creek (WWF). The project includes placement of fill in approximately 0.77 acre of PEM wetlands associated with the relocation of the western roadway approach. The project is located on S. R. 0706, Section 570, Segment 0020, Offset 0307, approximately 500 feet east of the intersection of S. R. 0706 and S. R. 0858 (Lawton, PA Quadrangle N: 6.8 inches; W: 15.5 inches), in Rush Township, **Susquehanna County** (Baltimore District, Army Corps of Engineers).

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

**E15-541.** Encroachment. **Whitford Country Club**, 600 Whitford Hills Road, Exton, PA 19341. To place and maintain riprap and bioengineering devices as bank stabilization along segments of a 2,050 foot reach of an unnamed tributary of West Valley Creek (CWF, MF), to repair and maintain golf cart/footbridge abutments, to remove five severely eroded and abandoned storm sewer and irrigation pipe stream crossings, to repair and maintain three stone retaining walls and to repair an irrigation intake structure at the Whitford Country Club located on the southern side of Whitford Hills Road (Downingtown, PA Quadrangle N: 4.5 inches; W: 5.5 inches) in West Whiteland Township, **Chester County**.

*Northcentral Regional Office: Soils and Waterways Section, 208 W. Third St., Suite 101, Williamsport, PA 17701, telephone (717) 327-3574.*

**E41-398** Encroachment. **Loyalsock Township Supervisors**, 2501 E. Third St., Williamsport, PA 17701. To remove brush, trees and 5 unvegetated gravel and silt bars measuring 300, 200, 120, 150 and 150 feet in an unnamed tributary to McClures Run. The project is located about 150 feet east of River Avenue between Sheridan Street and Washington Boulevard (Montoursville North, PA Quadrangle N: 0.4 inch; W: 14.6 inches) in Loyalsock Township, **Lycoming County**. Estimated stream disturbance is approximately 920 feet with no wetland impact; stream classification is WWF.

**E53-298.** Encroachment. **Paul L. and Catherine Snyder**, R. R. 2, Box 165, Coudersport, PA 16915. To remove the existing structure and to construct and maintain an elliptical culvert 63 inches by 84 inches by 20 feet long with fieldstone headwalls both up and downstream in the west branch of Dingman Run on the west side of Dingman Run Road approximately 3 miles north of SR 006 (Coudersport, PA Quadrangle N: 9.25 inches; W: 7.00 inches) in Eulalia Township, **Potter County**. Estimated stream disturbance is less than 250 linear feet; stream classification is HQ-CWF.

**E60-128.** Encroachment. **PG Energy**, 39 Public Square, Wilkes-Barre, PA 18711. To remove the existing structure and to construct and maintain a 12 inch diameter steel gas main 712 feet in length under the west branch of the Susquehanna River approximately 245 feet north of SR 1010 (Milton, PA Quadrangle N: 14.50 inches; W: 16.30 inches) in White Deer Township, **Union County**. Estimated stream disturbance is more than 250 linear feet; stream classification is WWF.

## DAM SAFETY

*DEP Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 787-8568.*

**D02-117.** Dam. **Timberglen Ltd.** (1216 Southgate Drive, Pittsburgh, PA 15241). To construct, operate and maintain a stormwater detention dam across a tributary to Montour Run (TSF) impacting approximately 0.11 acre of wetlands (PFO). The proposed earthfill dam will be approximately 17 feet high and control stormwater in The Walden Woods development located in North Fayette Township, **Allegheny County**. Construction will include approximately 0.11 acre of wetlands replacement.

## WATER ALLOCATIONS

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

*Southcentral Regional Office: Field Operations, Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4692.*

**WA 05-496A.** Water allocation. **Evitts Creek Water Company, Bedford County**. The applicant is requesting the right to withdraw a total of 20 mgd (based on an annual average) from Lake Gordon and Lake Koon, **Bedford County**.

**WA 67-62B.** Water allocation. **The York Water Company, York County**. The applicant is requesting the right to extend its service area to areas within Strewsbury, North Hopewell, Hopewell and Conewago Townships. No increase in allocated quantity requested.

## ACTIONS

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

#### [National Pollution Discharge Elimination System Program (NPDES)]

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

#### (Part I Permits)

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

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

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

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

*Permits Issued*

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

**NPDES Permit No. PA0210285.** Sewage, **James Newton**, 350 Page Hollow Rd., Warren, PA 16365 is authorized to discharge from a facility located in Glade Township, **Warren County** to an unnamed tributary to Glade Run.

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

**WQM Permit No. 2597404.** Sewerage, **Michael Christ**, SRSTP, 4240 Kinter Hill Rd., Edinboro, PA 16412. Construction of Michael Christ SRSTP located in Washington Township, **Erie County**.

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

**NPDES Permit No. PA0095338.** Amendment No. 1. Industrial waste, **Kelly Run Sanitation, Inc.**, P. O. Box 333, Elizabeth, PA 15037 is authorized to discharge from a facility located at Forward Township, **Allegheny County**.

**NPDES Permit No. PA0204901.** Industrial waste, **Port Authority of Allegheny County**, Transit Division—Ross Maintenance, 2235 Beaver Avenue, Pittsburgh, PA 15233 is authorized to discharge from a facility located at Ross Township, **Allegheny County** to Nelson Run.

**NPDES Permit No. PA0094064.** Sewage, **Gary Ritchey**, P. O. Box 277, Ebensburg, PA 15931 is authorized to discharge from a facility located at Keystone Restaurant and Truck Stop STP, Munster Township, **Cambria County** to Noels Creek.

**NPDES Permit No. PA0205451.** Sewage, **Lawrence G. Schwartz**, 110 North Lane, Sewickley, PA 15143 is authorized to discharge from a facility located at Schwartz Mobile Home Park STP, Economy Borough, **Beaver County** to Big Sewickley Creek.

**NPDES Permit No. PA0217531.** Sewage, **Laurel View Manor, Inc.**, R. D. 2, Box 337, Mt. Pleasant, PA

15666 is authorized to discharge from a facility located at Hawkeye Mobile Home Park, East Huntingdon Township, **Wetsmoreland County** to Stauffer Run.

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

**Permit No. 0488201.** Amendment No. 3. Industrial waste, **BASF Corporation**, 370 Frankfort Road, Monaca, PA 15061. Construction of styrene/butadiene and acrylic latices located in the Township of Potter, **Beaver County** to serve the IW-Secondary Wastewater Treatment.

**INDIVIDUAL PERMITS**

**(PAS)**

The following approvals for coverage under NPDES Individual Permit for Discharge of Stormwater from 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, telephone (717) 787-3483, by any aggrieved person under The Environmental Hearing Board Act (35 P.S. § 7514); 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.

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

**PAS-10-Y060.** Individual NPDES. **Daniel Stees**, Stees Corporation, 2510 E. Market Street, York, PA 17402. To implement an Erosion and Sedimentation Control Plan for an 18 hole golf course called Springwood Golf Course on 168.5 acres in York Township, **York County**. The project is located on the north side of Springwood Road about 0.8 mile east of interchange #6 of I-83 (York, PA Quadrangle N: 11.0 inches; W: 6.7 inches). Drainage will be to an unnamed tributary to Mill Creek.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS107413-01	Phillip Goyette (Owner) R. R. 4 Honesdale, PA 18431 and Linde Enterprises, Inc. (Operator) Golf Hill Road Honesdale, PA 18431	Wayne Co. Texas Twp.	Holbert Creek

## INDIVIDUAL PERMITS

(PAR)

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**Approvals to use NPDES General Permits**


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The following parties have submitted Notices of Intent (NOI) for Coverage under General NPDES Permits to discharge wastewater into the surface waters of the Commonwealth of Pennsylvania. The Department of Environmental Protection approves the following coverages under the specified General Permit. This approval is subject to applicable effluent limitations, monitoring and reporting requirements and other conditions set forth in the respective General Permit.

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

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

List of NPDES General Permits issued by Department of Environmental Protection:

*NPDES General Permit Type*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Adams County Bonneauville Borough	PAR100041	Meyer & Meyer Partnership 1566 Black Rock Road Brodbecks, PA 17329	Little Run	Adams CD (717) 334-0636
Allegheny County N. Fayette Twp.	PAR10A195	John Crow 105 East Street New Cumberland, 26047	Half Crown Run	Allegheny CD (412) 921-1999
Allegheny County Monroeville	PAR10A196	MBDB Trust Property 3755 W Dublin-Granville Road Dublin, OH 43017	Thompson Run	Allegheny CD (412) 921-1999
Allegheny County N. Fayette Twp.	PAR10A198	North Fayette Twp. 400 Branch Road Oakdale, PA	Montour Run	Allegheny CD (412) 921-1999
Allegheny County Indiana Twp.	PAR10A199	Alternative Living Services 115 Floral Vale Boulevard Yardley, PA 19067	Deer Creek	Allegheny CD (412) 921-1999
Allegheny County Pine Twp.	PAR10A197	Atlas Development Trust 10521 Perry Highway Wexford, PA 15090	Wexford Run	Allegheny CD (412) 921-1999
Armstrong County Redbank Twp.	PAR10B015	Glenn Shick Jr. Box 97 Oak Ridge, PA 16245	UNT	Armstrong CD (412) 548-3425
Bedford County W. Providence Twp.	PAR100422	Daniel Klock 1812 Timberline Road, Altoona, PA 16601	Raystown Branch	Bedford CD (814) 623-6706
Berks County Jefferson Twp.	PAR10C122	Earl Koenig, Jefferson Twp. 581 N. Schaefferstown Road Bernville, PA 19512	Ltl. Northkill	Berks CD (610) 372-4657
Berks County Washington Twp.	PAR10C055	John Backenstose Box 112 Barto, PA 19504	Perkiomen Creek	Berks CD (610) 372-4657
Berks County Maidencreek Twp.	PAR10C171	Fiorino Grande 424 Miller Road Sinking Spring, PA	Willow Creek	Berks CD (610) 372-4657

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Blair County Allegheny Twp.	PAR100638	Boyd England and Elizabeth Linderman 50 East Court Street Doylestown, PA and 1375 Foot-of-Ten Road Duncansville, PA	Blair Gap Run	Blair CD (814) 696-0877
Blair County Allegheny Twp.	PAR100652	Joseph Wilt 559 Foot-of-Ten Road Duncansville, PA	Blair Gap Run	Blair CD (814) 696-0877
Blair County Logan Twp.	PAR100649	Randy DeGol 1643 Duquesne Lane Altoona, PA 16602	UNT to Burgoon	Blair CD (814) 696-0877
Clearfield County Sandy Twp.	PAR101734	DEP—Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA	UNT	Clearfield CD (814) 765-2629
Cumberland County Lower Allen Twp.	PAR10H117	Vanguard Devel. Corp. 413 Johnson Street, STE 210 Jenkintown, PA 19406	Cedar Run	Cumberland CD (717) 240-7812
Cumberland County Lower Allen Twp.	PAR10H115	S & A Custom Built Homes 15 Central Boulevard Camp Hill, PA 17011	Yellow Breeches	Cumberland CD (717) 240-7812
Cumberland County Hampden Twp.	PAR10H118	Thomas Gaughen P. O. Box 686 Camp Hill, PA 17011	UNT to the Conodoguinet	Cumberland CD (717) 240-7812
Dauphin County Derry Twp.	PAR10I110	Cherry Drive Associates 1300 Market Street Lemoyne, PA 17043	Spring Creek	Dauphin CD (717) 921-8100
Dauphin County Lower Paxton Twp.	PAR10I112	Sourbeer & Paul 5500 Linglestown Road Harrisburg, PA 17112	Paxton Creek	Dauphin CD (717) 921-8100
Indiana County Conemaugh Twp.	PAR103131	DEP, Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105	UNT to Sulphur Run	Indiana CD (412) 463-7702
Lackawanna County Scranton	PAR10N047	Allied Services 475 Morgan Hgwy. Scranton, PA 18503	Leach Creek	Lackawanna CD (717) 587-2607
Lancaster County E. Hempfield Twp.	PAR10-0-233	Hempfield United Methodist Church 3050 Marietta Ave. Lancaster, PA 17601	UNT to Swarr Rn.	Lancaster CD (717) 299-5361
Lancaster County U. Leacock Twp.	PAR10-0-238	John Martin 950 Hartman Station Road Lancaster, PA	UNT to Conesto. Creek	Lancaster CD (717) 299-5361
Lancaster County Warwick Twp.	PAR10-0-240	Clair Brothers Audio Enter. 662 Ditz Drive Manheim, PA	Santo Domingo	Lancaster CD (717) 299-5361
Montgomery County L. Frederick Twp.	PAR10T327	Gene Yerger 314 Main Street Collegeville, PA 19426	Swale to Perkiomen Crk.	Montgomery CD (610) 489-4506
Montgomery County Horsham Twp.	PAR10T321	Salvatore Bevivino 1028 W. Welsh Rd. Ambler, PA	W. Park Brook and Ltl. Neshaminy	Montgomery CD (610) 489-4506
Montgomery County Towamencin Twp.	PAR10T302	Greene, Tweed Leasing Corp. P. O. Box 305 Kulpsville, PA	Skippack Creek	Montgomery CD (610) 489-4506

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Northampton County Bethlehem Twp.	PAR10U064	Bethlehem Twp. 2740 5th St. Bethlehem, PA 18017	Nancy Run	Northampton CD (610) 746-1971
Northumberland County W. Camero and Zerben Twps.	PAR104915	DEP, Bureau of Abandoned Mine Reclamation 2 Public Square Wilkes Barre, PA	Mahanoy Crk. and Zerbe Run	Northumberland CD (717) 988-4224
York County Winsor Twp.	PAR10Y066-1	John Argento 400 Hunting Park Lane York, PA 17402	Kreutz Creek	York CD (717) 840-7430
York County Springfield and Shrewsbury Twps.	PAR10Y238	Topflight Corporation P. O. Box 2847 York, PA 17405	Seaks Run and E. Br. Codorus Cr.	York CD (717) 840-7430
York County W. Manchester and Springetts. Twps.	PAR10Y235	Dept. of Transportation 2140 Herr Street Harrisburg, PA 17103	Codorus Creek	York CD (717) 840-7430
Horton Twp., Elk County	PAR608302	Lindo Rocky Cristini Cristini's Auto Wrecking, Inc. R. D. 1, Brockport, PA 15823	Bear Run and Toby Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Washington Twp., Erie County	PAG048424	Michael Chriest 4240 Kinter Hill Rd. Edinboro, PA 16412	Unnamed Tribu- tary of Conneautee Creek	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942

### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

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

*Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2553.*

*Location:* Borough of Conyngham, Luzerne County.

The Department's review has found that the Plan Update is now acceptable and hereby grants planning

approval. This review has also not identified any significant environmental impacts resulting from this proposal.

The Plan Update proposes several measures designed to improve the conveyance and treatment of the Borough's wastewater. These measures will be implemented by the Conyngham Borough Authority (Authority) on behalf of the Borough of Conyngham.

First, the Plan Update proposes to replace approximately 1,200 lineal feet of 8" vitrified clay pipe with 1,200 lineal feet of 15" SDR35 plastic (PVC) sewer pipe along with associated new manholes in a section of the conveyance system between Manholes 94 and 76 located in the Borough of Conyngham as depicted on drawing number CBA-P94001E in the Plan Update. This section of the conveyance system is being replaced to eliminate the entry of excessive infiltration into the conveyance system's lines and to provide adequate hydraulic conveyance capacity in this portion of the system.

Secondly, the Plan Update proposes the installation of an overflow structure to be located at Manhole No. 2 on the Authority's wastewater conveyance interceptor. This structure and associated conveyance line will facilitate the conveyance of excessively large wastewater flows, associated with wet-weather/high groundwater conditions, to a proposed, additional chlorine contact tank at the Authority's Wastewater Treatment Facility. The proposed, additional chlorine contact tank will allow for the adequate treatment of wastewater received by the wastewater treatment facility at the facility's peak design flow of 0.875 mgd. The overflow structure, its associated conveyance line and proposed chlorine contact tank will prevent future, additional overflows of untreated wastewater from

the wastewater treatment facility's treatment units, during high flow conditions, as has frequently occurred in the past.

Thirdly, the Plan Update proposes the replacement of existing electrical, mechanical and other operational equipment at the Authority's Wastewater Treatment Facility. The existing equipment is being replaced since certain components have reached or exceeded their design life and are either failing or currently inoperable.

Lastly, the Plan Update proposes to eliminate the existing pump station located on Howard Avenue in the Borough of Conyngham. Wastewater currently conveyed to this pump station will now be conveyed to the Authority's Wastewater Treatment Facility via a gravity sewer line to be constructed from the existing Howard Avenue Pump Station site to Manhole No. 278 located along SR0093 in Sugarloaf Township. The Howard Avenue pump station is being eliminated to prevent any future, additional discharges of untreated wastewater onto properties in the vicinity of the existing pump station's location.

The previously described activities are proposed to be financed either through a bond issue or local financial institution loan.

In accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20(a)) (Act 537), and Ch. 71 of the Department's Regulations (25 Pa. Code Ch. 71), the Department will hold the Borough of Conyngham responsible for the complete and timely implementation of the Plan Update's chosen wastewater disposal alternative. Implementation of the Plan Update's chosen wastewater disposal alternative must be performed within the time frames indicated in the Plan Update's Schedule of Implementation.

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Plan Update must be in compliance with the Department's Regulations and be submitted to and approved by the Department in writing.

#### SAFE DRINKING WATER

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

*Northwest Regional Office: Sanitarian Regional Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.*

**Permit No. 4297501.** Public water supply. **Port Allegany Borough**, 1 Maple Street, Port Allegany, PA 16743-1318. This permit covers the newly installed Keating Avenue pump station and the addition of caustic soda at each entry point to raise the pH in order to reduce the lead and copper levels in the distribution system in Port Allegany Borough, **McKean County**.

*Type of Facility:* Community water supply.

*Consulting Engineer:* Brian S. Sekula, P. E., General Engineering, Inc., P. O. Box 684, R. D. 3, Box 52, Clarion, PA 16214.

*Permit to Construct Issued:* March 13, 1997.

#### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

##### Under Act 2, 1995

##### Preamble 3

The following final reports were submitted to the Department of Environmental Protection under the Land

Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

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

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

The Department has received the following final reports.

*Southcentral Regional Office: Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Bethlehem Steel Corporation Highspire-Lower Swatara Site**, Highspire Borough and Lower Swatara Township, **Dauphin County**. Bethlehem Steel Corporation c/o Pennsylvania Steel Technologies, Inc., 215 South Front Street, Steelton, PA 17113-2594 has submitted a Final Report concerning remediation of site soils contaminated with heavy metals. The report is intended to document remediation of the site to meet the background standard.

**Harrisburg Steam Works, Ltd.**, Harrisburg, **Dauphin County**. Harrisburg Steam Works, 100 North Tenth Street, P. O. Box 3357, Harrisburg, PA has submitted a Final Report. The report is intended to document remediation of site soils contaminated with lead, heavy metals, PHCs and PAHs to meet the background standard, and remediation of site soils contaminated with chromium to meet the Statewide health standard.

#### SOLID AND HAZARDOUS WASTE

##### LICENSE TO TRANSPORT HAZARDOUS WASTE

**License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

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

**C&W Environmental Services, Inc.**, 317 Enterprise Street, Ocoee, FL 34761; License No. **PA-AH 0557**; license issued March 17, 1997.

**Monarch Transport, Inc.**, P. O. Box 2422, Aston, PA 19014-0422; License No. **PA-AH 0558**; license issued March 12, 1997.

**Peoria Disposal Company**, 1113 N. Swords Avenue, Peoria, IL 61604-4898; License No. **PA-AH 0556**; license issued March 12, 1997.

**Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

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

**Defense Distribution Region East**, c/o ASCE-WP Building 1-1, 2nd Floor, New Cumberland, PA 17070; License No. **PA-AH S245**; renewal license issued March 17, 1997.

**J. T. Sands Corp.**, 3445 Adamsville Road, Zanesville, OH 43701; License No. **PA-AH 0483**; renewal license issued March 17, 1997.

**Langard Corporation**, 3001 South Clinton Avenue, South Plainfield, NJ 07080; License No. **PA-AH 0426**; renewal license issued March 17, 1997.

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

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

*Southcentral Regional Office: Regional Solid Waste Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4588.*

**Permit No. 101611. Berks Transfer, Inc.**, (1420 Clarion Street, Reading, PA 19601). Application for operation and construction of a transfer facility site in Ontelaunee Township, **Berks County**. Permit issued in the Regional Office March 12, 1997.

**AIR POLLUTION  
PLAN APPROVALS**

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

*Northcentral Regional Office: Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**14-399-009E.** On February 4, 1997, plan approval was issued to **Murata Electronics North America, Inc.** (1900 West College Avenue, State College, PA 16801-2799) for the construction of three ceramic chip capacitor binder removal ovens/kilns (SRA Kilns) and associated air cleaning devices (electrically heated thermal afterburners) in Ferguson Township, **Centre County**.

**8-317-006.** On February 19, 1997, plan approval was issued to **Leprino Foods Company** (117 Bradford Street, South Waverly, PA 18840) for the construction of a whey drying system and associated air cleaning devices (two scrubbers and a fabric collector) in South Waverly Borough, **Bradford County**.

**59-318-002.** On February 11, 1997, plan approval was issued to **Westfield Tanning Co.** (360 Church St., Westfield, PA 16950) for the modification of a harness leather dyeing and treating operation in Westfield Borough, **Tioga County**.

**14-310-017J.** On February 27, 1997, plan approval was issued to **Glenn O. Hawbaker, Inc.** (450 East College Avenue, Bellefonte, PA 16823) for the construction of stone crushing, classifying and conveying equipment and dust handling equipment in Spring Township, **Centre County**. This equipment is subject to Subpart 000 of the Federal Standards Of Performance For New Stationary Sources.

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

**01-310-034B.** On March 10, 1997, the Department issued a Plan Approval to **ISP Minerals, Inc.** (P. O. Box 0, Blue Ridge Summit, PA 17214) for the modification of No. 4 Color System located at their Charmian Facility, in Hamiltonban Township, **Adams County**.

**06-308-039A.** On March 10, 1997, the Department issued a Plan Approval to **Baldwin Hardware Corp.** (P. O. Box 15048, Reading, PA 19612) for the construction of the No. 2 Plating Line located at their Reading Plant, in Reading, **Berks County**. The source is subject to 40 CFR 63, Subpart N, of the National Emission Standards for Hazardous Air Pollutants.

**06-312-009A.** On March 12, 1997, the Department issued a Plan Approval to **Scranton-Altoona Terminals Corp.** (P. O. Box 2621, Harrisburg, PA 17105) for the modification of the bulk gasoline terminal in Sinking Spring, **Berks County**. The source is subject to 40 CFR 60, Subpart XX, Standards of Performance for New Stationary Sources.

**MINING**

**CONDUCT COAL AND NONCOAL ACTIVITIES**

**MINING ACTIVITY ACTIONS**

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. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—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).

*District Mining Operations, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.*

*Coal Applications Issued*

**56960111. Laura D Coal, Inc.** (P. O. Box 188, Jennerstown, PA 15547), commencement, operation and restoration of a bituminous strip mine in Quemahoning and Stonycreek Townships, **Somerset County**, affecting 90 acres, receiving stream unnamed tributaries to/and Stonycreek River, application received September 30, 1996, permit issued March 10, 1997.

**56960107. Godin Brothers, Inc.** (R. D. 3, Box 61-R, Boswell, PA 15531), commencement, operation and restoration of a bituminous strip-auger mine in Jenner Township, **Somerset County**, affecting 128.6 acres, receiving stream unnamed tributaries to/and Quemahoning Creek, application received July 31, 1996, permit issued March 13, 1997.

**56910105.** Permit Renewal, **Svonavec, Inc.** (140 West Union Street, Somerset, PA 15501), commencement, operation and restoration of a bituminous strip-auger mine in Milford Township, **Somerset County**, affecting 102.6 acres, receiving stream unnamed tributaries to/and Coxes Creek, application received January 24, 1997, permit issued March 13, 1997.

*Bureau of District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**03940105. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Permit revised to change the land use from forestland to cropland on a bituminous surface mining site located in Plumcreek Township, **Armstrong County**, affecting 94.5 acres. Receiving stream Plum Creek. Application received January 27, 1997. Revision issued February 27, 1997.

**03920101R. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Renewal issued for reclamation only of a bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 111.5 acres. Receiving streams Craig Run and Crooked Creek. Application received January 23, 1997. Renewal issued March 4, 1997.

**65840119. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701). Permit revised to add a stream crossing at a bituminous surface mining operation located in Derry Township, **Westmoreland County**, affecting 630.3 acres. Receiving streams unnamed tributaries to Stony Run and McGee Run to the Conemaugh River. Application received January 16, 1997. Revision issued March 5, 1997.

**63850109R. American Coal Company** (P. O. Box 810, McMurray, PA 15317). Renewal issued for reclamation only of a bituminous surface mining operation located in Chartiers Township, **Washington County**, affecting 184.0 acres. Receiving streams unnamed tributaries to Chartiers Run. Application received November 1, 1996. Renewal issued March 6, 1997.

**65950104. Dunamis Resources, Inc.** (R. R. 4, Box 1542, Homer City, PA 15748). Permit issued for commencement, operation, and reclamation of a bituminous surface mining operation located in Fairfield and Ligonier Townships, **Westmoreland County**, affecting 111.5 acres. Receiving streams unnamed tributaries to Hannas Run and unnamed tributaries to Hypocrite Creek. Application received July 31, 1995. Permit issued March 7, 1997.

*Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.*

**03841307. Keystone Coal Mining Corporation.** (P. O. Box 729, Indiana, PA 15701), to renew the permit for the Emilie No. 4 bituminous deep mine in Plumcreek and Cowanshannock Townships, **Armstrong County** for reclamation only, no additional discharge. Permit issued March 6, 1997.

**30841311. B & M Coal Company,** (P. O. Box 37, Dilliner, PA 15327), to renew the permit for the B & M No. 2 bituminous deep mine in Dunkard Township, **Greene County** and to revise permit to add additional subsidence control plan acres, no additional discharge. Permit issued March 6, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**54861303R2. R & D. Coal Company,** (214 Vaux Avenue, Tremont, PA 17981), renewal of an existing

anthracite deep mine operation in Tremont Township, **Schuylkill County** affecting 7.8 acres, receiving stream—Rowe Tunnel Discharge. Renewal issued March 10, 1997.

**54960203. Devil's Hole, Inc.** (401 Route 61 South, P. O. Box 559, Schuylkill Haven, PA 17972), commencement, operation and restoration of a coal refuse reprocessing operation in Frailey Township, **Schuylkill County** affecting 16.0 acres, receiving stream—none. Permit issued March 10, 1997.

**54940202. Dizenzo Coal Co.** (1389 Bunting Street, Pottsville, PA 17901), commencement, operation and restoration of an anthracite coal refuse reprocessing and coal preparation facility in Branch Township, **Schuylkill County** affecting 30.3 acres, receiving stream—none. Permit issued March 12, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

#### *Noncoal Permits Issued*

**4874SM2C2. Thomasville Stone and Lime Company,** (P. O. Box 220, Thomasville, PA 17364), renewal of NPDES Permit #PA0123544 in Jackson Township, **York County**, receiving stream Little Conewago Creek. Renewal issued March 12, 1997.

*Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

#### *General Small Noncoal Authorizations Granted*

**40950802. Harold Post,** (R. R. 2, Box 2155, Shickshinny, PA 18655), commencement, operation and restoration of a small quarry operation in Ross Township, **Luzerne County** affecting 1.0 acre, receiving stream—none. Authorization granted March 10, 1997.

**54960801. Russell H. Fidler,** (1818 Fair Road, Schuylkill Haven, PA 17972), commencement, operation and restoration of a small quarry operation in Wayne Township, **Schuylkill County** affecting 18.0 acres, receiving stream—none. Authorization granted March 12, 1997.

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

#### **ENCROACHMENTS**

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

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, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 1 (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

*Permits issued and Actions on 401 Certifications*

*Northcentral Region: Water Management—Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.*

**E08-306.** Encroachment. **Scott A. Brown**, R. R. 1, Box 301A, Canton, PA 17724. To construct and maintain a concrete culvert 18 feet wide by 9 feet in height by 20 feet in length in Beech Flats Creek on a private road off of SR 3007 approximately 1/2 mile north of Road's Road (Canton, PA Quadrangle N: 3.25 inches; W: 8.25 inches) in Canton Township, **Bradford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E12-100.** Encroachment. **Shippen Township Supervisors**, P. O. Box 349, Emporium, PA 15834. To remove an existing structure and to construct and maintain a road crossing across an unnamed tributary to Portage Creek. The proposed road crossing shall be constructed with a corrugated metal arch culvert that will have a rise of 6.42 feet, span of 9.50 feet and length of 46.0. The project is located along the western right-of-way of SR 1001 approximately 80.0 feet west of the intersection of T-314 and SR 1001 (Emporium, PA Quadrangle N: 4.8 inches; W: 15.2 inches) in Shippen Township, **Cameron County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E14-294.** Water Obstruction and Encroachment. **Chris Hostetler**, R. R. 1, Box 38, Woodard, PA 16882. To remove the existing structure and to construct and maintain a 6 foot diameter CMP culvert about 20 feet long in an unnamed tributary to Pine Creek and located in a private driveway about 1.5 miles east of Aaronsburg off Bower Hill Road (Millheim, PA Quadrangle N: 2.1 inches; W: 6.0 inches) in Haines Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E14-296.** Water Obstruction and Encroachment. **Gregg Township**, P. O. Box 181, Spring Mills, PA 16875-0158. To remove the existing structure and to construct and maintain a 48 inch diameter 22 foot long corrugated metal pipe culvert with associated endwalls in Roaring Run located on T-470 approximately 2 miles north of SR 0192 (Madisonburg, PA Quadrangle N: 5.75 inches; W: 16.75 inches) in Gregg Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-228.** Encroachment. **Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. Remove the existing structure and to construct and maintain a pre-cast concrete box culvert with a normal clear span of 10.0 feet with minimum underclearance of 8.0 feet at a 60 degree skew on Bull Run on SR 477 about 1/2 mile south

of Sugar Grove School (Loganton, PA Quadrangle N: 1.4 inches; W: 10.5 inches) in Greene Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E19-163.** Encroachment. **H. H. Knoebel & Sons, Inc.**, P. O. Box 317, Elysburg, PA 17824. To construct and maintain an amusement ride to consist of 26 concrete piers and a 110 foot wide by 170 foot by 3.5 foot above ground irregularly shaped concrete wall in the floodway of Mugser Run located approximately 1,000 feet southeast of the vehicle bridge over Mugser Run in Knoebels Grove Amusement Park (Danville, PA Quadrangle N: 0.65 inch; W: 0.3 inch) in Cleveland Township, **Columbia County**.

**E41-396.** Encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structure and to construct and maintain a pre-cast reinforced concrete box culvert with a normal span of 10.0 feet with minimum underclearance of 5.5 feet at a 45 degree skew on Nichols Run on SR 3005, approximately 1.0 mile north of Jersey Shore (Jersey Shore, PA Quadrangle N: 17.3 inches; W: 5.2 inches) in Porter Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E49-204.** Encroachment. **Northumberland Cnty. Commissioners**, 50 S. Second St., Sunbury, PA 17801. Remove the existing structure and to construct and maintain a reinforced concrete box culvert with a clear span of 20.0 feet and underclearance of 10.0 feet in Shamokin Creek on Vine Street 250 feet north of the intersection of SR 0054 (Mount Carmel, PA Quadrangle N: 9.0 inches; W: 6.0 inches) in Mount Carmel Borough, **Northumberland County**.

**E53-296.** Encroachment. **Old Lady's Home Camp #15-C-54**, 111 Green St., Malvern, PA 19355. To remove an existing structure and to construct and maintain a wooden footbridge for private access to a seasonal dwelling across Lyman Run. The proposed footbridge shall be constructed with a span of 30.0 feet, an underclearance of 7.0 feet and a rail-to-rail width of 4.0 feet that is located along the southern right-of-way of Lyman Run Road approximately 0.75 mile east of the intersection of Thompson Road and Lyman Run Road (Cherry Springs, PA Quadrangle N: 18.2 inches; W: 7.2 inches) in West Branch Township, **Potter County**. This permit was issued under section 105.13(e) "Small Projects."

**E59-334.** Encroachment. **Dept. of Conservation and Natural Resources**, Bureau of State Parks, P. O. Box 8451, Harrisburg, PA 17105-8451. To raise the existing western bridge abutment approximately 4 feet and the center pier about 2 feet to accommodate a better approach for towed vehicles in Hills Creek on Spillway Road just off Hickle Road in Hills Creek State Park (Crooked Creek, PA Quadrangle N: 9.5 inches; W: 9.6 inches) in Charlestown Township, **Tioga County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-335.** Encroachment. **Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To remove the existing structure and to construct and maintain a single span concrete plank beam bridge with a clear span of 19-foot 11-inches and underclearance of 6.0-foot over Fahnestock Run on SR 3001 approximately 1.0 mile south of the village of Leetonia (Cedar Run, PA Quadrangle N: 14.5 inches; W: 13.4 inches) in Elk Township, **Tioga**

**County.** This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E09-736.** Encroachment. **Doylestown Township Municipal Authority**, 425 Wells Road, Doylestown, PA 18901. To install and maintain a concrete encased 12-inch water main which crosses 170 linear feet of Pine Run Reservoir and will extend in and along intermittent watercourses for 665 linear feet adjacent to Iron Hill Road (Doylestown, PA Quadrangle N: 11.6 inches; W: 6.9 inches), in Doylestown Township, **Bucks County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E15-523.** Encroachment. **Anthony B. Dambro**, 737 Northbrook Road, Kennett Square, PA 19348-1522. To construct and maintain a stormwater management facility on an unnamed tributary to Pocopson Creek (TSF, MF) impacting approximately 0.23 acre of wetlands associated with the proposed Wickersham Subdivision located 3,000 feet northwest of the intersection of Doe Run Road and Folly Hill Road (Unionville, PA Quadrangle N: 2.0 inches; W: 8.55 inches) in East Marlborough Township, **Chester County**. The applicant will provide 0.23 acre of replacement wetlands. Issuance of this permit constitutes approval of Environmental Assessment for a nonjurisdictional earthen stormwater detention dam proposed at the project site.

**E15-524.** Encroachment. **North Coventry Municipal Authority**, 1485 East Schuylkill Road, Pottstown, PA 19464-0833. To expand and maintain the North Coventry Wastewater Treatment Facility within the 100-year floodplain, to place and maintain fill within the 100-year floodway, and to construct and maintain an outlet structure at this location in and along the Schuylkill River (WWF-MF). The site is located approximately 1,400 feet east of the intersection of SR 0724 and the ramp to US Route 422 (Phoenixville USGS Quadrangle N: 19.10 inches; W: 17.20 inches) in North Coventry Township, **Chester County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E11-248.** Encroachment. **Department of Transportation**, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a five span bridge having a total normal clear span of 344.6 feet and a minimum underclearance of 34.5 feet across South Fork Branch of Little Conemaugh River. This permit also authorizes the placement and maintenance of fill in a de minimus area of wetlands less than or equal to 0.05 acre and the construction and maintenance of a temporary stream crossing consisting of ten 48-inch diameter CM pipes in South Fork Branch of Little Conemaugh River for the purpose of constructing the new proposed bridge. The project is located on SR 3024, Section 003, Segment 0190 Offset 0241 (Geistown, PA Quadrangle N: 18.0 inches; W: 4.8 inches) in Adams and Croyle Townships, **Cambria County**.

**E65-660.** Encroachment. **Municipality of Murrysville**, 4100 Sardis Road, Murrysville, PA 15668-1120. To remove the existing structure and to construct and

maintain a 515-foot long enclosure consisting of a 78-foot long, 60-inch diameter pipe culvert; a transition chamber; and a 437-foot long, 48-inch diameter pipe culvert in an unnamed tributary to Haymakers Run (HQ-CWF) for the purpose of constructing a public service facility. The project is located approximately 200 feet south of the intersection of Sardis Road and Crowfoot Road (Murrysville, PA Quadrangle N: 15.0 inches; W: 5.7 inches) in the Municipality of Murrysville, **Westmoreland County**.

**E02-1163.** Encroachment. **Richard Bendel**, 502 Walton Road, Floreffe, PA 15025. To place and maintain fill in the floodway along the right side of Lobbs Run located on the north side of Calamity Hollow Road approximately 0.5 mile northwest of SR 837 for the purpose of landscaping (Glassport, PA Quadrangle N: 2.6 inches; W: 6.2 inches) in Jefferson Borough, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E02-1166.** Encroachment. **U. S. Steel Clairton Works**, Division of USX Corporation, 400 State Street, Clairton, PA 15025. To operate and maintain the existing barge loading facility and to construct and maintain a light oil/tar barge loading facility and a 29-foot diameter ice breaker along the left bank of the Monongahela River near river mile 19.6 (Glassport, PA Quadrangle N: 10.8 inches; W: 1.0 inch) in the City of Clairton, **Allegheny County**.

**E02-1175.** Encroachment. **Allegheny County Dept. of Engineering & Construction**, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2904. To remove the existing bridge (David Bridge No. 1) and to construct and maintain a 10-foot x 8-foot box culvert (culvert invert depressed 1.0 foot) in Davis Run. The bridge is located on Beaver Road, approximately 100 feet northwest from the intersection of Beaver Road, McKown Street and Davis Lane (Ambridge, PA Quadrangle N: 6.2 inches; W: 6.8 inches). This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E04-243.** Encroachment. **Department of Transportation**, 45 Thoms Run Road, Bridgeville, PA 15017. To remove the existing bridge and to construct and maintain a R. C. box culvert having a span of 16.0 feet and an effective underclearance of 6.5 feet in Little Traverse Creek. The culvert invert is to be depressed 1.5 feet. The project is located on SR 0030, at its intersection with SR 0018, Section B03, Station 405+47.13 Segment 0120 (Hookstown, PA Quadrangle N: 7.7 inches; W: 5.1 inches) in Hanover Township, **Beaver County**.

**E26-233.** Encroachment. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To remove the existing structures and to construct and maintain four structures in unnamed tributaries to Grassy Run (WWF) and Rubles Run (CWF-Wild Trout) on new SR 0043, Section 50B (Mon-Fayette Expressway) at various stations and on existing SR 3002 (Gans Road) at various stations; and to construct and maintain various channel relocations as per attached list. The project includes placement and maintenance of fill in a total of 0.33 acre of wetlands. The wetlands will be replaced under Permit No. E26-217. The project is located off SR 0857 (Lake Lynn, PA-WV Quadrangle N: 21.55 inches; W: 8.6 inches) in Springhill Township, **Fayette County**.

**E30-167.** Encroachment. **Greene County Commissioners**, Greene County Office Building, Waynesburg, PA 15370. To remove the existing structure and to construct

and maintain a 45-foot long 18-foot × 6-foot concrete box culvert (depressed 1 foot) in Tustin Run on T-724 located just upstream of the confluence of said stream with Hoovers Run (Holbrook, PA Quadrangle N: 4.7 inches; W: 3.5 inches in Wayne Township, **Greene County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E30-174.** Encroachment. **Greene County Board of Commissioners**, Greene County Office Building, 93 East High Street, Waynesburg, PA 15370. To remove the existing structure (County Bridge No. 25) and to construct and maintain a single span bridge having a normal clear span of 121.75 feet with an underclearance of 13.9 feet across South Fork Tenmile Creek (WWF) located on T-555 at a point approximately 1,400 feet upstream of confluence of Ruff Creek with said stream and to construct and maintain a temporary road crossing consisting of twenty one 36-inch pipe culverts as part of bridge construction (Mather, PA Quadrangle N: 7.35 inches; W: 15.50 inches) in Morgan and Jefferson Townships, **Greene County**.

**E30-175.** Encroachment. **Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove the existing bridge and to construct and maintain a new bridge having a normal span of 34.90 feet with an underclearance of 8.92 feet across Ruff Creek. The bridge is located on SR 0019, Segment 0450, Offset 2475, just northwest from the intersection of Washington Street and SR 0019 (Waynesburg, PA Quadrangle N: 15.2 inches; W: 7.2 inches) in Washington Township, **Greene County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E32-380.** Encroachment. **Pine Township**, R. R. 2, Box 104-D, Barnesboro, PA 15714. To remove the existing structure and to construct and maintain a 71-inch × 47-inch elliptical in Yellow Creek with its invert depressed 6 inches below the streambed. The project is located on Tower Hill Road (TR-581) (Commodore, PA Quadrangle N: 0.9 inch; W: 3.6 inches) in Pine Township, **Indiana County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E32-382.** Encroachment. **Department of Transportation**, P. O. Box 429, Route 286 South, Indiana, PA 15701. To remove the existing bridge (Arcadia Bridge) and to construct and maintain a twin cell box culvert, each culvert having a span of 14.0 feet with an underclearance of 9.0 feet (culvert depressed 1.0 foot) in Cush Creek (CWF), to place and maintain fill in approximately 0.098 acre of wetlands and to stabilize approximately 0.6054 acre of abandoned mine spoil in lieu of wetland replacement on the right bank of said stream. The project is located on SR 286, section 491, approximately 6,340 feet southeast of the intersection of SR 286 and T-936 (Burnside, PA Quadrangle N: 8.4 inches; W: 14.0 inches) in Montgomery Township, **Indiana County**.

**E63-413.** Encroachment. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To remove existing structures, to place and maintain fill in 0.25 acre of wetland, to relocate and maintain two tributaries to Maple Creek for a distance of approximately 854 feet, to construct and maintain a 42-inch RCP pipe approximately 1,225 feet long in a tributary to Maple Creek, to relocate and maintain six tributaries to Taylors Run for a distance of approximately 2,730 feet, to construct and maintain two culverts in a tributary to Taylors Run, one will be a

66-inch RCP pipe approximately 900 feet long and the other will be a 84-inch RCP pipe approximately 234 feet long, for the purpose of constructing the proposed Mon/Fayette Expressway (SR 0043), Construction Section 52C1 consisting of a 4-lane, limited access, divided toll highway. This construction section begins approximately 900 feet north of SR 2016 and ends approximately 900 feet south of SR 1020 (Monongahela, PA Quadrangle, project starts at N: 1.2 inches; W: 6.8 inches; project ends N: 7.5 inches; W: 8.4 inches) in Fallowfield Township, **Washington County**. The wetland replacement was approved under PA DEP Permit No. E02-1132.

**E63-418.** Encroachment. **Crown American Properties, L. P.**, Pasquerilla Plaza, Johnstown, PA 15907. To place and maintain fill in approximately 0.22 acre of wetlands. The project is also to remove an existing 24-inch diameter outfall structure and to construct and maintain two 48-inch diameter outfall structures along the left bank of Chartiers Creek. The project purpose is to expand the Franklin Mall. The project is located just south from the intersection of Interstate Route 70 and US Route 40 (Washington West, PA Quadrangle N: 6.2 inches; W: 3.8 inches) in North Franklin Township, **Washington County**.

**E63-419.** Encroachment. **John P. Zipko and Joseph R. Zipko**, 729 Berry Road, Washington, PA 15301. To operate and maintain an existing single span bridge having a normal span of 19 feet and a minimal underclearance of 5.6 feet across a tributary to Chartiers Creek, to provide access to pasture fields. The bridge is located adjacent to Manifold Road and Berry Road (Old Man Manifold Road) (Washington East, PA Quadrangle N: 13.7 inches; W: 13.8 inches) in South Strabane Township, **Washington County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E63-421.** Encroachment. **Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To construct and maintain a 1,000 foot long, dual 4-span steel bridge with a minimum underclearance of 200 feet across Maple Creek, to relocate and maintain 350 feet of stream channel of a tributary to the South Branch Maple Creek, to place and maintain fill in 0.02 acre of wetland, to construct and maintain a temporary stream crossing in Maple Creek, to construct and maintain two outfalls structures to Maple Creek and to construct non-jurisdictional dam in a tributary to South Branch Maple Creek, for the purpose of constructing the Mon-Fayette Expressway; Construction Section 52B2. The wetlands will be replaced under Permit No. E02-1132. The project is located off SR 2016 approximately 1.5 miles west of the town of Charleroi (project starts California, PA Quadrangle N: 21.0 inches; W: 6.78 inches; the project ends at Monongahela, PA Quadrangle N: 1.59 inches; W: 6.72 inches) in Fallowfield Township, **Washington County**.

**E63-422.** Encroachment. **James and John Makrinos**, 269 Valley Road, Eighty Four, PA 15330. To construct and maintain a bridge having a span of 22 feet with an underclearance of 8 feet across an unnamed tributary to Peters Creek (TSF) to provide access to applicants' property. The project is located on the west side of Bebout Road and Venetia Road (Bridgeville, PA Quadrangle N: 0.1 inch; W: 6.2 inches) in Peters Township, **Washington County**.

**E65-643.** Encroachment. **Matthew and Lorraine Canestrone**, P. O. Box 234, Belle Vernon, PA 15012. To construct and maintain 1,500 linear feet of 80-inch RCP in Speers Run for the purpose of supporting a proposed

commercial business development located adjacent to SR 3009 (Donora, PA Quadrangle N: 3.9 inches; W: 13.7 inches) in Rostraver Township, **Westmoreland County**.

**E65-658.** Encroachment. **Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. To remove the existing structure and to construct and maintain a single span bridge having a normal span of 26.0 feet and an underclearance of 5.6 feet across Crabtree Creek located on SR 1055, Section A11, approximately 0.75 mile west of the intersection of SR 1055 with US Route 119 (Greensburg, PA Quadrangle N: 18.45 inches; W: 0.70 inch) in Hempfield and Salem Townships, **Westmoreland County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E65-655.** Encroachment. **Davison Sand & Gravel Company**, 400 Industrial Boulevard, New Kensington, PA 15068. To maintain an existing 98-foot long river wall along the left bank of the Allegheny River, to construct and maintain a 115-foot long extension to said wall and to dredge approximately 400 cubic yards of material from the river for the purpose of expanding/improving the existing unloading facility located approximately at Mile Marker 18.0 (New Kensington, PA Quadrangle N: 9.3 inches; W: 1.9 inches) in the City of Lower Burrell, **Westmoreland County**.

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

**E13-098.** Encroachment. **Michael R. Gremling**, 2935 Forest Street, Lehigh, PA 18235. To construct and maintain a single span bridge, having a span of 15 feet with an underclearance of 5 feet across an unnamed tributary to White Oak Run for a private residential stream crossing. The project is located approximately 0.3 mile northeast of the intersection of T419 and T468 (Pohopoco, PA Quadrangle N: 3.9 inches; W: 16.0 inches) in Towamensing Township, **Carbon County**.

**E35-272.** Encroachment. **James Carter**, 1216 Birch Street, Scranton, PA 18505. To place fill in a manmade pond with a surface area of 0.17 acre and to fill approximately 190 linear feet of an auxiliary channel in the floodway of west branch Wallenpaupack Creek. The purpose of the project is to eliminate the pond and auxiliary channel to protect an existing residence from flooding. The project is located 0.1 mile southeast of T399 and west branch Wallenpaupack Creek (Lake Ariel, PA Quadrangle N: 10.2 inches; W: 13.8 inches) in Jefferson Township, **Lackawanna County**.

**E39-296.** Encroachment. **Keith Rex**, 6939 Mosserville Road, New Tripoli, PA 18066. To excavate and place fill in 0.44 acre of wetlands for the construction of a wildlife enhancement/fire protection pond. The project is located on the west side of S. R. 4024 approximately 0.1 mile south of the intersection of S. R. 4024 and T-755 (New Tripoli, PA Quadrangle N: 13.9 inches; W: 2.2 inches), in Lynn Township, **Lehigh County**. This permit is also approval of the environmental assessment for the construction of a nonjurisdictional dam. The permittee is required to provide 0.44 acre of recent wetlands; 0.15 acre will be replaced onsite and 0.29 acre will be replaced by participation in the Pennsylvania Wetland Replacement Project.

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

**E67-576.** Encroachment. **LBS Development Corporation**, Patrick Stambaugh, 30 Ram Drive, Hanover, PA 17331. To permit a previously unpermitted 0.047 acre wetland fill located north of Timber Lane immediately east of Mountain Ash Drive in the timberland II residential development (Hanover, PA Quadrangle N: 7.0 inches; W: 10.4 inches) in Penn Township, **York County**. The permittee is required to construct 0.094 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

[Pa.B. Doc. No. 97-482. Filed for public inspection March 28, 1997, 9:00 a.m.]

## Availability of Technical Guidance

### *Governor's Office List*

Once a year on the first Saturday in August, the Governor's Office publishes a list of the non-regulatory guidance documents of all State agencies in the *Pennsylvania Bulletin*. The first publication of this list was in the August 3, 1996, edition of the *Pennsylvania Bulletin*. The next publication of this list will be in the August 2, 1997, *Pennsylvania Bulletin*.

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

DEP publishes a list of its technical guidance documents in its Technical Guidance Document Inventory twice a year. The most recent edition of the Inventory is the December 1996 edition. This edition is now available on DEP's World Wide Web site. DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of the Inventory once on the DEP home page, persons should choose the Public Participation Center/Technical Guidance Document/Basic Inventory.

Bound paper copies of the Inventory are available now for those who do not have access to the Web site. DEP automatically mails a paper copy of the December 1996 Inventory to persons who received a bound paper copy of the June 1996 Inventory. Persons who wish to add their address to the mailing list should call Nina Huizinga at (717) 783-8727.

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

DEP's Web address is <http://www.dep.state.pa.us>. To go to the location of DEP's Technical Guidance Documents once on the DEP home page, persons should choose the Public Participation Center. The Center contains several links to DEP's Technical Guidance Documents. Persons should look under the heading "Proposals Open to Comment" for the link to "Draft Technical Guidance." Persons should look under the heading "Proposals Recently Finalized" for the link to "Technical Guidance." Persons should look under the heading "Technical Guidance" for one link to the "Basic Inventory" and a second link to "Final Guidance." The final documents menu will list DEP's bureaus. Persons should click on the name of the bureau to get to the list of the documents from that bureau that are currently on the Web. Then, to get to see a document persons should click on the ID number of the document. DEP will be adding its revised documents to the Web throughout 1997.

### *Help Protect the Environment: Use the Web and Save Trees*

DEP encourages members of the public who read these announcements in the *Pennsylvania Bulletin* and DEP's

*UPDATE* and who have access to the World Wide Web to avoid the needless duplication of paper copies of DEP's technical guidance documents. Persons can download those DEP documents which are posted on DEP's Web site onto their computers and read them electronically. This method saves both paper and money.

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

Although DEP promotes the use of electronic copies of its technical guidance rather than paper copies, there are still reasons for DEP to continue to provide members of the public with paper copies: 1) It may be more convenient to use some documents in a paper form, 2) Not everyone has access to the World Wide Web and 3) Not all DEP documents are on DEP's Web site yet. Persons can order an unbound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling Elwyn, Inc. (the printer) at 1 (800) 804-4020 if calling in Pennsylvania or (610) 497-5826 if calling from outside Pennsylvania. Elwyn's fax number is (610) 497-5932.

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

#### *Changes to Technical Guidance Documents*

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

Persons who have any questions or comments 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 about the Inventory, the documents on the World Wide Web, the availability of paper copies from the printer or the technical guidance document process in general should call Nina Huizinga at (717) 783-8727.

#### *Final Technical Guidance*

DEP ID: 563-2504-451. Title: Bonding, Anthracite Underground Mines. Description: This guidance documents the procedures DEP applies for bonding anthracite underground mines. Effective Date: July 27, 1994. Page Length: 2 pages. Location: Volume 12, Tab 69. Contact: Harold Miller at (717) 783-8845.

#### *Draft Technical Guidance*

DEP ID: 391-3200-009. Title: Pennsylvania's Ground Water Quality Monitoring Network: Ambient and Fixed Station Network (FSN) Monitoring Programs. Background: This document is a revision and combination of the following two documents: *Guidance for Ambient Ground Water Quality Surveys* and *Guidance for Establishing Fixed Station Monitoring Networks*. This document updates the procedures and approaches of the ground water quality monitoring program while providing for more flexibility for the regional water management programs. Deadline for Submittal of Comments: April 30, 1997. Contact: James Ulanoski at (717) 787-9637.

DEP ID: 562-2112-315 BMR PGM 1:03:15. Title: Prompt Closure of Abandoned Underground Mine Openings. Background: This policy guidance is to be used by DEP staff for notifying mine operators of their responsibility to secure and seal mine openings and taking prompt enforcement against those operators who refuse to

perform the required mine closure work. The policy document will also address instances where DEP is forced to perform the closure work and subsequently moves to recover expended funds. Deadline for Submittal of Comments: April 15, 1997. Contact: Thomas Callaghan at (717) 783-8845.

DEP ID: 700-5600-001. Title: Guidance for Pollution Prevention and Energy Efficiency Site Visits. Background: DEP will provide, upon request, multimedia pollution prevention energy efficiency site visits to the regulated community. This effort is an initiative of the Office of Pollution Prevention and Compliance Assistance. Deadline for Submittal of Comments: April 30, 1997. Contact: Robert Zaccano at (717) 657-4121 for questions. Contact: Barbara Yuricich at (717) 783-9981 for a copy of the draft.

#### *Notice of Intent to Rescind Technical Guidance*

DEP ID: 361-3200-014. Title: Guidance for Establishing Fixed Station Monitoring Networks. Reason for Rescission: This document is being revised and combined into 391-3200-009 (see above under *Draft Technical Guidance*). Contact: James Ulanoski at (717) 787-9637.

#### *Notice of Intent to Revise Technical Guidance*

DEP ID: 364-5511-003. Title: Wage Rate Determinations/Water Pollution Control Revolving Projects. Background: This policy is a guide for DEP staff in determining, requesting and then providing the appropriate Federal U. S. Labor Department Wage determinations applicable to projects being constructed with funds from Pennsylvania's Water Pollution Control Revolving Fund (WPCRF) authorized and capitalized with Federal funds under Title VI of the Federal Clean Water Act. This policy lacks clarity in some sections. It also needs to meet DEP's standard format requirements. Anticipated Effective Date: August 1997. Contact: Bob Gibson at (717) 787-3481.

DEP ID: 364-5511-009. Title: Recreation and Open Space Opportunities—PENNVEST Funded Projects. Background: This document describes the roles and responsibilities of DEP staff and the project sponsor in the planning process. This document needs to be amended to address revisions to PENNVEST regulations (Chapters 963 and 965) and revised to meet DEP's standard format requirements. Anticipated Effective Date: August 1997. Contact: Bob Gibson at (717) 787-3481.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 97-483. Filed for public inspection March 28, 1997, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Additional Disproportionate Share Payment

The purpose of this announcement is to provide prior public notice of the Department of Public Welfare's (Department) intent to establish a one time only disproportionate share payment. This change is effective April 1, 1997, through June 30, 1997.

The Department intends to make this payment, in addition to the classes of payment already provided under the Medical Assistance Program to certain hospitals,

which render uncompensated care and which the Department has determined would experience significant revenue loss as a result of recent Medical Assistance Program revisions under Act No. 1996-35.

The Department intends to consider a hospital eligible if:

- based on the Department's determination of GA/MNO eligibility discontinuation, the hospital's annual net patient revenue loss exceeds \$3.2 million and the hospital receives less than \$1.8 million in annual direct medical education payments; or
- based on the Department's determination of GA/MNO eligibility discontinuation, the hospital's annual net patient revenue loss exceeds \$3.2 million, the hospital receives annual direct medical education payments of over \$1.8 million and the hospital's loss of total annual Medical Assistance revenue is less than 15%; or
- based on the Department's determination of GA/MNO eligibility discontinuation, the hospital's annual net patient revenue loss exceeds \$2.5 million with a percentage loss of net patient revenue exceeding 6%; or
- the hospital is eligible for disproportionate share as a rural hospital as defined under the Department's disproportionate share payment policy.

The Department intends to allocate \$10 million from the State General Fund for this additional class of disproportionate share payment. The payment will be made to qualifying hospitals based on their percentage of discontinued revenue to the total discontinued revenue of all qualifying hospitals. All payment limitations are still applicable, namely that the Commonwealth may not exceed its aggregate annual disproportionate share allotment, and that no hospital may receive disproportionate share payments in excess of its hospital-specific limit.

#### *Fiscal Impact*

For Fiscal Year 1996-97, the fiscal impact as a result of the disproportionate share payment will be \$21.2 million in total funds (\$10 million in State General funds and \$11.2 million in Federal funds).

#### *Contact Person*

A copy of this notice is available for review at local County Assistance Offices. Interested persons are invited to submit written comments to this notice within 30 days of this publication. These comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515 Health and Welfare Building, Harrisburg, PA 17120.

FEATHER O. HOUSTOUN,  
*Secretary*

**Fiscal Note:** 14-NOT-141. (1) General Fund; (2) Implementing Year 1996-97 is \$10,000,000; (3) 1st Succeeding Year 1997-98 is \$-0-; 2nd Succeeding Year 1998-99 is \$-0-; 3rd Succeeding Year 1999-00 is \$-0-; 4th Succeeding Year 2000-01 is \$-0-; 5th Succeeding Year 2001-02 is \$-0-; (4) FY 1995-96 is \$452,180,000; FY 1994-95 is \$551,811,000; FY 1993-94 is \$681,793,000; (7) Medical Assistance-Inpatient; (8) recommends adoption. This notice announces that the Department of Public Welfare will establish a Community Access Pool (CAP) to provide payments to certain hospitals that were adversely af-

ected by the recent Medical Assistance Program revisions. The increased costs outlined above have been included in the current budget.

[Pa.B. Doc. No. 97-484. Filed for public inspection March 28, 1997, 9:00 a.m.]

### **Discontinuance of the Mandatory Second Opinion Program (SOP); Notice of Rule Change**

The Department of Public Welfare announces that effective March 15, 1997, recipients will no longer be required to obtain a mandatory second opinion for the sixteen major procedure categories established under this program. This Rule Change will be adopted by final rulemaking to 55 Pa. Code §§ 1150.2, 1150.59, and 1150.60, relating to the second opinion program.

The Department's contract with Keystone Health Plan West (KHPW) to administer the second opinion program will be terminated effective April 30, 1997. Therefore, all second opinions obtained through KHPW must be completed by April 30, 1997.

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

This Rule Change is made under the Joint Committee on Documents Resolution 1996-1 (3) 26, No. 20, Pa.B. 2374 and will be in effect for 365 days pending adoption of final rulemaking by the Department.

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

Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users). If you require another alternative format, contact Thomas Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN,  
*Secretary*

#### *Purpose*

The purpose of this notice is to provide notification of the discontinuance of the mandatory Second Opinion Program (SOP). Effective March 15, 1997, recipients will no longer be required to obtain a mandatory second opinion for the surgical procedures established under this program.

#### *Scope*

This notice applies to all acute care hospitals, short procedure units, free-standing ambulatory surgical centers, rural health clinics, physicians, dentists, and podiatrists enrolled in the Medical Assistance Program.

#### *Background/Discussion*

Since March 1, 1989, the Department has required medical assistance recipients to obtain a mandatory second opinion for sixteen major procedure categories. These procedures include:

- Bunionectomy
- Cataract surgery, except congenital
- Coronary angioplasty
- Hip replacement
- Knee surgery
- Myringotomy with tubes
- Spinal and vertebral surgery

Tonsillectomy with or without adenoidectomy  
 Carotid endarterectomy  
 Coronary artery bypass  
 Hemorrhoidectomy  
 Hysterectomy  
 Mastectomy  
 Prostatectomy  
 Submucous resection  
 Varicose vein stripping

The Department's contract with Keystone Health Plan West (KHPW) to administer the SOP terminates on April 30, 1997. Therefore, all second opinions obtained through KHPW must be completed by April 30, 1997.

*Procedure*

The Department encourages recipients to seek second opinions to obtain additional information regarding treatment options. Fee-for-service recipients may elect to seek a voluntary second opinion by referral from their primary care physician or by locating a provider through their own initiative. Recipients can request aid in locating a physician to provide a second opinion from their local county assistance office or local hospital physician referral service. Recipients enrolled in a managed care plan should discuss this option with their assigned primary care physician or health maintenance organization member services representative.

*Policy*

Effective May 1, 1997, Chapter 1150 (Medical Assistance Program Payment Policies) will be amended as follows:

§ 1150.2. Definitions.

\* \* \* \* \*

**[ SECOND OPINION PROGRAM—A process through which MA recipients receive the opinion of a second practitioner when there is a question as to the medical necessity or appropriateness of a procedure or if the procedure appears on the Department's list of procedures that automatically requires a second opinion as published as a statement of policy in the *Pennsylvania Bulletin*. ]**

\* \* \* \* \*

§ 1150.59. PSR Program.

\* \* \* \* \*

(g) Within 3 working days of receiving a place of service review request, the Department will do one of the following:

- (1) Certify the request.
- (2) Ask for additional information in order to certify the request as specified under subsection (h).

**[ (3) Request a second opinion as specified under subsection (i). ]**

(h) If the Department requests additional information under subsection (g), the provider will have 14 days to provide the Department with the information to have the PSR process completed. If the requested information is not received by the Department within 14 days, the provider shall reapply for certification.

**[ (i) Before the certification of PSR is completed, a second opinion shall be obtained if one of the following conditions exist:**

**(1) The procedure is on the mandatory second opinion list published by the Department.**

**(2) After review, the Department's physician questions the medical necessity of performing the procedure.**

**(j) If a second opinion is required under § 1150.60(a) (relating to second opinion program) a practitioner or facility may not request a PSR until he has documentation available, as specified in the provider handbook, that the recipient has obtained a second opinion. ]**

**(i) [ (k) ] To be eligible for payment for an admission or procedure to a PSR, a facility or practitioner shall comply with the instructions in the provider handbook. Failure to comply with PSR procedures [ and applicable second opinion procedures in § 1159.60 (relating to second opinion program) ] in § 1150.59 will result in a payment equal to 50% of the MA approved reimbursement amount for services provided by the admitting practitioner and facility.**

\* \* \* \* \*

§ 1151.60. **[ Second opinion program. ] Reserved.**

**[ (a) Except as specified in subsection (h), a practitioner is required to refer a recipient to the Department to arrange an appointment for a second opinion when the proposed procedure is one that automatically requires a second opinion.**

**(b) The Department will publish a statement of policy to be codified at § 1150.60(a) (relating to second opinion consultation—statement of policy) listing the procedures which automatically require a second opinion. Revisions or updates to this list will also be published as a statement of policy in the *Pennsylvania Bulletin*.**

**(c) The Department may require a recipient to obtain a second opinion if the Department's physicians question the medical necessity of performing the procedure through the PSR Program under § 1150.59 (relating to PSR Program).**

**(d) The Department will provide the recipient with the names of practitioners within the recipient's vicinity who are approved to provide a second opinion. The Department will arrange an appointment with the practitioner the recipient chooses. The arrangement for the appointment will be completed no later than 6 working days after the request by the recipient or the recipient's agent.**

**(e) After the recipient obtains a second opinion, the final decision on whether or not to have the procedure performed will be made by the recipient, even if the second opinion is contrary to the opinion of the attending practitioner. If the recipient decides to undergo the procedure, the Department will make payment in accordance with the Department's applicable payment regulations.**

**(f) If the recipient fails to obtain a second opinion required in subsection (a) or subsection (c), the Department will not precertify the admission.**

**(g) A second opinion is not required if one of the following conditions applies:**

- (1) The procedure is documented in the recipient's medical record as an emergency or urgent**

admission by the attending practitioner and that immediate or prompt surgery is medically indicated.

(2) The patient is enrolled in a comprehensive health services plan or a capitated physician case management program.

(3) The patient is also covered by another health insurance and has obtained a second opinion under that program for the procedure for which MA coverage is sought.

(4) Another health insurance is expected to make payment for the service and MA is not expected to make an additional payment.

(5) The patient was not eligible for MA at the time the procedure was performed but subsequently became eligible.

(6) The Department has approved the admission of a recipient to a hospital and during the hospital stay it is determined that the recipient needs a surgical procedure that would otherwise require a second opinion under subsection (a) or (c).

(h) The Department will grant a waiver of the second opinion requirement specified in subsection (a) if the Department determines that one of the following applies:

(1) No qualified practitioner is available to give a second opinion.

(2) The recipient would have to travel more than 50 miles to obtain a second opinion.

(3) The recipient's medical condition is such that the travel to obtain a second opinion would result in a medical hardship for the recipient, such as when the recipient's medical condition confines the recipient to his home environment. ]

**Fiscal Note:** 14-NRC-070. No fiscal impact; (8) recommends adoption. This regulatory action provides public notice that, effective March 15, 1997, Medical Assistance recipients will no longer need to obtain a mandatory second opinion for 16 major surgical procedures. Discontinuance of the contract costs associated with the program is expected to produce savings in the Medical Assistance-Inpatient Appropriation of \$1,398,000 annually beginning in fiscal year 1997-98.

[Pa.B. Doc. No. 97-485. Filed for public inspection March 28, 1997, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

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

#### *Addendum*

The Department of Transportation, Bureau of Motor Vehicles, under the authority of section 3368 of the Vehicle Code (75 Pa.C.S. § 3368), published at 26 Pa.B. 6225 (December 28, 1996), a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

#### *New Appointment*

As an addendum to the listing of approved Official Electronic Device Testing Stations for radar devices which may only be used by members of the Pennsylvania State Police, published at 26 Pa.B. 6225 (December 28, 1996), the Department hereby appoints the following station:

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511— (Appointed: 01/27/97, Station R2).

Comments, suggestions or questions may be directed to John Munafo, Manager, Inspection Field Operations, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by telephoning (717) 787-2895.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 26 Pa.B. 6225 (December 28, 1996) and 27 Pa.B. 1206 (March 8, 1997).

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-486. Filed for public inspection March 28, 1997, 9:00 a.m.]

### Bureau of Motor Vehicles; International Registration Plan

The Department of Transportation, Bureau of Motor Vehicles, under the authority of sections 6142 and 6145 of the Vehicle Code (75 Pa.C.S. §§ 6142 and 6145) is giving notice that the Commonwealth of Pennsylvania continues to be a member of the International Registration Plan which provides for the proportional registration of fleet vehicles in all member jurisdictions in which they are driven.

The International Registration Plan is a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of fleet miles operated in various jurisdictions.

The unique feature of this Plan is that apportioned registration fees are paid to the various jurisdictions in which fleet vehicles are operated; however, only one registration plate and one registration card is issued for each fleet vehicle when registered under the Plan. A fleet vehicle is known as an "apportionable vehicle" and such vehicle, as far as registration is concerned, may be operated both interjurisdictionally and intrajurisdictionally.

By definition, an apportionable vehicle is any vehicle used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and is used for the transportation of persons for hire or is designed, used or maintained primarily for the transportation of property, and (1) is a power unit having a gross vehicle weight or registered gross vehicle weight in excess of 26,000 pounds, (2) is a power unit having three or more axles, regardless of weight or (3) is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight. An apportionable vehicle does not include recreational vehicles, vehicles displaying restricted plates, city pick up and delivery vehicles, buses used in transportation of chartered parties and government owned vehicles.

Vehicles or combinations having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles and buses used in transportation of chartered parties, may be proportionally registered at the option of the registrant.

Since June 1983, when Pennsylvania began apportioning vehicles under the International Registration Plan consistent with the notice published at 12 Pa.B. 4315 (December 18, 1982), additional states have been approved for entry into the Plan.

The newest members of the Plan are the states of New Jersey and Rhode Island with an effective date of September 1, 1996. The District of Columbia will also become a member of the Plan effective April 1, 1997. Pennsylvania will list New Jersey, Rhode Island, and the District of Columbia on registration credentials beginning June 1, 1997.

Under the International Registration Plan, which supersedes all previous registration agreements with the participating states, the Commonwealth therefore has proportional registration with the following jurisdictions:

Alabama  
 Arizona  
 Arkansas  
 California  
 Connecticut  
 Delaware  
 Florida  
 Georgia  
 Idaho  
 Illinois  
 Indiana  
 Iowa  
 Kansas  
 Kentucky  
 Louisiana  
 Maine  
 Maryland  
 Massachusetts  
 Michigan  
 Minnesota  
 Mississippi  
 Missouri  
 Montana  
 Nebraska  
 Nevada  
 New Hampshire  
 New Jersey  
 New Mexico  
 New York  
 North Carolina  
 North Dakota  
 Ohio  
 Oklahoma  
 Oregon  
 Rhode Island  
 South Carolina  
 South Dakota  
 Tennessee  
 Texas  
 Utah  
 Vermont  
 Virginia  
 Washington  
 West Virginia  
 Wisconsin  
 Wyoming

The Province of Alberta, Canada; the Province of Columbia, Canada; and the Province of Saskatchewan, Canada are also members.

Because of the length and expense of publishing the full text of the International Registration Plan, a copy of the Plan has not been published with this notice. Interested persons, however, may obtain a copy of the International Registration Plan from Thomas Zamboni, Manager, Commercial Registration, Bureau of Motor Vehicles, P. O. Box 68285, Harrisburg, PA 17106, (717) 787-3864. The Department may impose a fee to cover its costs in forwarding the Plan. Questions, comments or suggestions regarding the Plan may also be submitted to Thomas Zamboni.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-487. Filed for public inspection March 28, 1997, 9:00 a.m.]

## Retention of Engineering Firms

### Allegheny and Washington Counties Project Reference No. 08430AG2062

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately ten inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on the following projects:

1. S. R. 0079, Sections A04 and X10, Allegheny and Washington Counties Local Name: I-79, Southpointe to Bridgeville. This project involves reconstructing approximately 3.25 miles of I-79 from Southpointe to Bridgeville. Included in this project is bridge preservation and replacement, updating of drainage, guiderail and signs and roadway construction.

The Department will establish an order of ranking of a minimum of three firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

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

a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the Maintenance and Protection of Traffic, soils, structures, RPS concrete, asphalt paving, drainage, guiderail, signing, structural steel painting and containment and climbing.

b. Understanding of Department's requirements, policies and specifications.

c. Past performance.

d. Number of NICET certified inspectors in each payroll classification.

e. Number of available inspectors in each payroll classification.

f. Workload.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the

following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 1 (TCM-1) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	1 (1)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	6 (3)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

The numbers in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science degree in Civil Engineering or a Bachelor of Science degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCM-1)	\$43.61
(TCIS)	\$38.21
(TCI-Materials)	\$34.52
(TCI)	\$33.44
(TA)	\$22.98

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a preconstruction conference with the Department and the

construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; one inspector certified in computer documentation and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation or construction.

The firm selected will be required to supply the approximate number of the following equipment at no direct cost to the Department:

- 1 Nuclear Densometer Gauges/License—at point of need when needed
- 1 Base Radio Station
- 10 Two-way Radios
- 1 Camera (type Date Base)

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

Letters of interest for this project must include a letter, signed by the individuals proposed for all TCM-1 and TCIS positions, giving their approval to use their names in the letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCM-1	2
TCIS	2
TCI-M	2
TCI	8

The lead inspector's name, classification and years in classification must also be shown. CDS experience must be highlighted.

No resumes are required for the TA Classification.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to Henry Nutbrown, P.E., District Engineer, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. Attention: Richard Curry.

Technical questions concerning the requirements for this project should be directed to Terry McCue, District 11-0, at (412) 429-4926.

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

**Huntingdon County  
Project Reference No. 08430AG2063**

The Department of Transportation will retain an engineering firm to perform final design, consultation during construction and shop drawing reviews for S. R. 6022, Section 005, from the intersection with S. R. 453 at Water Street to a point approximately 2.5 miles west of the intersection in Huntingdon County. The estimated construction cost is \$7.5 million.

The selected firm will be required to provide the following engineering services: Step 9 submission and field view; Hydrologic and Hydraulic report; preliminary and final type, size and location studies; field surveys; soils and geological reconnaissance; utility coordination; structure and roadway borings; structure design and plans; roadway design and plans; right-of-way plan; maintenance and protection of traffic plans; erosion and sedimentation control plan; signing and pavement marking plan; pavement design; coordination with property owners and local officials; preparation of construction plans, specifications and estimates.

Letters of interest will be evaluated at the Engineering District 9-0 office with emphasis on the following factors:

- Specialized experience and technical competence of the firm including the firm's experience with similar type projects and their ability to provide innovative solutions to complex technical problems.
- Experience of employees to be associated with this project. Of particular importance are the key people assigned to the project including their experience and past record of performance with similar projects.
- Overall current workload of the firm.
- Past performance record with respect to cost control, work quality and ability to meet schedules.

The District will announce the firms that have been shortlisted at an open public meeting scheduled for May 7, 1997, at 10 a.m. at Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to Earl L. Neiderhiser, P.E., District Engineer, District 9-0, 201 Cayuga Avenue, Altoona, PA 16602.

Technical questions concerning the requirements for this project should be directed to David L. Sherman, P.E., District 9-0, at (814) 940-5198.

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

**Blair County  
Project Reference No. 08430AG2064**

The Department of Transportation will retain an engineering firm to perform final design, consultation during construction and shop drawing reviews, for a 6,000 ft. section of S. R. 4013, Section 001, Chestnut Avenue, from the intersection with Fourth Street in Altoona to the intersection with Fourth Street in the Juniata section of Altoona, Blair County. The estimated construction cost is \$6.4 million.

The selected firm will be required to provide the following engineering services: Step 9 submission and field view; Hydrologic and Hydraulic report; preliminary and final type, size and location studies; field surveys; soils and geological reconnaissance; utility coordination; structure and roadway borings; structure design and plans; roadway design and plans; right-of-way plan; maintenance and protection of traffic plans; street lighting plan; erosion and sedimentation control plan; signing and pavement marking plan; pavement design; coordination

with property owners and local officials; preparation of construction plans, specifications and estimates.

Letters of interest will be evaluated at the Engineering District 9-0 office with emphasis on the following factors:

- Specialized experience and technical competence of the firm including the firm's experience with similar type projects and their ability to provide innovative solutions to complex technical problems.
- Experience of employees to be associated with this project. Of particular importance are the key people assigned to the project including their experience and past record of performance with similar projects.
- Overall current workload of the firm.
- Past performance record with respect to cost control, work quality and ability to meet schedules.

The District will announce the firms that have been shortlisted at an open public meeting scheduled for May 7, 1997, at 10 a.m. at Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to Earl L. Neiderhiser, P.E., District Engineer, District 9-0, 01 Cayuga Avenue, Altoona, PA 16602.

Technical questions concerning the requirements for this project should be directed to David L. Sherman, P.E., District 9-0 at (814) 940-5198.

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

**General Requirements and Information**

Firms interested in providing the above work and services are invited to submit two copies of a letter of interest and required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the letter of interest and required information must be submitted to Charles W. Allwein, P.E., Chief, Consultant Agreement Division, 7th Floor, Forum Place, 555 Walnut Street, Harrisburg, PA 17101-1900.

The letter of interest and required information must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is 4:30 p.m. prevailing time of the thirteenth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a Joint Venture with an individual, firm or corporation which is permitted under the State law to engage in the practice of engineering.

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

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation, shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof.

Proposing DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include the following information, and the information must be packaged and presented in the following order:

1. Transmittal Letter (maximum of two typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable) and the firm's Federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional Engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats and reports issued by the firm.

2. Project Organization Chart (one page, one side)

This chart should show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team)

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

they will perform on the project. Under Item 4 of this form, Column A should include the number of subconsultant personnel and Column B should include the number of prime consultant personnel to be assigned to work on this project reference number.

If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company, unless an acceptable Standard Form 254 for the prime and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the letter of interest, the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the Bureau of Design and appropriate Engineering District/Central Office Bureau.

These forms shall be assembled with the prime's first, followed by the subconsultant's in the same order as they appear in Item 6 of Form 255.

5. Workload Projection Graph (not required for Construction Inspection Services)

A Workload Projection Graph for the prime and each subconsultant should indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next 2-year time frame. The Workload Projection Graph should be submitted for the offices where the work would be performed and should only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (if required)

If the advertisement requires a letter signed by individuals giving their approval to use their names in the letter of interest, the letters from proposed prime employees should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

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

### 8. Overhead Rates (one page)

This page must show the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Account must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

### 9. Additional Information

Additional information, not to exceed ten one sided pages or five double sided pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisements will be made to one of the firms who submitted an acceptable letter of interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this notice and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
Secretary

[Pa.B. Doc. No. 97-488. Filed for public inspection March 28, 1997, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Keystone Cement Company v. DEP; EHB Doc. No. 95-151-MG

The Department of Environmental Protection (Department), and Keystone Cement Company (Keystone) have agreed to a second partial settlement of the above-captioned matter regarding its two cement kilns located in East Allen Township, Northampton County. The first partial settlement was published in the *Pennsylvania Bulletin* on June 29, 1996.

The Department had issued Air Quality Operating Permits (1995 Permits) to Keystone on June 19, 1995 authorizing Keystone to operate the cement kilns in accordance with the waste fuel feed rates, emission limitations, monitoring requirements and other conditions set forth in the Permits. Keystone filed a timely appeal challenging various permit conditions, including the requirement to perform a risk assessment.

The parties have agreed to a second partial settlement, the major provisions of which include (in summary form) the following:

1. Keystone will complete a multipath risk assessment in accordance with the Department approved Protocol and the Department's Risk Assessment Guidelines for Facilities Burning Hazardous Waste and submit the complete risk assessment report to the Department within 120 days of EHB approval of the settlement.

2. The Department will evaluate the risk assessment and any additional information submitted by Keystone within 120 days of receipt. If Keystone's risk assessment and report meet the standards established in Paragraph 1 above and Keystone's risk assessment shows that the

combined risks through all relevant pathways identified in the Protocol due to total emissions from Keystone's facility do not exceed the acceptable target levels established by the United States Environmental Protection Agency (EPA), the Department will go forward with public notice, review and comment on the risk assessment.

3. Concurrent with its submittal of the risk assessment to the Department, Keystone may submit applications for modifications to its 1995 Permits to increase its hazardous waste fuel feed rate from 50% to 75% of the total heat input, for each kiln. If the Department receives such applications timely and if Keystone's risk assessment meets the standards established in Paragraph 1 above and shows that total emissions would not exceed the levels set forth in Paragraph 2 above, the Department will draft amendments to the 1995 Permits showing a hazardous waste fuel feed rate of 75% of the total heat input for each kiln, and proceed with public notice, review and comment on the draft amendments simultaneously and concurrently with the public notice, review and comment on the risk assessment. The Department will act on such applications within 60 days of the close of the public comment period.

4. Public notice, review and comment on the risk assessment and applications for modification to the 1995 Permits will consist of the following: (i) Within 10 days of receipt of the risk assessment report, the Department will prepare a notice for publication in the *Pennsylvania Bulletin* that the risk assessment is available for public review and comment; (ii) within 120 days of receipt of the risk assessment report and applications for permit modification, the Department will prepare for publication by Keystone in a newspaper of general circulation and by the Department in the *Pennsylvania Bulletin* notice setting forth the date of a public hearing and the procedure for public review and comment on the risk assessment and proposed permit modifications; (iii) the Department will hold a public hearing on the risk assessment and proposed permit modifications within 45 days of publication of notice in the *Pennsylvania Bulletin*; receipt of the risk assessment and applications; and (iv) the Department will allow a 30 day comment period following the public hearing.

5. This appeal will be stayed during the procedures set forth above. The appeal will be discontinued 30 days after the Department acts on Keystone's applications for permit modifications.

Copies of the full agreement are in the hands of:

Barbara L. Smith, Assistant Counsel, Office of Chief Counsel, Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2519;

Howard J. Wein, Esquire, Klett, Lieber, Rooney & Schorling, One Oxford Centre, 40th Floor, Pittsburgh, PA 15219-6498, (412) 392-2160;

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

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, P. O. Box 8457, Harrisburg, PA 17105-8457.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at

(717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Appeals shall be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement, if no objection is timely filed with the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 97-489. Filed for public inspection March 28, 1997, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Application of APR-DRG Grouper Software

Under Act 89 of 1986, as amended by Act 34 of 1993, the Council is required to "collect and disseminate data reflecting provider quality and provider service effectiveness . . . and to continuously study quality of care systems." (Sec. 5(d)(4))

The Council, through regulation, adopted the Pennsylvania Uniform Claim and Billing Form (currently PA-UB92) under Sec. 6(b) and (c). Included in the PA-UB92 is data element 21 (provider service effectiveness and provider quality) which is currently captured by mandating the use of the MediQual™ system to supply these quality indicators.

Our act also requires that, under most circumstances, the release of data, whether in report or "raw data" format, include these measures.

In carrying out its duties to "continuously study quality of care systems," the Council has obtained from 3M their APR-DRG™ Grouper software, which offers an alternative measurement for provider quality and provider service effectiveness based upon the currently collected PA-UB92 administrative dataset.

The Council intends to apply the APR-DRG Grouper to all patient level in-hospital admissions data starting with January 1, 1996 discharges and to add the APR-DRG "severity of illness" indicator and "risk of mortality" indicator to its internal database for the purpose of evaluating the effectiveness of these measures.

In order to encourage additional evaluation, the Council intends to add these data elements to its publicly releasable datasets as additions to, and not in substitution for, the required MediQual data elements. This proposed addition requires no further data to be collected or supplied by the data source.

Under section 6(e) of the act, which outlines the process the Council must follow in adding data elements, the Council hereby gives notice that it proposes to add two additional fields to both its internal and its publicly releasable databases, using the 3M APR-DRG™ Grouper; a "severity of illness" indicator and a "risk of mortality" indicator (measured as values between 1—4) as supplemental data elements to be used to measure provider service effectiveness and provider quality for Pennsylvania Uniform Claims and Billing data element 21 (Section

6(c)(21)), beginning with January 1, 1996 in-hospital discharges and continuing through December 31, 1996 discharges.

The Council has obtained and attached a cost benefit analysis indicating that these additions will have no additional cost to data sources, and minimal additional cost to Council.

The Council proposes to include these additional data elements with its public release of its First Quarter 1996 database.

A cost benefit analysis was conducted by the Council to determine what additional costs to the data sources or to the Council would be associated with utilizing the 3M APR-DRG™ software and adding the APR-DRG severity of illness indicator and the risk of mortality indicator (as measures of provider service effectiveness and provider quality). The following represents the results of this analysis:

1. The Council has contracted with 3M to license the APR-DRG software application at no cost to the Council. The current license runs for 1 year and may be extended by the agreement of both parties;

2. The data sources are already required to collect these data elements which are submitted to the Council and are necessary for the 3M software (all standard PA-UB92 data elements). There is no additional cost to the data sources involved in this proposal;

3. The costs to the Council to install the 3M APR-DRG™ software, to run the data through this system, and to report these two data elements are minimal. According to the programming department, the Council would not incur any additional costs to collect these data. Once the initial software has been loaded, there would be no additional expenses to run the data through it. This task would become part of the normal processing cycle and day to day staff activity.

ERNEST J. SESSA,  
*Executive Director*

[Pa.B. Doc. No. 97-490. Filed for public inspection March 28, 1997, 9:00 a.m.]

### Meeting Notice

The following meeting of the Health Care Cost Containment Council has been scheduled: Thursday, May 1, 1997, Council Meeting at 10 a.m. The meeting will be held in the Conference Center at the Pennsylvania State Employees Benefits Trust Fund, 150 South 43rd Street, Harrisburg, PA. The meeting is open to the public. Persons who need accommodation due to a disability and want to attend the meeting should contact Cherie Kauffman, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787, at least 24 hours in advance so that arrangements can be made.

ERNEST J. SESSA,  
*Executive Director*

[Pa.B. Doc. No. 97-491. Filed for public inspection March 28, 1997, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Reviewed at the Historic Preservation Board Meeting

Following is a notice of properties to be considered at the April 15, 1997 meeting of the Historic Preservation Board for nomination to the National Register of Historic Places. The meeting will start at 10:30 a.m. in the Penn Harris Room (3rd Floor), Harrisburg Hilton, Market Square, Harrisburg, PA.

Persons with a disability who wish to attend this meeting and require an auxiliary aid, service, or other accommodation to participate should contact Dan Deibler at (717) 783-8946 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the agency can accommodate their needs. Persons who have any questions or comments should contact the Bureau for Historic Preservation at (717) 783-8946.

BRENT D. GLASS,  
*Executive Director*

1. *Williams, Roger, Public School No. 10.* 901 Prospect Street, Scranton, Lackawanna County.
2. *West End Wheelmen's Club.* 439 South Franklin Street, Wilkes-Barre, Luzerne County.
3. *Glen Rock Historic District.* Main and Church Streets, Argyle Avenue, Valley, Baltimore, Manchester and Hanover Streets, Glen Rock, York County.
4. *Reymer Brothers' Candy Factory.* 1425 Forbes Avenue, Pittsburgh, Allegheny County.
5. *Kaufmann's Department Store Warehouse.* 1401 Forbes Avenue, Pittsburgh, Allegheny County.
6. *Scott, James, House.* 5635 Stanton Avenue, Pittsburgh, Allegheny County.
7. *Fleming, Molly, House.* 616 Wood Street, California, Washington County.
8. *Reading Hardware.* Willow Street, Canal Street, and South Sixth Street, Reading, Berks County.
9. *Mumma, Samuel N., Tobacco Warehouse.* Elizabeth Street, Landisville, East Hempfield Township, Lancaster County.

[Pa.B. Doc. No. 97-492. Filed for public inspection March 28, 1997, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation,

interested parties should contact the agency promulgating the regulations.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-437	Department of Public Welfare Nursing Facility Intergovernmental Transfer	3/13/97
7-321	Environmental Quality Board Expedited Rulemaking for Mine Subsidence Control	3/19/97

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-493. Filed for public inspection March 28, 1997, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Acquisition of Keystone Health Plan East, Inc.

AmeriHealth HMO, Inc., a wholly owned subsidiary of Independence Blue Cross of Philadelphia, PA, has filed an application to acquire 50% of the issued and outstanding stock of Keystone Health Plan East, Inc. from Highmark, Inc. The filing was made under the requirements set forth under the Insurance Holding Company Act, 40 P. S. § 991.1402 et. seq. Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 (717) 787-1879.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-494. Filed for public inspection March 28, 1997, 9:00 a.m.]

### Application for Conversion of a Mutual Insurance Corporation

Select Risk Mutual Insurance Company has filed an application to convert from a mutual insurance corporation to a stock insurance corporation, under the Mutual-to-Stock Conversion Act, 40 P. S. § 911 et seq. Integral to this filing is an application for MBIC Holdings, Inc. to acquire 100% of the issued and outstanding stock of the converted insurance corporation. The application for acquisition was made under 40 P. S. § 991.1402 et seq. Persons wishing to comment on the proposed conversion and subsequent acquisition are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail

and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-1879.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-495. Filed for public inspection March 28, 1997, 9:00 a.m.]

### Request for Plan Approval of a Merger

National Slovak Society of the United States of America, a Pennsylvania domiciled fraternal benefit society, has submitted a Plan of Merger, whereby it proposes to merge with Presbyterian Beneficial Union, also a Pennsylvania domiciled fraternal benefit society. The survivor will be National Slovak Society of the United States of America. The initial filing was received on March 12, 1997, and was made under requirements set forth under the Fraternal Benefit Societies Act of 1992 (40 P. S. § 1142). Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving of this merger are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the author, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2660.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-496. Filed for public inspection March 28, 1997, 9:00 a.m.]

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

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

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

Appeal of Jordan, Jr., Phillip; file no. 97-121-00224; Nationwide Mutual Insurance Company; doc. no. P97-03-006; May 6, 1997, at 10 a.m.;

Appeal of Parslow, Wilma; file no. 97-280-30291; Nationwide Insurance Companies; doc. no. PH97-03-013; May 6, 1997, at 11 a.m.;

Appeal of Erdenberger, Gordon; file no. 97-264-30365; State Farm Mutual Auto Insurance Company; doc. no. PH97-03-018; May 6, 1997, at 1 p.m.;

Appeal of Lewis, Jocelya; file no. 97-223-30069; Erie Insurance Company; doc. no. PH97-03-019; May 7, 1997, at 10 a.m.;

Appeal of McCollum, Harry E.; file no. 97-303-70266; Erie Insurance Company; doc. no. P197-03-021; May 8, 1997, at 9 a.m.;

Appeal of Miller, Mary Jean; file no. 97-121-00364; Erie Insurance Exchange; doc. no. P97-03-009; May 8, 1997, at 11 a.m.;

Appeal of Warden, Sara A.; file no. 97-121-00491; Liberty Mutual Fire Insurance Company; doc. no. P97-03-008; May 8, 1997, at 1 p.m.;

Appeal of Winter, Jack W.; file no. 97-121-00709; Continental Insurance Company; doc. no. P97-03-007; May 8, 1997, at 2 p.m.;

Appeal of Polityka, Richard M.; file no. 97-280-30393; Donegal Mutual Insurance Company; doc. no. PH97-03-015; May 12, 1997, at 9 a.m.;

Appeal of Clark, Dennis; file no. 97-265-30675; Standard Fire Insurance Company; doc. no. PH97-03-016; May 12, 1997, at 10 a.m.;

Appeal of Davis, Gregory; file no. 97-267-30250; The Insurance Company of the State of Pennsylvania; doc. no. PH97-03-020; May 12, 1997, at 11 a.m.;

Appeal of Chafetz, Steve and Susan; file no. 96-264-38412; The Travelers Insurance Companies; doc. no. PH97-03-012; May 13, 1997, at 11 a.m.

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

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

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-497. Filed for public inspection March 28, 1997, 9:00 a.m.]

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

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

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

Appeal of Cooper, John Thomas and Jane; file no. 97-264-30372; State Farm Insurance Companies; doc. no. PH97-03-014; May 6, 1997, at 2 p.m.;

Appeal of Laff, Jay and Linda; file no. 97-223-30020; Lititz Mutual Insurance Company; doc. no. PH97-03-017; May 12, 1997, at 1 p.m.;

Appeal of Napper, Benjamin; file no. 97-267-30385; Fair Plan; doc. no. PH97-03-022; May 13, 1997, at 9 a.m.

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

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

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

LINDA S. KAISER,  
*Insurance Commissioner*

[Pa.B. Doc. No. 97-498. Filed for public inspection March 28, 1997, 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. 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 April 21, 1997, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

### Application of the following for the approval of the transfer of stock as described under each application.

**A-00111633, Folder 5000. Landmark Transportation Services, Inc.** (1717 Merriman Street, P. O. Box 42314, Pittsburgh, Allegheny County, PA 15203), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 1,000 shares of the issued and outstanding shares of stock from Carl J. Gasper, Jr., to Gasper Transportation Group, Inc. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383

**A-00108361, Folder 5001. Carriage Limousine Services, Inc.** (1717 Merriman Street, P. O. Box 42314, Pittsburgh, Allegheny County, PA 15203), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 1,000 shares of the issued and outstanding shares of stock from Carl J. Gasper, Jr., to Gasper Transportation Group, Inc. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383

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

**A-00113748. Tri-Star Enterprises, Inc., t/d/b/a Supershuttle** (333 Jenkintown Commons, Old York Road and Wyncote Road, Jenkintown, Montgomery County, PA 19046), a corporation of the Commonwealth of Pennsylvania—persons in limousine service between points in the city and county of Philadelphia and those portions of the counties of Montgomery and Delaware bounded by a line beginning on the north of the Delaware River at the Philadelphia County Line; thence northwardly, westwardly and southwardly along the Philadelphia County Line to Philmont Avenue; thence southwestwardly along Philmont Avenue, Welsh Road, Valley Road, Washington Lane, Township Line to Glenside Avenue (excluding any portion of the borough of Jenkintown), Easton Road, Church Road and Paper Mill Road to the Philadelphia County Line (Stenton Avenue); thence westwardly along the Philadelphia County Line and the Blue Bell Road to Joshua Road; thence southwestwardly along Joshua Road to Cedar Grove Road; thence southwestwardly along Cedar Grove Road and the Schuylkill River, joining the Philadelphia County Line, and continuing to Port Royal Avenue, thence across the Schuylkill River to Mill Creek Road, Montgomery County; thence southwestwardly along Mill Creek Road, Lancaster Avenue, Ardmore Avenue into Delaware County and continuing along Ardmore Avenue, Ellis Road, Lawrence Road and Darby Creek Road to Darby Creek; thence southwardly along Darby Creek; thence southwardly along State Road, Springfield Avenue, Saxer Avenue, Baltimore Avenue, Woodland Avenue and Kedron Avenue to Winona Avenue; thence southwardly along Winona Avenue, continuing in a straight line to the Delaware River; thence northwardly along the Delaware River to the place of beginning; which is to be a transfer of the rights authorized under the certificate issued at A-00094986, F. 3, Am-A to Liberty Cat & Limousine Co., Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. Application for temporary authority has been filed at A-00113748. *Attorney:* Alan I. Moldoff, Suite 1900, Two Penn Center Plaza, Philadelphia, PA 19102-1799.

### Property, Excluding Household Goods in Use

The following applications for the authority to transport property, excluding household goods in use, between

points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before April 14, 1997.

- A-00113404, F. 2 Myron D. Stoltzfus, Sr., t/d/b/a M & L Wholesale Foods  
405 Sandy Hill Road, Denver, PA 17517
- A-00113349, F. 2 Jerome L. Campbell  
224 Wissinger Road, P. O. Box 177, Bechtelsville, PA 19505
- A-00113800 Shainline Excavating, Inc.  
800 Township Line Road, Phoenixville, PA 19460
- A-00113801 Beavertown Transport, Inc.  
P. O. Box 337, Middleburg, PA 17342; Andrew K. Light, Esquire, Scopelitis, Garvin, Light & Hanson, 10 West Market Street, Suite 1777, Indianapolis, IN 46204-2971
- A-00113802 A. J. Konopka  
R. R. 1, Box 1587, Gouldsboro, PA 18424
- A-00113803 David Ranieli, t/d/b/a Dave Ranieli Trucking  
14 Norman Street, Pittston, PA 18640; Girard J. Mecadon, Esquire, Vough & Mecadon, 126 South Main Street, Greater Pittston Professional Center, Pittston, PA 18640-1793
- A-00113812 Garrison W. Nelson, Nels Trucking  
1796 Water Street, Lebanon, PA 17046
- A-00113813 Anne R. Wing, t/d/b/a Wing Farm  
P. O. Box 278, Oley, PA 19547
- A-00113814 Howard E. and Frances H. Matteson, t/d/b/a Matteson Farms  
16911 Stewart Road, Centerville, PA 16404
- A-00113815 Swisher Contracting, Inc.  
P. O. Box 1223, Clearfield, PA 16830; Dwight L. Koerber, Jr., Esquire, Kriner, Koerber & Kirk, P.C., 110 North Second Street, P. O. Box 1320, Clearfield, PA 16830
- A-00113331, F. 2 David W. Skapnit  
21 Trinley Road, Linfield, PA 19468
- A-00113459, F. 2 Homer C. Confer, Sr.  
70 Rockville Road, Belleville, PA 17004-8922
- A-00113376, F. 2 James Arden Ellenberger, t/d/b/a Berger Trucking  
R. R. 2, Box 71, Troy, PA 16947
- A-00113804 Ronald K. Robbins, t/d/b/a Robbins Trucking  
R. R. 3, Box 169, Benton, PA 17814
- A-00113805 SMC Courier Service, Inc.  
1163 East Philadelphia Avenue, P. O. Box 102, Gilbertsville, PA 19525

- A-00113806 KBI Interim, Inc.  
721 South Front Street, Milton, PA 17847; Preston L. Davis, P. O. Box 319, Milton, PA 17847
- A-00113807 Stephen Hughes  
503 Moosic Road, Old Forge, PA 18518
- A-00113808 Andrew T. Kushner  
143 Baker Drive, Pittsburgh, PA 15237
- A-00113809 Harold E. Benfer  
R. D. 1, Box 229B, Watsontown, PA 17777
- A-00113810 LTK Trucking, Inc.  
1931 Susquehanna Avenue, Exeter, PA 18643
- A-00113811 Today's Courier, Inc.  
1636 Holicong Road, New Hope, PA 18938; Michael Betts, 237 North York Road, Warminster, PA 18974

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-499. Filed for public inspection March 28, 1997, 9:00 a.m.]

### Telecommunications Service Without Hearing

**A-312025 and A-310236 F0003. British Telecommunications plc et al.** Joint Application of British Telecommunications plc, MCI Communications Corporation, MCI Telecommunications Corporation, and MCIMetro Access Transmission Services, Inc., for approval of, through merger and transfer of stock, control of property used and useful in the provision of local telecommunications services.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before April 14, 1997, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicants:* Linda C. Smith, Dilworth, Paxson, Kalish and Kauffman, 305 North Front Street, Suite 403, Harrisburg, PA 17101-1236; Joel S. Winnik, Hogan and Hartson, L.L.P., 555 Thirteenth Street, N. W., Washington, DC 20004-1109.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-500. Filed for public inspection March 28, 1997, 9:00 a.m.]

### Telecommunications Service Without Hearing

**Commonwealth Long Distance Company and Commonwealth Communications, Inc.** Application for the issuance of various certificates of public convenience approving transactions involved in the restructuring of

Commonwealth Long Distance Company and Commonwealth Communications, Inc., as follows:

The transfer of assets and patrons from Commonwealth Long Distance Company to CTLD, Inc.  
Docket No: A-310071 F0003

The application of CTLD, Inc., to render interexchange reseller telecommunications services in Pennsylvania.  
Docket No: A-310509

The transfer of CTLD, Inc., stock from Commonwealth Long Distance Company to C-TEC Corporation.  
Docket No: A-310509 F5000;

The transfer of Commonwealth Long Distance Company stock from C-TEC Corporation to C-TEC Cable Systems of Pennsylvania, Inc., as a wholly owned subsidiary of RCN Corporation, a separate, publicly traded corporation.  
Docket No: A-310071 F5001

The transfer of all assets and patrons from Commonwealth Communications, Inc., to Commonwealth Telecom Services, Inc.  
Docket No: A-310397 F0002

The transfer to Commonwealth Telecom Services, Inc., of the certificate of public convenience to provide competitive local exchange services currently held by Commonwealth Communications, Inc.  
Docket No: A-310510

The right of Commonwealth Communications, Inc., to abandon service in Pennsylvania.  
Docket No: A-310397 F2000

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before April 14, 1997, under 52 Pa. Code (relating to public utilities).

*Counsel for Applicant:* Norman James Kennard, Esquire, Janet L. Miller, Esquire, Malatesta, Hawke and McKeon, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105-1778.

JOHN G. ALFORD,  
*Secretary*

[Pa.B. Doc. No. 97-501. Filed for public inspection March 28, 1997, 9:00 a.m.]