

# NOTICES

## CONSERVATION AND NATURAL RESOURCES ADVISORY COUNCIL

### Meeting Notice

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources will meet on Monday, September 14, 1998. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf, (717) 705-0031.

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

RANDY COOLEY,  
*Chairperson*

[Pa.B. Doc. No. 98-1446. Filed for public inspection September 4, 1998, 9:00 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### Notice of Commission Meeting and Public Hearing

The Delaware River Basin Commission will hold a public hearing on Wednesday, September 9, 1998. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1:30 p.m. in the Banquet Room of Arsenal on the Green Restaurant, 30 Market Street, New Castle, DE.

An informal conference among the Commissioners and staff will be held at 10:30 a.m. at the same location and will include a status report on Delaware's fisheries; discussion of the Commission's proposed Watershed Planning and Assessment Committee; and proposals concerning a non-tidal Delaware River nutrient study and development of dry weather TMDLs for the Christina Subbasin.

In addition to the following subjects which are scheduled for public hearing, the Commission will also address the following: swearing in of Carol R. Collier as the Commission's new Executive Director; minutes of the August 12, 1998 business meeting; announcements; General Counsel's Report; report on Basin hydrologic conditions; consideration of resolutions concerning a non-tidal Delaware River nutrient study and development of dry weather TMDLs for the Christina Subbasin; and public dialogue.

The subjects of the hearing will be as follows:

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

1. *Valley Township D-88-31 CP Renewal.* An application for the renewal of a groundwater withdrawal project to supply up to 4.5 million gallons (mg)/30 days of water to the applicant's distribution system from Well Nos. V1, V2 and V4. Commission approval on October 26, 1988 was extended to 10 years and will expire unless renewed. The applicant requests that the total withdrawal from all wells remain limited to 4.5 mg/30 days. The project is located in Valley Township, Chester County, PA.

2. *Cloister Spring Water Company D-97-46.* A project to increase the withdrawal of water from an existing spring house intake, from approximately 100,000 gallons per day (gpd) to 300,000 gpd. The intake is located at Spring No. 3, one of several headwater springs at the Arrowhead Springs Farm which are tributary to Mill Creek in the Tulpehocken Creek watershed. The spring house is located just southeast of the intersection of West Bethany and South Fort Zellers Roads in Millcreek Township, Lebanon County, PA. The withdrawal will be exported by tank truck and will continue to serve the applicant's bottling plant located in the City of Lancaster, Lancaster County, PA in the Susquehanna River Basin.

3. *City of Trenton D-98-9 CP.* An application to expand the applicant's service area for both water supply and sewerage to include a portion of Hopewell Township, Mercer County, NJ. The applicant's water distribution system serves the City of Trenton and surrounding areas in Ewing, Lawrence and Hamilton Townships. Potable water will be provided to the project service area from the Delaware River by the applicant's existing filtration plant located near the Calhoun Street Bridge. Up to 1.35 million gallons per day of sewerage capacity will be provided to the project areas in Hopewell Township. The wastewater will be conveyed to the applicant's existing sewage treatment plant on Lambertson Road in the City of Trenton. The treated wastewater will continue to be discharged in Water Quality Zone 2 of the Delaware River, approximately 2.5 miles downstream of the applicant's water supply intake. Both the applicant's water withdrawal and discharge facilities have sufficient capacity to meet the needs of the proposed project.

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

SUSAN M. WEISMAN,  
*Secretary*

[Pa.B. Doc. No. 98-1447. Filed for public inspection September 4, 1998, 9:00 a.m.]

# DEPARTMENT OF BANKING

## Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 25, 1998.

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-12-98	Carnegie Savings Bank Carnegie Allegheny County	Carnegie	Effective

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

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-21-98	Laurel Bank, Johnstown, and The Peoples National Bank of Rural Valley, Rural Valley Surviving Institution— Laurel Bank, Johnstown	Johnstown	Filed

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-17-98	Summit Bank Bethlehem Northampton County	Genuardi's Family Market Huntingdon Valley Shopping Center 737 Huntingdon Pike Huntingdon Valley Montgomery County	Opened
8-21-98	Northern Central Bank Williamsport Lycoming County	1199 Main Street Mansfield Tioga County	Approved
8-21-98	Harris Savings Bank Harrisburg Dauphin County	Martin's/Giant Food Store 1729 Dual Highway Hagerstown Washington County Maryland	Approved
8-21-98	Harris Savings Bank Harrisburg Dauphin County	Martin's/Giant Food Store 1580 Wesel Boulevard Hagerstown Washington County Maryland	Approved
8-24-98	Suburban Community Bank Chalfont Bucks County	40 East Street Road Feasterville Lower Southampton Twp. Bucks County	Filed
8-25-98	First Columbia Bank & Trust Company Bloomsburg Columbia County	279 Columbia Mall Drive Hemlock Township Columbia County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-24-98	Abington Savings Bank Jenkintown Montgomery County	<i>To:</i> 990 Old York Road Abington Montgomery County  <i>From:</i> 1020 Old York Road Abington Montgomery County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-19-98	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	118 North Wayne Avenue Wayne Delaware County	Filed
8-21-98	First Commonwealth Bank Indiana Indiana County	500 Hyde Park Road Leechburg Armstrong County	Approved

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-1448. Filed for public inspection September 4, 1998, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Eisenhower Postsecondary Grant Application Guidelines

Applications from Pennsylvania nonprofit organizations, which have previously conducted successful mathematics and/or science professional development activities, and Pennsylvania institutions of higher education will be accepted for professional development programs specially-designed to improve mathematics and science teaching and learning in this Commonwealth. Grant awards will be funded with higher education money authorized by Subchapter II—Dwight D. Eisenhower Professional Development Program—The Improving America's Schools Act of 1994 (P. L. 103-382). Awards are contingent upon receipt of the Federal appropriation for the Dwight D. Eisenhower Professional Development Program. Pennsylvania has \$1 million available for competition.

Copies of the Eisenhower Postsecondary Grant Application (EPGA) guidelines are available on the Department's web page at <http://www.pde.psu.edu/docs/pde/posteisen>.

html or from the Issuing Office, which is the sole point of contact for the guidelines: Division of Program Services, Bureau of Postsecondary Services, Pennsylvania Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623; TDD (717) 783-8445.

A preproposal conference is scheduled for Monday, September 21, 1998 at 10 a.m. in Heritage Room A, Lobby Level at 333 Market Street, Harrisburg. If special accommodations are required to participate in the preproposal conference, contact the Division of Program Services. Written questions are to be submitted by September 14, 1998 on PDE-4658 available on the Department's web page at <http://www.pde.psu.edu/docs/pde/posteisen.html>.

Applications submitted in response to the EPGA guidelines are due in the Division of Program Services no later than 5 p.m., Friday, October 16, 1998.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 98-1449. Filed for public inspection September 4, 1998, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

#### (Part I Permits)

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

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

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

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

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

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

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

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

**PA 0052787.** Sewage, **Quakertown United Mennonite Church**, 180 Thatcher Road, Quakertown, PA 18951.

This application is for renewal of an NPDES permit to discharge treated sewage from a small flow treatment plant serving the church in Quakertown Borough, **Bucks County**. This is an existing discharge to the Tohickon Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1,250 gpd 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)	15	30
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N) (5-1 to 10-31)	2.5	5.0
(11-1 to 4-30)	7.5	15.0
Phosphorus (as P)	0.5	1.0
Total Residual Chlorine (Years 1 and 2)	monitor/report	monitor/report
(Years 3, 4 and 5)	1.5	2.0
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

**PA 0051802.** Industrial waste, **Brown Printing Company**, 668 Gravel Pike, East Greenville, PA 18041-2199.

This application is for renewal of an NPDES permit to discharge treated process wastewater from plate processors and film developers. It also includes sanitary wastewater and blowdown from bathrooms, sinks, housekeeping activities and cooling tower serving Brown Printing Company in Upper Hanover Township, **Montgomery County**. This is an existing discharge to an unnamed tributary to Perkiomen Creek.

The receiving stream is classified for trout stocking fishery.

The proposed effluent limits for Outfall 001, based on an average flow of 11,000 gallons per day 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>			
(5-1 to 10-31)	15	30	38
(11-1 to 4-30)	25	50	63
Suspended Solids	30	60	75
Ammonia (as N)			
(5-1 to 10-31)	1.5	3.0	3.8
(11-1 to 4-30)	4.5	9.0	11.0
Phosphorus (as P)	1.0	2.0	2.5
Fecal Coliform	200 colonies/100 ml as a geometric average		
pH	within limits of 6.0—9.0 standard units at all times		
Total Dissolved Solids	1,500	2,000	2,500
Oil and Grease	15		30
Color (Pt. Co. Scale)			100
Total Copper	0.2	0.4	0.5
Total Silver	0.0043	0.0086	0.011
Total Zinc	1.78	3.56	4.5
Vinyl Chloride	monitor	monitor	
Pentachlorophenol	monitor	monitor	
1,2-Diphenylhydrazine	monitor	monitor	
Total Cadmium	0.001	0.002	0.0025
Total Arsenic	0.003	0.006	0.0075

*Other Conditions:*

The EPA waiver is in effect.

Chemical Additives

Authorization to Discharge Stormwater Runoff from Outfalls 002 and 003.

**PA 0023256.** Sewage, **Upper Gwynedd Township**, P. O. Box 1, West Point, PA 19486.

This application is for renewal of an NPDES permit to discharge treated sewage from the Upper Gwynedd Township STP in Upper Gwynedd Township, **Montgomery County**. This is an existing discharge to Wissahickon Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 4.5 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	2		4
(11-1 to 4-30)	6		12
Phosphorus (as P)			
(4-1 to 10-31)	monitor/report		monitor/report
Total Residual Chlorine			
(0 to 2 years)	monitor/report		monitor/report
(3 to 5 years)	0.04		0.13
Chloroform	.017		0.043
Dichlorobromomethane	monitor/report		
Chlorodibromomethane	monitor/report		
Cyanide Free	monitor/report		
Lead	monitor/report		
Copper	monitor/report		
Fecal Coliform	200 colonies/100 ml as a geometric average		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

*Other Conditions:*

The EPA waiver is not in effect.

**PA 0057444.** Industrial waste, **Jackson Immuno Research Laboratories, Inc.**, P. O. Box 9, West Grove, PA 19390-9156.

This application is for issuance of an NPDES permit to discharge only the backwash from the reverse osmosis treatment unit serving research laboratory, located in Penn Township, **Chester County**. This is a new discharge to an unnamed tributary to East Branch Big Elk Creek.

The receiving stream is classified for the following uses: high quality trout stocking fishery and migratory fishery.

The proposed effluent limits for Outfall 001, based on an average flow of 430 gallons per day 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	monitor	monitor	monitor
Dissolved Iron	monitor	monitor	monitor
Oil and Grease	15		30
pH	within limits of 6.0—9.0 standard units at all times		

*Other Conditions:*

The EPA waiver is in effect.

*Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2553.*

**PA 0020745-A1.** Sewerage, **Nescopeck Borough**, 501 Raber Avenue, Nescopeck, PA 18635-1101.

This proposed action is for amendment of an NPDES permit to discharge treated sewage into Nescopeck Creek in Nescopeck Borough, **Luzerne County**.

The receiving stream is classified for the following uses: trout stocking 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 downstream potable water supply (PWS) considered during the evaluation is the Danville Borough water supply located on the north branch of the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.250 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	40.0	60.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine (1st Month—36th Month)	monitor and report		
(37th Month—Expiration)	1.0		2.0

The EPA waiver is in effect.

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

**PA 0087874.** Sewage, SIC: 6514, **Robert and Lucille Kreiser**, 1429 Elm Road, Elizabethtown, PA 17022.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary of Brills Run, in Conewago Township, **Dauphin County**.

The receiving stream is classified for trout stocking fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Columbia Borough Water Company located in Columbia Borough, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.002 mgd are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	10		20
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Total Residual Chlorine	0.50		1.63
Dissolved Oxygen	minimum of 3.0 at all times		
pH	from 6.0—9.0 inclusive		
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		

The EPA waiver is in effect.

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

**PA 0000507.** Industrial waste, SIC: 2821, **Hercules Incorporated**, P. O. Box 567, West Elizabeth, PA 15088-0567.

This application is for renewal of an NPDES permit to discharge untreated cooling water, stormwater and groundwater from Jefferson Plant in Jefferson Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River and an unnamed tributary to the Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Western PA Water Company, located at Mile 4.4—Monongahela River, approximately 19.12 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.1 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
Temperature (°F)					
Oil and Grease	15			110	
Suspended Solids	30			30	
Phenols (4AAP)	0.016			60	
Fluoride				0.032	
Nitrate-Nitrite				monitor and report	
Copper				monitor and report	
Lead				monitor and report	
Zinc				monitor and report	
Sulfate				monitor and report	
Phosphorus (as P)				monitor and report	
pH	not less than 6.0 nor greater than 9.0				

See Item No. 11 in Part C of the permit.

Outfalls 002, 004, 005, 008, 009, 011, 012, 013, 014, 015, 016, 017, 019, 020, 023a and b and 024: existing stormwater discharge, design flow of variable mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	monitor and report				
Oil and Grease				monitor and report	
Ammonia as N				monitor and report	
Zinc				monitor and report	
Aluminum				monitor and report	
Benzene				monitor and report	
Ethylbenzene				monitor and report	
Toluene				monitor and report	
Xylene				monitor and report	
Styrene				monitor and report	
Phenols (4AAP)				monitor and report	

See Item Nos. 8 and 12 in Part C of the permit.

Outfalls 006, 007a and b, 010, 018, 021 and 022: existing stormwater discharge, design flow of variable mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum

The discharge from these outfalls shall consist of uncontaminated stormwater runoff only.

Other Conditions: 1) Stormwater Discharges; 2) Pollution Reduction Reports

The EPA waiver is not in effect.

**PA 0217972.** Industrial waste, **Park Corporation**, P. O. Box 450, West Seventh Avenue, Homestead, PA 15120-0450.

This application is for issuance of an NPDES permit to discharge stormwater from the Waterfront Development in Munhall, Homestead and West Homestead, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Pennsylvania American, located at Becks Run, 3 miles below the discharge point.

Outfalls 001—010: stormwater discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids					monitor and report
Total Dissolved Solids					monitor and report
Sulfate					monitor and report
Chromium (tot)					monitor and report
(hex)					monitor and report
Copper					monitor and report
Lead					monitor and report
Nickel					monitor and report
Zinc					monitor and report
Aluminum					monitor and report
Iron					monitor and report
Manganese					monitor and report
Tetrachloroethylene					not detectable
PCBs					not detectable
Acrolein					not detectable
Benzene					not detectable
Chloroform					not detectable
Ethylbenzene					not detectable
Toluene					not detectable
Trichloroethylene					not detectable
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Other Conditions: Part C conditions pertaining to Erosion and Sedimentation Controls, Best Management Practices and PPC Plans.

**PA 0110469.** Sewage, **Borough of Patton**, P. O. Box 175, Patton, PA 16668.

This application is for renewal of an NPDES permit to discharge treated sewage from the Borough of Patton Wastewater Treatment Plant in the Borough of Patton, **Cambria County**.

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

Outfall 001: existing discharge, design flow of .375 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	15	22.5		30

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	10,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

*Other Conditions:* Outfalls 002 and 003 are to serve as emergency overflows from the Palmer Avenue and Highland Avenue pump stations.

The EPA waiver is in effect.

**PA 0030287.** Sewage, **Allegheny Country Club**, Country Club Lane, Sewickley, PA 15143.

This application is for renewal of an NPDES permit to discharge treated sewage from the Allegheny Country Club STP in Sewickley Heights Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Little Sewickley Creek, which are classified as a high quality trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Water Authority.

*Outfall 001:* existing discharge, design flow of .02 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	25			50
Ammonia Nitrogen (5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	4.5			9.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	0.5			1.0
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0037818.** Sewage, **Saltsburg Borough**, 320 Point Street, P. O. Box 104, Saltsburg, PA 15681.

This application is for renewal of an NPDES permit to discharge treated sewage from the Saltsburg Borough STP in Saltsburg Borough, **Indiana County**.

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

*Outfall 001:* existing discharge, design flow of 0.2 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	50,000/100 ml as a geometric mean			
Total Residual Chlorine (1st month—36th month)	monitor and report			
(37th month—expiration)	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

*Other Conditions:* Outfalls 002—007 are permitted as combined sewer overflows.

The EPA waiver is in effect.

**PA 0094889.** Sewage, **Westmoreland County Housing Authority**, R. D. 6, Box 233, Greensburg, PA 15601.

This application is for renewal of an NPDES permit to discharge treated sewage from the St. Clair Manor STP in St. Clair Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Big Spring Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Waterworks.

*Outfall 001:* existing discharge, design flow of .015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	13			26
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0216151.** Sewage, **Joyce C. Apple**, 778 Executive Drive, Fallentimber, PA 16639.

This application is for renewal of an NPDES permit to discharge treated sewage from Coal Country Campground STP in Reade Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Clearfield Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the PA-American Water Company on the West Branch Susquehanna River near Milton.

*Outfall 001:* existing average design flow of 0.00425 mgd, effective until the sewage treatment plant expansion is completed and operational or permit expiration, whichever occurs first.

<i>Parameter</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia Nitrogen (5-1 to 10-31)	24	48
(11-1 to 4-30)	25	50
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	18,000/100 ml as a geometric mean	
Total Residual Chlorine	1.4	3.3
pH	not less than 6.0 nor greater than 9.0	

*Outfall 001:* proposed average design flow of 0.0085 mgd, effective after the sewage treatment plant expansion is completed and operational.

<i>Parameter</i>	<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia Nitrogen (5-1 to 10-31)	13	26
(11-1 to 4-30)	25	50
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	10,000/100 ml as a geometric mean	
Total Residual Chlorine	1.4	3.3
pH	not less than 6.0 nor greater than 9.0	

The EPA waiver is in effect.

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

**PA 0222682.** Sewage. **Leasa Maley SRSTP**, 6118 Maley Drive, Limestone, NY 14753.

This application is for a new NPDES permit to discharge treated sewage to the Unnamed Tributary to Willow Creek in Corydon Township, **McKean County**. This is a new discharge.

The receiving water is classified for the following uses: high quality-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 Emlenton Water Company intake on the Allegheny River located at Emlenton, approximately 120 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.0004 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
TSS	20	40
Fecal Coliform	200/100 ml as a geometric average	
Total Residual Chlorine	XX	
pH	6.0—9.0 at all times	

XX—monitor and report on AMRs.

**PA 0103098.** Industrial waste, SIC: 4941 (Water Supply), **Reynolds Water Company**, 301 Arlington Drive, Greenville, PA 16125-8214.

This application is for a renewal of an NPDES permit, to discharge treated industrial waste to the Shenango River in Pymatuning Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Sharpsville Water Company intake on the Shenango River located at Sharpsville, approximately 18 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.035 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Iron	2.0	4.0	5.0
Aluminum	4.0	8.0	10.0
Manganese	1.0	2.0	2.5
Total Suspended Solids	30	60	75
Total Residual Chlorine	0.5		1.6
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0023043-Amendment No. 1.** Sewage. **Borough of North East**, 58 East Main Street, North East, PA 16428.

This is a revision to the notice published on July 4, 1998.

The notice in the July 4, 1998, *Bulletin* advertised that the action being taken on the Borough's NPDES permit resulted from an application submitted by the Borough. This was inaccurate. The permit action resulted from a determination by the EPA and DEP that the Borough must undertake a pretreatment program as part of its NPDES permit obligations. The reopening of the NPDES permit to include pretreatment program conditions was not initiated by a permit application from the Borough, as previously advertised.

## DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

### Applications under the Pennsylvania Clean Streams Law

#### (Part II Permits)

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and

telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and

proposed plan is on file in the office indicated and is open to public inspection.

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

---

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

---

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

**WQM Permit No. 2398405.** Sewerage. **Newtown Square Corporate Center**, 16 Campus Blvd., Suite 150, Newtown Square, PA 19007. This project is for the construction of an onsite sewage disposal system for a proposed site in Newtown Township, **Delaware County**.

**WQM Permit No. 2398406.** Sewerage. **Upper Providence Township Sewer Authority**, 935 N. Providence Road, Media, PA 19063. This project is for the construction of a new sewage pumping station to serve Braves Trail located in Upper Providence Township, **Delaware County**.

**WQM Permit No. 2398407.** Sewerage. **Claude deBotton**, 1604 Walnut Street, Philadelphia, PA 19103. This project is for the construction to expand an existing sewage treatment facility located in Edgmont Township, **Delaware County**.

**WQM Permit No. 4698428.** Sewerage. **Ambler Borough**, 122 East Butler Avenue, Ambler, PA 19002. This project is for the construction to replace existing chlorine facilities with ultraviolet light disinfection located in upper Dublin Township, **Montgomery County**.

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

**A. 3998404.** Sewerage. **Lehigh Carbon Community College**, 4525 Education Park Drive, Schnecksville, PA 18078. Application for modification of an existing wastewater treatment plant, located in North Whitehall Township, **Lehigh County**. Application received in the Regional Office—August 12, 1998.

*Southcentral Regional Office: Water Management Program Manager, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707. Persons who wish to review any of these applications, should contact Mary DiSanto at (717) 705-4732.*

**A. 3677401, Amendment (98-1).** Sewerage, submitted by **Lititz Sewer Authority**, 50 Lititz Run Road, Lititz, PA 17543-8503 in Warwick Township, **Lancaster County** to re-rate their existing wastewater treatment plant from 3.50 mgd to 3.85 mgd was received in the Southcentral Region on August 17, 1998.

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

**WQM Permit No. 6298406.** Sewerage, **Michael L. Leach, SRSTP**, R. R. 4, Box 389, Sugar Grove, PA 16350. This project is for the construction of a single residence sewage treatment plant in Sugar Grove Township, **Warren County**.

**WQM Permit No. 1098407.** Sewerage, **James W. Garrett, SRSTP**, 311 Green Lake Dr., Mars, PA 16046. This project is for the construction of a single residence sewage treatment plant in Adams Township, **Butler County**.

---

**INDIVIDUAL PERMITS**

**(PAS)**

---

**NPDES Individual**

---

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

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

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

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

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

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

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

**NPDES Permit PAS10Q004-R.** Stormwater. **County of Lehigh**, Robert E. Korp, 17 South 7th Street, Allen-

town, PA 18101, has applied to discharge stormwater from a construction activity located in South Whitehall Township, **Lehigh County**, to Little Lehigh Creek.

**NPDES Permit PAS10Q161.** Stormwater. **Laughlin Real Estate, Inc.**, Leighton Laughlin, Jr., 156 Tamarack Circle, Skillman, NJ 08558, has applied to discharge stormwater from a construction activity located in South Whitehall Township, **Lehigh County**, to Little Lehigh Creek.

**NPDES Permit PAS10Q003-R.** Stormwater. **Jaindl Land Company**, David Jaindl, 3150 Coffeetown Road, Orefield, PA 18069, has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

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

**NPDES Permit PAS10X092.** Stormwater. **Redstone Highlands of North Huntingdon**, 6 Garden Center, Greensburg, PA 15601 has applied to discharge from a construction activity located in North Huntingdon Township, **Westmoreland County** to Monongahela River.

## SAFE DRINKING WATER

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

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

**A. 1598511.** Public water supply. **City of Coatesville Authority**, 114 E. Lincoln Highway, Coatesville, PA 19320. This proposal involves the installation of a corrosion control feed system at the Rock Run Water Treatment Plant in the City of Coatesville, **Chester County**.

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

**A. 4198501.** The Department has received a construction permit application from **Country Squire Courts** (P. O. Box 402, Salladasburg, PA 17740; Woodward Township, **Lycoming County**) for drawing water from Susquehanna River including surface water treatment plant, river intake and pumps and treated water storage reservoir.

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

**A. 9996462.** **United Dairy, Inc.**, 300 North 5th Street, P. O. Box 280, Martins Ferry, OH 43935; Gary Cowell, Vice President Production. Applicant requests Department approval to sell bottled water in this Commonwealth under the brand name United Valley Pure Drinking Water.

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

**A. 3398501.** Public water supply. **Summerville Borough Municipal Authority**, P. O. Box 278, Summerville, PA 15864. This proposal involves the construction of a new raw water well (Well No. 3) to provide an additional source of water to the Authority in Summerville Borough, **Jefferson County**.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 1

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

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate 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's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

*Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.*

**Capital City Airport**, Fairview Township, **York County**. **Susquehanna Area Regional Airport Authority**, 135 York Drive, Suite 100, Middletown, PA 17057, has submitted a Notice of Intent to Remediate site soils contaminated with solvents, BTEX and PAHs and groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet a combination of site-specific and Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on August 17, 1998.

**Distribution Pole 20792S32110**, Mechanicsburg Borough, **Cumberland County**. **Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on July 22, 1998.

**Distribution Pole 24283S34328**, Harrisburg City, **Dauphin County. Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on July 22, 1998.

**Distribution Pole 26172S35238**, Lower Paxton Township, **Dauphin County. Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on July 22, 1998.

**Distribution Pole 26181S36799**, Lower Paxton Township, **Dauphin County. Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on July 22, 1998.

**Distribution Pole 28544S35576**, South Hanover Township, **Cumberland County. Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on July 22, 1998.

**Distribution Pole 25115S38029**, Middle Paxton Township, **Dauphin County. Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on July 22, 1998.

**Distribution Pole 40141S26711**, Lancaster City, **Lancaster County. Pennsylvania Power & Light, Inc.**, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal-New Era* on July 22, 1998.

*Northcentral Regional Office: Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6525.*

**Stroehmann Bakeries Roll Plant**, Old Lycoming Township, **Lycoming County.** Converse Consultants East on behalf of their client Stroehmann Bakeries, P. O. Box 976, Horsham, PA 19044 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with solvents, BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Williamsport Sun-Gazette* on June 13, 1998.

**University Park Airport**, Benner Township, **Centre County.** Major Renee M. Tatro, Environmental Manager, Pennsylvania Air National Guard, 62 Olmstead Boulevard, Middletown, PA 17057 has submitted a Notice of Intent to Remediate site soil contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to be published in *The Centre Daily Times*.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

---

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

---

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, a municipality may request that the person identified, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site. For further information concerning the content of a Notice of Intent to Remediate, contact the Department's Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

*Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.*

**Capital City Airport**, Fairview Township, **York County**. **Susquehanna Area Regional Airport Authority**, 135 York Drive, Suite 100, Middletown, PA 17057, has submitted a Notice of Intent to Remediate site soils contaminated with solvents, BTEX and PAHs and groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet a combination of site-specific and Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on August 17, 1998.

*Northcentral Regional Office: Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6525.*

**Scullin Oil Company**, City of Sunbury, **Northumberland County**. Scullin Oil Company, P. O. Box 350, Sunbury, PA 17801 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Item* on July 1, 1998.

## AIR QUALITY

### Notice of Plan Approval and Operating Permit Applications

#### Nonmajor Sources and Modifications

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

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

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

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

Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

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

## OPERATING PERMITS

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

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**39-313-032B: Mallinckrodt Chemical, Inc.** (2409 North Cedar Crest Boulevard, Allentown, PA 18104) for operation of the DMPA tanks in South Whitehall Township, **Lehigh County**.

**39-399-037A: Mallinckrodt Chemical, Inc.** (2409 North Cedar Crest Boulevard, Allentown, PA 18104) for operation of the DMPA oxidizers in South Whitehall Township, **Lehigh County**.

**40-318-032B: Continental Whitecap Co.** (350 Jaycee Drive, Valmont Industrial Park, West Hazleton, PA 18201) for operation of Coating Line C5 in Hazle Township, **Luzerne County**.

**40-323-009: Caradon Mideast Aluminum Co.** (Crestwood Industrial Park, P. O. Box 98, Mountaintop, PA 18707) for operation of a grinding and deburring operation in Wright Township, **Luzerne County**.

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

**36-309-055B: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506) for installation of new bins, conveyors and a bucket elevator located in East Earl Township, **Lancaster County**. This source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

*Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.*

**17-399-011: Pennsylvania Electric Co., owner, and GPU Generation, Inc., operator** (1001 Broad Street, Johnstown, PA 15907) for operation of an ash disposal facility previously owned and operated by Pennsylvania Electric Company in Bradford Township, **Clearfield County**.

**59-0003: Pennsylvania Electric Co., owner, and GPU Generation, Inc., operator** (1001 Broad Street, Johnstown, PA 15907) for operation of a natural gas-fired turbine and associated No. 2 fuel oil-fired starting engine previously owned and operated by Pennsylvania Electric Company in Covington Township, **Tioga County**.

**17-0001: Pennsylvania Electric Co., owner, and GPU Generation, Inc., operator** (1001 Broad Street, Johnstown, PA 15907) for operation of four pulverized bituminous coal-fired electric utility boilers (Units 1 through 4), three diesel units (Units 5 through 7), two emergency generators, a fire pump and 15 space heaters previously owned and operated by Pennsylvania Electric

Company at their Shawville Generation Station in Bradford Township, **Clearfield County**.

**17-306-001: Pennsylvania Electric Co., owner, and GPU Generation, Inc., operator** (1001 Broad Street, Johnstown, PA 15907) for operation of two pulverized bituminous coal-fired electric utility boilers (Units 1 and 2) previously owned and operated by Pennsylvania Electric Company at their Shawville Generating Station in Bradford Township, **Clearfield County**.

**17-306-002B: Pennsylvania Electric Co., owner, and GPU Generation, Inc., operator** (1001 Broad Street, Johnstown, PA 15907) for operation of two pulverized bituminous coal-fired electric utility boilers (Units 3 through 4) previously owned and operated by Pennsylvania Electric Company at their Shawville Generating Station in Bradford Township, **Clearfield County**.

**17-305-007B: River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847) for operation of a bituminous coal processing facility previously owned and operated by River Hill Coal Company, Inc. in Karthaus Township, **Clearfield County**.

**12-302-001A: Emporium Hardwoods, Inc.** (HC 3, Box 1, Emporium, PA 15834) for operation of a wood fired boiler and associated air cleaning device (a multiclone collector) previously owned and operated by Mallery Lumber Corporation in Shippen Township, **Cameron County**.

**08-399-003D: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848) for operation of an electroluminescent phosphor furnace and associated air cleaning devices (a fabric collector and a scrubber) in Department 212, Building 15, in North Towanda Township, **Bradford County**.

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

**10-277A: Wiest Asphalt Products** (310 Mitchell Hill, Butler, PA 16001) for operation of a batch asphalt plant in Summit Township, **Butler County**.

**24-083B: Carbone of America Graphite Materials Division** (215 Stackpole Street, St. Marys, PA 15857) for operation of a graphite machining center in Benzinger Township, **Elk County**.

**25-313-025E: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) for operation of Bldg. 300, maleic plant in Erie, **Erie County**.

**25-267A: American Meter Co.** (P. O. Box 1251, Erie, PA 16512) for operation of two rubber curing ovens in Erie, **Erie County**.

**37-291A: LaFarge Corp.** (510 West Main Street, Canfield, OH 44406) for operation of slag processing in Pulaski Township, **Lawrence County**.

**42-182A: Allegheny Store Fixtures, Inc.** (P. O. Box 61, Bradford, PA 16701) for operation of surface coating in Bradford Township, **McKean County**.

**62-312-036A: United Refining Co.** (P. O. Box 780, Warren, PA 16365) for operation of an API oil water separator in Warren, **Warren County**.

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

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating

permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permits).

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

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

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

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

**07-05002: Consolidated Rail Corp.** (200 Fourth Avenue, Juniata, Altoona, PA 16601) for their Hollidaysburg Car Shop, located in Hollidaysburg Borough and Frankstown Township, **Blair County**. The facility's major sources of emissions include paint booths which primarily emit VOC and a hard chromium electroplating operation which emits chromium, a hazardous air pollutant.

**28-05015: R & A Bender, Inc.** (P. O. Box 399, Scotland, PA 17254) located in Greene Township, **Franklin County**. The facility's major sources of emissions include a municipal solid waste landfill which primarily emit the following contaminants: volatile organic compounds.

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

**65-00163: Department of Public Welfare** (P. O. Box 111, Torrance, PA 15779) at Torrance State Hospital located in Derry Township, **Westmoreland County**. The facility's major sources include boilers which emit major quantities of SO<sub>2</sub>.

**65-00865: Sony Chemical Corp. of America, Sony Technology Center—Pittsburgh** (1001 Technology Drive, Mt. Pleasant, PA 15666) located in East Huntingdon Township, **Westmoreland County**. The facility's major source of emissions include three thermal transfer ribbon coating machines. Emission of VOCs/HAPs from the coating machines are controlled by a thermal oxidizer.

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

**43-00182: Wheatland Tube Co.** (P. O. Box 608, Wheatland, PA 16161) located in Wheatland Borough, **Mercer County**. The facility's major emission sources

include galvanizing kettles, various coating lines and sulfuric acid pickling tanks. The facility is a major facility due to its potential to emit of Volatile Organic Compounds.

**43-00063: Damascus Bishop Tube Co.** (795 Reynolds Industrial Park Road, Greenville, PA 16125) located in Pymatuning Township, **Mercer County**. The facility's major emission sources include a halogenated solvent vapor degreaser, two annealing furnaces, pickling lines and a tube coating and drying line. The facility is a major facility due to its potential to emit of Volatile Organic Compounds and Trichloroethylene.

**24-00016: Keystone Powdered Metal Co.** (1935 State Street, St. Marys, PA 15857) located in St. Marys, **Elk County**. The facility's major emission sources include various heat treating and sintering furnaces and solvent vapor degreasers. The facility is a major facility due to its potential to emit of Volatile Organic Compounds.

**43-00085: Trinity Industries** (60 Union Street, Greenville, PA 16125) located in Greenville Borough, **Mercer County**. The facility's major emission sources include various shot blast and spray coating booths. The facility is a major facility due to its potential to emit of Volatile Organic Compounds.

**43-00279: Trinity Industries** (Waugh Avenue, Greenville, PA 16125) located in Hempfield Township, **Mercer County**. The facility's major emission sources include various shot blast and spray coating booths. The facility is a major facility due to its potential to emit of Volatile Organic Compounds.

**43-00270: CCL Container** (One Llodio Drive, Hermitage, PA 16148) located in Hermitage, **Mercer County**. The facility's major emission sources include seven can manufacturing and coating lines. The facility is a major facility due to its potential to emit of Volatile Organic Compounds.

#### PLAN APPROVALS

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

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**39-313-032B: Mallinckrodt Chemical, Inc.** (2409 North Cedar Crest Boulevard, Allentown, PA 18104) for operation of the DMPA tanks in South Whitehall Township, **Lehigh County**.

**39-399-037A: Mallinckrodt Chemical, Inc.** (2409 North Cedar Crest Boulevard, Allentown, PA 18104) for operation of the DMPA oxidizers in South Whitehall Township, **Lehigh County**.

**40-318-032B: Continental Whitecap Co.** (350 Jaycee Drive, Valmont Industrial Park, West Hazleton, PA 18201) for operation of Coating Line C5 in Hazle Township, **Luzerne County**.

**40-323-009: Caradon Mideast Aluminum Co.** (Crestwood Industrial Park, P. O. Box 98, Mountaintop, PA 18707) for operation of a grinding and deburring operation in Wright Township, **Luzerne County**.

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

**07-315-003A: Appleton Papers, Inc.** (100 Paper Mill Road, Roaring Spring, PA 16673-1488) for modification of the No. 3 Recovery Boiler at their Spring Mill Facility in Roaring Spring Borough, **Blair County**.

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

**65-625A: Gulf Oil Limited Partnership** (400 Grand Avenue, Pittsburgh, PA 15225) for installation of bulk storage tank at Delmont Terminal in Delmont, **Westmoreland County**.

**63-565A: Washington Penn Plastic Co., Inc.** (2080 North Main Street, P. O. Box 236, Washington, PA 15301) for installation of pelletizer/conveyor/blender at Arden Facility in South Strabane Township, **Washington County**.

**65-613A: International Mill Service, Inc.** (1155 Business Center Drive, Horsham, PA 19044) for installation of scrap reclamation/slag recycle at Patton Site in Rostraver Township, **Westmoreland County**.

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

**20-318-009A: Andover Industries BMPI** (R. D. 2, Dunham Road, Meadville, PA 16335) for minor modification to paint booth no. 1 in Vernon Township, **Crawford County**. The modification will not increase emissions.

**20-318-010A: Andover Industries BMPI** (R. D. 2, Dunham Road, Meadville, PA 16335) for minor modification to paint booth no. 2 in Vernon Township, **Crawford County**. The modification will not increase emissions.

**20-318-011A: Andover Industries BMPI** (R. D. 2, Dunham Road, Meadville, PA 16335) for minor modification to paint booth no. 3 in Vernon Township, **Crawford County**. The modification will not increase emissions.

**20-318-012A: Andover Industries BMPI** (R. D. 2, Dunham Road, Meadville, PA 16335) for minor modification to paint booths no. 4, no. 5, no. 6 and no. 7 in Vernon Township, **Crawford County**. The modification will not increase emissions.

**20-318-015B: Andover Industries BMPI** (R. D. 2, Dunham Road, Meadville, PA 16335) minor modification to paint booths no. 9, no. 10, no. 11 and no. 12 in Vernon Township, **Crawford County**. The modification will not increase emissions.

#### MINING

##### APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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

ronmental Protection (Department). 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 the certification.

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The 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 Chapters 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.

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

#### *Coal Applications Received*

**32970102. Transfer from Derry International, Ltd. to M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319) commencement, operation and restoration of bituminous strip mine in Blacklick Township, **Indiana County**, affecting 167.5 acres, receiving stream unnamed tributaries to Muddy Run; unnamed tributaries to Blacklick Creek. Application received August 17, 1998.

*Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.*

**17980117. Junior Coal Contracting, Inc.** (R. D. 3, Box 225-A, Philipsburg, PA 16866), commencement, operation and restoration of a bituminous surface mine, sandstone and clay removal permit in Decatur Township,

**Clearfield County** affecting 75.6 acres, receiving streams: Laurel Run and Little Laurel Run. Application received July 27, 1998.

**17960102. M. R. Hainsey Contracting Co.** (R. D. 2, Box 57, Clearfield, PA 16830), revision to an existing bituminous surface mine permit for a change in permit acreage from 70.1 to 73.2 acres, receiving streams: unnamed tributary to Pine Run, Pine Run, unnamed tributary to Trout Run. Application received August 7, 1998.

**17840123. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847), renewal of an existing bituminous surface mine permit in Karthaus Township, **Clearfield County** affecting 233.6 acres, receiving streams: unnamed tributaries to Saltlick Run and Saltlick Run to the West Branch of the Susquehanna River to the Susquehanna River. Application received August 10, 1998.

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

### **ENCROACHMENTS**

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

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 Services at (800) 654-5984.

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

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

**E09-774. Encroachment. Orleans Corporation**, 3333 Street Rd., Suite 101, Bensalem, PA 19020. To construct four road crossings of wetlands and four stormwater management facilities at the proposed Yerkes Tract residential subdivision. The project proposes to impact regulated waters of the Commonwealth and adjacent wetland. The applicant proposes the following:

- 1) Construction in 0.07 acre of wetland (PEM) associated with the construction of road "K";
- 2) Construction in 0.06 acre of wetland (PEM) associated with the construction of road "L";

3) Construction of stormwater management facility 1B which will be excavated in 0.23 acre of wetland and the assumed 100 year floodway of unnamed tributary of Neshaminy Creek;

4) Construction in 0.23 acre of wetland (PEM) associated with the construction of road "D";

5) Construction in 0.08 acre of wetland (PEM) associated with the construction of road "P";

6) Construction of stormwater management facility (basin 3) which will be excavated in 0.09 acre of wetland and the assumed 100-year floodway of an unnamed tributary of Neshaminy Creek;

7) Construction of a 25 foot wide by 50 foot long outfall channel from Basin 4 through 0.03 acre of wetland (PFO).

The applicant also requests an environmental assessment approval for:

1) The construction, operation and maintenance of an on-stream earthen dam which impacts 55 linear feet of Robin Run (WWF0MF) and 0.08 acre of adjacent wetlands (PFO) which will serve as stormwater management facility (basin 1B);

2) The construction, operation and maintenance of an on-stream earthen dam which impacts 50 linear feet of an unnamed tributary to Neshaminy Creek (WWF-MF) and 0.02 acre of adjacent wetlands (PEM) which will serve as a stormwater management facility (basin 2B).

3) The construction operation and maintenance of an on-stream earthen dam which impacts 150 linear feet of an unnamed tributary of Neshaminy Creek (WWF-MF) and 0.09 acre of adjacent wetlands (PEM) which will serve as a stormwater management facility (basin 3).

The project is situated on two parcels of land totaling 220 acres which borders Old York Road (SR 0263) to the west, Forest Grove Road (SR 2097) to the north, and Swamp Road (SR 2079) bisecting the site, (Buckingham, PA Quadrangle, N: 7.5 inches; W: 10.75 inches) in Buckingham Township, **Bucks County**. The applicant proposes 0.98 acre of offsite replacement wetlands to compensate for wetland impacts.

**E15-589.** Encroachment. **Philadelphia Suburban Water Co.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3489. To construct and maintain a raw water intake on the East Branch Brandywine Creek (HQ, TSF, MF) for transferring water from the Creek to the Cornog Quarry during periods of elevated stream flows. Water will be pumped from the quarry to the water treatment plant for treatment before distributing to customers of the water company. The site is located about 1,500 feet east of the intersection of Marshall Road and Creek Rd (Downingtown USGS Quadrangle N: 13.70 inches; W: 17.50 inches) in Wallace Township, **Chester County**.

**E15-588.** Encroachment. **Boden-Trieverl Partnership**, 750 North Pottstown Pike, Exton, PA 19341. To replace an existing corrugated pipe driveway culvert across Pine Creek (HQ, TSF) which provides access to the Boden-Trieverl Partnership property. The proposed, approximately 20-foot span, steel I-beam bridge having a 10-foot wide wooden deck, will be supported on reinforced concrete abutments and have a minimum underclearance of approximately 3 feet. The project is located at a point approximately 1,000 feet west of the intersection of Art School Road and Miller Road (Downingtown, PA Quadrangle; N: 19.4 inches; W: 2.0 inches) in West Pikeland Township, **Chester County**.

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

**E13-093A.** Encroachment. **Lehigh Water Authority**, Municipal Building, P.O. Box 29, Lehigh, PA 18235. To amend Permit No. E13-093 to include the installation and maintenance of two 12-foot x 18-foot raw water intake structures and associated 12-inch diameter concrete encased D.I. pipes within the Lehigh River (TSF) to provide potable water to Lehigh Borough. The project is located immediately east of the Packertown Railroad Yards approximately 0.2 mile east of S. R. 0209 and S. R. 3006 (Lehigh, PA Quadrangle N: 18.1 inches; W: 11.1 inches) in Mahoning and Franklin Townships, **Carbon County** (Philadelphia District, U. S. Army Corps of Engineers).

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

**E01-195.** Encroachment. **Hamilton Township**, 272 Mummert's Church Road, Abbottstown, PA 17301. To remove an existing structure and to construct and maintain an 18-foot span precast concrete box culvert having an underclearance of 4 feet, 6 inches in Seven Hundred School Run on 700 Road (T-523) west of Gun Club Road (T-493) (Hampton, PA Quadrangle N: 1.1 inches; W: 7.9 inches) in Hamilton Township, **Adams County**.

**E01-196.** Encroachment. **Latimore Township**, David Myers, P. O. Box 218, York Springs, PA 17372. To remove an existing structure and to construct and maintain a 14-foot, 6-inch single span timber bridge having an average underclearance of 3 feet, 6 inches for roadway improvements in Latimore Creek on Myers Road (Dillsburg, PA Quadrangle N: 10.1 inches; W: 14.5 inches) in Latimore Township, **Adams County**.

**E67-632.** Encroachment. **Rick Paules**, 6042 River Drive, York, PA 17406. To place fill in the floodway of the Susquehanna River measuring 200 feet long by 100 feet wide by 3 feet deep at a point located on North River Drive approximately 1 mile north of the Accomac Inn. (Columbia West, PA Quadrangle N: 8.5 inches; W: 11.5 inches) in Hellam Township, **York County**.

**E67-633.** Encroachment. **Raymond Cwiklinski**, 7425 Paxton Road, Falls Church, VA 22043. To replace the deck and provide scour protection to an existing 20-foot, 4-inch single span steel beam bridge on a private drive over South Branch Codorus Creek located east of SR 0616 approximately 120 feet south of Krebs Road, south of Seitzville (Glen Rock, PA Quadrangle N: 10.2 inches; W: 17.2 inches) in Springfield and Codorus Townships, **York County**.

**E67-634.** Encroachment. **Valley Green Land Company**, Jack Short, 1225 Valley Green Road, Etters, PA 17319. To construct and maintain a stream enclosure consisting of 155 linear feet of 24-inch diameter pipe in an unnamed tributary to Fishing Creek for the purpose of construction of a single family home located north of Byron Nelson Circle approximately 100 yards east of Valley Green Road on Lot 31-31A (Steelton, PA Quadrangle N: 5.6 inches; W: 6.3 inches) in Newberry Township, **York County**.

**E67-635.** Encroachment. **PA Dept. of Transportation, Engineering District 8-0**, 1240 Herr Street, Harrisburg, PA 17103. To (1) remove an existing structure; (2) construct and maintain a 50-foot single span reinforced concrete box beam bridge with a minimum underclearance of 5 feet, 6 inches over Bald Eagle Creek and

(3) place fill in a de minimis amount of wetlands associated with this project. The bridge will be located 6 feet west of its existing location on SR 2030 Segment 0040 Offset 2432 (Deer Road), approximately 150 feet west of SR 0425 (Woodbine Road) (Airville, PA Quadrangle N: 3.6 inches; W: 7.6 inches) in Fawn Township, **York County**.

*Northcentral Region: Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Suite 101, Williamsport, PA 17701.*

**E08-336.** Encroachment. **Earl Chadwick**, 229 Oxbow Rd., Waverly, NY 14892. To construct and maintain a 12 lot motor home park on a 7 acre parcel adjacent to Wolcott Creek located .85 mile north on Macaffee Road from the intersection of North Road (Sayre, PA Quadrangle N: 8.5 inches; W: 5.9 inches) in Athens Township, **Bradford County**. The project proposes to impact 0.09 acre of wetlands and will not impact Wolcott Creek; stream classification is Warm Water Fishery.

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

**E02-1245.** Encroachment. **Grane Associates**, 221 7th Street Commons, Pittsburgh, PA 15238. To construct and maintain a residential building on and to regrade the right bank of an unnamed tributary to Turtle Creek (Fall Run) (WWF) for the purpose of constructing the Bryn Mawr Assisted Living Residence. The project is located on the east side of Ardmore Boulevard, approximately 1,700 feet north from the intersection of Ardmore Boulevard and Newport Road (Braddock, PA Quadrangle N: 9.7 inches; W: 15.7 inches) in the Borough of Forest Hill, **Allegheny County**.

**E65-708.** Encroachment. **Ligonier Township Supervisors**, 18 Old Lincoln Highway West, Ligonier, PA 15658. To remove the existing structure and to construct and maintain a single span bridge having an normal span of 19.9 feet and an underclearance of 4.5 feet across North Fork Trout Run (HQ-CWF). The proposed work will impact a de minimis area of 0.02 acre of wetlands (PEM). The project is located on Austraw Road (T-721) (Derry, PA Quadrangle N: 7.65 inches; W: 0.35 inch) in Ligonier Township, **Westmoreland County**.

**E02-1246.** Encroachment. **Jeffrey and Joan Hrynda**, 1507 Saw Mill Run Boulevard, Pittsburgh, PA 15210. To construct and maintain a two-story garage in the floodway along the left bank side of Saw Mill Run (WWF). The project is located at the corner of Goff Street and Fawn Street, (Pittsburgh East, PA Quadrangle N: 4.5 inches; W: 17.3 inches) in the City of Pittsburgh, **Allegheny County**.

## 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, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.*

**WA 67-62B.** Water Allocation. **The York Water Company, York County**. The applicant is requesting the right to extend its service areas in Railroad and New Freedom Boroughs and Shrewsbury Township. No increase in the allocated quantity is being 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 (Department) has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 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 audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

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

**WQM Permit No. 0998403.** Sewerage. **Sarah Wulfleff**, 6801 Easton Road, Pipersville, PA 18947. Construction and operation of a small flow STP to serve S&S Styles located in Bedminster Township, **Bucks County**.

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

**NPDES Permit No. PA 0036285.** Sewerage. **MGM Enterprises, Inc.**, One Waterford Professional Center, York, PA 17402, is authorized to discharge from a facility located in Hellam Township, **York County** to the receiving waters named Dee Run.

**NPDES Permit No. PA0080527.** Sewerage. **Oliver Mobile Homes**, 986 Hoffer Road, Annville, PA 17003-9005, is authorized to discharge from a facility located in South Londonderry Township, **Lebanon County** to an unnamed tributary to Conewago Creek.

**NPDES Permit No. PA0087793.** Sewerage. **United Water Pennsylvania, Inc.**, 4211 East Park Circle, Har-

risburg, PA 17111-0151, is authorized to discharge from a facility located in Mechanicsburg Borough, **Cumberland County** to the storm sewer and ditch to Trindle Spring Run.

**Permit No. 0198405.** Sewerage. **Borough of Littlestown**, 46 East King Street, Littlestown, PA 17340. This permit approves the construction of a pump station in Littlestown Borough, **Adams County**.

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

**NPDES Permit No. PA0221015.** Sewage. **PA Turnpike Commission, Mainline North**, P. O. Box 67676,

Harrisburg, PA 17106-7676 is authorized to discharge from a facility located in North Beaver Township, **Lawrence County**, to an unnamed tributary to the Beaver River.

#### INDIVIDUAL PERMITS

(PAS)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G320	Liberty Property Trust 65 Valley Stream Parkway Great Valley Corporate Center Malvern, PA 19355	Tredyffrin Township Chester County	Valley and Little Valley Creeks
PAS10-G325	Thomas G. Aston 1935 Horseshoe Trail Chester Springs, PA 19425	West Pikeland Township Chester County	Tributary to Pickering Creek
PAS10-G326	Honey Brook Golf Club 1420 Cambridge Road Honey Brook, PA 19344	Honeybrook Township Chester County	West Branch Brandywine Creek

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10S063	Pocono Commons, L.L.C. 1765 Merriman Road Akron, OH 44313	Monroe Co. Stroud Twp.	Pocono Creek and McMichael Creek

#### Actions on plans submitted under the Storm Water Management Act (32 P. S. § 680.9).

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

**Plan No. SWMP 111:18. Fishing Creek/Cedar Run Watershed Storm Water Management Plan, Centre County**, as submitted by Centre County, was approved on July 22, 1998.

#### INDIVIDUAL PERMITS

(PAR)

The following parties have submitted Notices of Intent (NOIs) for Coverage under (1) General NPDES Permit(s) to discharge wastewater into the surface waters of this Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania. The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection approves the following coverages under the specified 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, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

*List of NPDES and/or other General Permit 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

*List of NPDES and/or other  
General Permit Type*

PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit For Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

*General Permit—PAG-2*

*Facility Location  
County and  
Municipality*

<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>
Butler County Butler Township	PAR10E020R	Southgate Limited 421 N. Main Street Butler, PA 16001	Unnamed Tributary to Butcher Run	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Butler Township	PAR10E027R	Kratsa Properties, Inc. 2801 Freeport Road Pittsburgh, PA 15239	Connoquenessing Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Harmony Borough	PAR10E029R	D. J. Developers 4004 W. Run Road Munhall, PA 15120	Little Connoquenessing Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Connoquenessing Twp.	PAR10E031R	John W. Frogge 120 Rose Haven Drive Renfrew, PA 16052	Unnamed Tributary to Little Connoquenessing Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Valencia Borough	PAR10E041R	Valencia Woods Nursing Center 85 Charity Place Valencia, PA 16059	Unnamed Tributary to Breakneck Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Cranberry Township	PAR10E052R	Newman Construction, Inc. 135 Heathercraft Drive Cranberry Twp., PA 16066	Brush Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Cranberry Township	PAR10E055R	FYT Associates 215 Corporate Drive Cranberry Twp., PA 16066	Brush Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Adams Township	PAR10E060R	Appleridge Dev. Co. R. D. 3 Evans City, PA 16033	Beaver River	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Adams Township	PAR10E070	Mars Land Associates P. O. Box 449 Mars, PA 16046	Breakneck Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270

## NOTICES

4565

<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>
Butler County Slippery Rock Boro.	PAR10E083	Howard E. Meyer 110 Parklane Drive Slippery Rock, PA 16057	Unnamed Tributary of Wolf Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Cranberry Township	PAR10E084	Berkley Manor Associates 16 Angle Way Pittsburgh, PA 15223	Brush Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Jackson Township	PAR10E085	Butler Auto Auction 21095 Route 19 Cranberry Twp., PA 16066	Glade Run	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Center Township	PAR10E086	Clearview Mall Association 1051 Brinton Road Pittsburgh, PA 15221	Connoquenessing Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Allegheny Township	PAR10E087	Robert Johnston 221 Bryon Center Road Emlenton, PA 16373	Unnamed Tributary to Carrs Run	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Jefferson Township	PAR10E091	Winters & Fleming Inc. 222 Airport Road Butler, PA 16001	Unnamed Tributary to Thorn Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Butler County Franklin Township	PAR10E092	G & P Land Corporation 147 Schmidt Road Harmony, PA 16037	Connoquenessing Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 724-284-5270
Erie County Summit Township	PAR10K113	Richard Cramer 8400 Pagan Road Erie, PA 16509	Unnamed Tributary to Elk Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 814-796-4203
Lawrence County Shenango Township	PAR103731	Kappa Properties Co. Giant Eagle Plaza 701 Alpha Drive Pittsburgh, PA 15238	Big Run to Shenango River	Lawrence Conservation District Lawrence Co. Government Center 430 Court Street New Castle, PA 16101-3593 724-652-4512
Lehigh Co. Washington Twp.	PAR10Q102	Washington Township George Beam P. O. Box 27 Slatedale, PA 18079-0027	Trout Creek	610-391-9583
Union County White Deer Twp.	PAR106826	Ronald Hoffman Whitetail Crossing Phase II R. R. 1, Box 1492 New Columbia, PA 17856	Unt. Little Buffalo Creek	Union County CD 60 Bull Run Crossing Lewisburg, PA 17837 717-523-8782

*General Permit Type—PAG-3**Facility Location  
County and  
Municipality**Permit No.**Applicant Name  
and Address**Receiving Stream  
or Body of Water**Contact Office and  
Telephone No.*Northampton Co.  
Bethlehem Twp.

PAR322205

Binney & Smith, Inc.  
P. O. Box 321  
1100 Church Lane  
Easton, PA 18044-0431LVIP V  
Stormwater  
Retention  
BasinNortheast Region  
Water Management  
2 Public Square  
Wilkes-Barre, PA  
18711-0790  
(717) 826-2553City of Erie  
Erie County

PAR208314

EMI Co.  
603 West 12th St.  
Erie, PA 16501Presque Isle Bay  
Lake ErieNorthwest Region  
Water Management  
230 Chestnut St.  
Meadville, PA  
16335-3481  
814-332-6942*General Permit Type—PAG-4**Facility Location  
County and  
Municipality**Permit No.**Applicant Name  
and Address**Receiving Stream  
or Body of Water**Contact Office and  
Telephone No.*Pine Grove Twp.  
Warren County

PAG048497

Gail R. Wright  
R. R. 1, Box 1438  
Russell, PA 16345Unnamed  
Tributary  
of Akeley RunNorthwest Region  
Water Management  
230 Chestnut St.  
Meadville, PA  
16335-3481  
814-332-6942Adams Twp.,  
Butler County

PAG048530

Thomas B. and Alma L.  
Staskiewicz  
309 Green Lake Drive  
Mars, PA 16046Unnamed  
Tributary of Wolf  
RunNorthwest Region  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814-332-6942West Salem Twp.  
Mercer County

PAG048534

Daniel L. McMasters  
2923 Chimney Pt. Drive  
Columbus, OH 43231Unnamed  
Tributary  
to Booth RunNorthwest Region  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814-332-6942Hickory Twp.  
Forest County

PAG048529

Donald R. Eastman  
P. O. Box 351  
Northfield, OH 44067Unnamed  
Tributary  
to Allegheny  
RiverNorthwest Region  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814-332-6942*General Permit Type—PAG-05**Facility Location  
County and  
Municipality**Permit No.**Applicant Name  
and Address**Receiving Stream  
or Body of Water**Contact Office and  
Telephone No.*Bedford County  
Bedford Borough

PAG053523

Bedford Farm Bureau  
Cooperative Assoc.  
102 Industrial Ave.  
Bedford, PA 15522-0333Raystown  
Branch/Juniata  
RiverSouthcentral Region  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
(717) 705-4707**SEWAGE FACILITIES ACT  
PLAN APPROVAL**

The Department of Environmental Protection (Department) has taken actions on municipal requests for Act 537 Plan Approval.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514), and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the

Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape

from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

---

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

*Southeast Regional Office: Sewage Planning Specialist Supervisor, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

The Plan Approval is granted for a revision to the Official Sewage Facilities Plan of **East Vincent Township, Chester County** to provide for immediate construction of an interceptor extension into the Stoney Creek Basin consisting of a 12-inch line from the existing East Vincent Township Municipal Authority line at Hill Church Road to Buckwalter Road, a 10-inch line from Buckwalter Road to Seven Stars Road and a 10-inch line up to the Centre Creek West Project. In addition, the plan recognizes potential for future extensions into the basin. This plan approval is conditioned as follows: 1. At this time only the Centre Creek East and West Projects are approved for connection to this interceptor. 2. Further planning is required prior to any extensions of the interceptor outside the current approved sewer service area.

The Plan Approval is granted for a revision to the Official Sewage Facilities Plan of **West Brandywine Township, Chester County** to provide for the following:

1. Creation of four separate sewer districts for future planning purposes;
2. Construction of a pump station and force main with a design capacity to service sub areas: No. 1 (Hammel North), No. 2 (Monacy Manor) and No. 3 (Properties along Reeceville Road, north of Friendship Village);
3. Development of an ISMO (Individual Sewage Management Ordinance) to carry out the Sewage Management Program as described on pages 1 and 2 of the Yerkes report and as described in the letter dated November 17, 1997, from Yerkes to the Chester County Health Department.

### SAFE DRINKING WATER

---

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

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

**Permit No. 3896505.** Public water supply. **West Lebanon Township Water Company**, Municipality: West Lebanon Township, **Lebanon County**. *Responsible Official:* Steven Shirk, Maintenance Supervisor, 322 N. 22nd Street, Lebanon, PA 17046-2711). *Type of Facility:* Provide corrosion control by the addition of caustic soda for alkalinity adjustment and zinc orthophosphate corrosion inhibitor.

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

**Application No. M.A.** The Department issued an operation permit application to **PA American Water Company** (105 Sodom Road, Milton, PA 17847-9762; Borough of Milton, **Northumberland County**) for permit of three additional treatment chemicals at both the Milton and White Deer Creek Filter Plants.

**Application No. M.A.** The Department issued an operating permit to **Kreamer Municipal Authority** (P. O. Box 220, Kreamer, PA 17833-0220; Middlecreek Township, **Snyder County**) for operation of the recently constructed 500,000 gallon concrete finished water storage tank, booster pump station and transmission lines.

**A. 5395501.** The Department issued an operating permit to **Genesee Township Water Authority** (P. O. Box 3, Genesee, PA 16923; Genesee Township, **Potter County**) for operation of Hickox Well No. 2 and Hickox Water Treatment Facility, including disinfection and sequestration.

### HAZARDOUS SITES CLEANUP

**Under the Act of October 18, 1988**

**Proposed Consent Order and Agreement  
DuPont/New Castle Junk Yard Site  
City of New Castle and Union Township,  
Lawrence County**

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Realities, U.S.A., Inc. (Realities) concerning the cleanup of the DuPont/New Castle Junk Yard Site (Site).

In the past, hazardous substances were disposed at the Site and these substances contaminated the environment at the Site. The Department has incurred more than \$1,100,000 in response costs at the Site. The Department estimates that it will cost up to \$14 million more to abate the release and threatened release of hazardous substances at the Site. As an owner of a portion of the Site subsequent to hazardous substance disposal and initial releases at the Site, and during the time of the release and threatened release of hazardous substances at the Site, Realities is a "responsible party" as defined in section 103 of HSCA (35 P. S. § 6020.103). Under the terms of the CO&A, Realities shall pay a total of \$242,948 to the Hazardous Sites Cleanup Fund in settlement of its share of responsibility for the cleanup of the Site. The Department anticipates that a response action will be conducted at the Site in 1998—1999 to mitigate the threat to human health and the environment posed by the hazardous substances there.

The specific terms of this settlement are set forth in the CO&A between the Department and Realities. The Department will receive and consider comments relating to the CO&A for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the CO&A if the comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper or not in the public interest. After the public comment period, the Department's settlement with Realities shall be effective upon the date that the Department notifies Realities, in writing, that this Consent Order and Agreement is final and effective in its present form, and that the Department has filed a response to significant written comments to the CO&A, or that no comments were received.

Copies of the CO&A are available for inspection at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted, in writing, to Harold Nye, Project Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335. Further information may be obtained by contacting Harold Nye at (814) 332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 645-5984.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

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

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

The Department has received the following final reports:

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

**Lenape Manufacturing Co.**, Perkasio Borough, **Bucks County**. Thomas R. Severino, Environmental Science & Remediation Technologies, Inc., 105 E. Evans St., West Chester, PA 19380, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, heavy metals, solvents and petroleum hydrocarbons; and groundwater contaminated with solvents and petroleum hydrocarbons. The report is intended to document remediation of the site to meet Statewide health standards for soil and site-specific standards for groundwater.

**National Label Co.**, Whitmarsh Township, **Montgomery County**. Thomas R. Marks, P.G., Tetrahedron Consultants, Inc., 422 W. First St., Parkesburg, PA 19365, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet Statewide health standards.

*Northcentral Regional Office: Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 321-6525.*

**Friedman's Express—Bloomsburg Truck Terminal**, City of Bloomsburg, **Columbia County**. RT Environmental Services Inc., on behalf of their client Friedman's Express, 475 South Franklin Street, Wilkes-Barre, PA 18702 has submitted a Final Report addressing soil and

groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide health standard.

## AIR QUALITY

### OPERATING PERMITS

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

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**40-313-018A: HPG International, Inc.** (Crestwood Industrial Park, Oakhill Road, Mountaintop, PA 18707) for minor modification of a plastic laminating process in Wright Township, **Luzerne County**.

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

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**48-323-006GP: M A Hanna Color Co.** (177 Mikron Road, Bethlehem, PA 18020) for construction and operation of a burn-off oven in Lower Nazareth Township, **Northampton County**.

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

**GPI-36-3060: Lancaster Leaf Tobacco Co. of PA, Inc.** (198 West Liberty Street, P. O. Box 897, Lancaster, PA 17608-0897) issued July 17, 1998, to operate natural gas/No. 2 fuel oil boilers in Lancaster City, **Lancaster County**.

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

**GP-61-016: Pennzoil Products Co., Rouseville Refinery** (Two Main Street, Rouseville, PA 16344) issued August 18, 1998, for a 374,000 gallon storage tank (Tank ID No. 2-140) in Cornplanter Township, **Venango County**.

**GP-20-279A: Lomak Operating Co., Humes Compressor Station** (Miller Road, Saegertown, PA 16433) for operation of a natural gas fired compressor engine in Cussewago Township, **Crawford County**.

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

*Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**46-326-001A: Knoll, Inc.** (1235 Water Street, East Greenville, PA 18041) issued August 21, 1998, for alternative emission reduction in Upper Hanover Township, **Montgomery County**.

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

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

**04-467A: J&L Structural, Inc.** (111 Station Street, Aliquippa, PA 15001) issued August 19, 1998, for operation of a billet reheat furnace at Aliquippa Plant in Aliquippa Borough, **Beaver County**.

**63-080A: Lukens Steel Co.** (P. O. Box 494, Washington, PA 15301) issued August 19, 1998, for operation of slag handling at Houston Plant in Houston Borough, **Washington County**.

**26-472A: Iron & Metal, Inc.** (P. O. Box 76, Brownsville, PA 15417) issued August 19, 1998, for operation of United AS-990 Sweat Furnace at Brownsville Plant in Jefferson Township, **Fayette County**.

**PLAN APPROVALS**

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

*Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**09-0037B: CMS Gilbreth Packaging Systems** (3001 State Road, Croydon, PA 19021) issued August 21, 1998, for operation of a reduce the "potential to emit" in Bristol Township, **Bucks County**.

**09-0037: CMS Gilbreth Packaging Systems** (3001 State Road, Croydon, PA 19021) issued August 21, 1998, for operation of a Temco Press in Bristol Township, **Bucks County**.

**46-0020: Superior Tube Co.** (3900 Germantown Pike, Collegeville, PA 19426) issued August 21, 1998, for operation of three fabric filters and one rotoclove in Lower Providence Township, **Montgomery County**.

**46-0154: Eye Designs LLC** (245 West Fifth Avenue, Trappe, PA 19426) issued August 24, 1998, for operation of two spray booths in Trappe Borough, **Montgomery County**.

*Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (717) 826-2531.*

**39-399-047: Lutron Electronics Co., Inc.** (8240 Spring Street, Alburdis, PA 18011) issued August 5, 1998, for construction of a stencil cleaning operation in Alburdis Borough, **Lehigh County**.

**40-320-008: Bemis Co., Inc.** (P. O. Box 557, Hazleton, PA 18201) issued August 14, 1998, for construction of two flexographic presses in West Hazleton Borough, **Luzerne County**.

**48-304-016C: Victaulic Co. of America** (4901 Kesslerville Road, Easton, PA 18040) issued August 6, 1998, for modification of the foundry operations in Forks Township, **Northampton County**.

**48-322-003A: Chrin Brothers Sanitary Landfill** (635 Industrial Drive, Easton, PA 18042) issued August 5,

1998, for modification of the landfill gas extraction and collection system in Williams Township, **Northampton County**.

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

**28-304-011C: T. B. Woods, Inc.** (440 North Street, Chambersburg, PA 17201) issued July 17, 1998, for installation of the mold line no. 2 sand system and shakeout controlled by an air filter dust collector in Chambersburg Borough, **Franklin County**.

*Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.*

**19-304-006B: Benton Foundry, Inc.** (R. R. 2, Box 110, Benton, PA 17814) issued July 2, 1998, for construction of an iron castings shakeout drum to be controlled by an existing air cleaning device (a fabric collector) in Sugarloaf Township, **Columbia County**.

**08-303-006A: Dalrymple Gravel & Contracting Co., Inc.** (2105 South Broadway, Pine City, NY 14871) issued July 13, 1998, for construction of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Athens Township, **Bradford County**. This plant is subject to Subpart I of the Standards Of Performance For New Stationary Sources.

**08-301-014A: Tioga Point Crematory, Inc.** (802 North Main Street, Athens, PA 18812) issued July 20, 1998, for construction of a crematory incinerator in Athens Borough, **Bradford County**.

**12-399-009B: GKN Sinter Metals** (R. R. 2, Box 47, Emporium, PA 15834-9797) issued July 20, 1998, for installation of an air cleaning device (an electrostatic precipitator) on a sintered metal parts oil impregnation operation consisting of two impregnation vessels and four associated heated oil holding tanks at Plant No. 1 in Shippen Township, **Cameron County**.

**12-399-006B: GKN Sinter Metals** (R. R. 2, Box 47, Emporium, PA 15834-9797) issued July 20, 1998, for installation of an air cleaning device (an electrostatic precipitator) on a sintered metal parts heat treat furnace, a sintered metal parts draw furnace and a parts dryer at Plant No. 1 in Shippen Township, **Cameron County**.

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

**56-181A: Alleghenies Disposal Service** (Pk W 2, Suite 420, 2000 Cliff Mine Road, Pittsburgh, PA 15275) issued August 19, 1998, for operation of leachage evaporation system at Southern Alleghenies Landfill in Conemaugh Township, **Somerset County**.

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

**43-170B: Werner Co., Greenville Division** (93 Werner Rd., Greenville, PA 16125) issued August 10, 1998, for modification to the fiberglass pultrusion process in Sugar Grove Township, **Mercer County**.

**33-161A: Buff One Transmission and Core Buyer, Anthony Buffone** (74 First Street, Falls Creek, PA 15840) issued August 13, 1998, for construction of an aluminum melting furnace in Falls Creek, **Jefferson County**.

**25-318-119A: General Electric Transportation Systems** (2901 East Lake Road, Erie, PA 16531) issued

August 18, 1998, for modification of a surface coating operation in Lawrence Park Township, **Erie County**.

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

*Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**15-314-004: Norwood Industries, Inc.** (57 Morehall Road, East Whiteland, PA 19355) issued August 21, 1998, for operation of a dust collector in East Whiteland Township, **Chester County**.

**15-314-002: Norwood Industries, Inc.** (57 Morehall Road, Frazer, PA 19355) issued August 21, 1998, for operation of a medical device mfg. process in East Whiteland Township, **Chester County**.

**15-314-003: Norwood Industries, Inc.** (57 Morehall Road, East Whiteland, PA 19355) issued August 21, 1998, for operation of six storage tanks in East Whiteland Township, **Chester County**.

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

**01-320-004: Quebecor Printing Fairfield, Inc.** (100 North Miller Street, Fairfield, PA 17320) issued July 19, 1998, to authorize temporary operation of the web offset lithographic printing press with one dryer, covered by this Plan Approval until November 15, 1998, in Fairfield Township, **Adams County**.

**28-318-012D: Dept. of the Army, Letterkenny Army Depot** (SDSLE-EN, Chambersburg, PA 17201-4150) issued July 25, 1998, to authorize temporary operation of the chrome plating tanks controlled by fume scrubbers, in Building 1-North, covered by this Plan Approval until November 22, 1998, in Greene Township, **Franklin County**.

**36-309-055B: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506) issued July 16, 1998, to authorize temporary operation of the lime plant and crushing area, at the Weaverland Quarry, covered by this Plan Approval until November 12, 1998, in **Lancaster County**. These sources are subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**44-03004: Guardian Industries Corp.** (One Belle Avenue, Bldg. 35, Lewistown, PA 17044-2434) issued August 11, 1998, to authorize temporary operation of the mirror coating operation controlled by a regenerative thermal oxidizer, located at the Falconer Glass Industries, Inc., and covered by this Plan Approval until December 9, 1998, in Granville Township, **Mifflin County**.

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

**26-310-018: Sand & Gravel Co.** (400 Industrial Boulevard, New Kensington, PA 15068) issued August 19, 1998, for installation of limestone crushing at Connellsville II Quarry in Bullsken Township, **Fayette County**.

**32-305-053: Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) issued August 19, 1998, for installation of bituminous coal processing at Coral Tipple in Burrell Township, **Indiana County**.

**63-307-027: American Iron Oxide Co.** (Foster Plaza, No. 7, 661 Andersen Drive, Pittsburgh, PA 15220) issued August 5, 1998, for installation of iron oxide production at Allenport Plant in Allenport Borough, **Washington County**.

**65-309-061B: Norton Pakco Industrial Ceramics** (55 Hillview Avenue, Latrobe, PA 15650) issued May 7, 1998, for installation of ceramic mixing and firing at Derry Plant in Derry Township, **Westmoreland County**.

**65-309-074A: American Video Glass Co.** (777 Technology Drive, Mt. Pleasant, PA 15666) issued August 19, 1998, for installation of color TV glass manufacturing in Mt. Pleasant Township, **Westmoreland County**.

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

**20-194B: Lord Corp.** (601 South Street, P. O. Box 1050, Saegertown, PA 16433) issued July 31, 1998, for a latex plant expansion in Saegertown, **Crawford County**.

**REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)**

**Administrative Amendment of Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an Operating Permit to comply with 25 Pa. Code § 127.450 for Reasonable Available Control Technology.**

*Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.*

**23-0005: BASF Corp.** (1830 Columbia Avenue, Folcroft, PA 19032) issued August 19, 1998, for Facility VOCs RACT in Folcroft Borough, **Delaware County**.

*Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3637.*

**47-0002: Strick Corp.** (R. R. 8, Box 281, Danville, PA 17821-8386) amended July 31, 1998, to incorporate several additional minor volatile organic compound sources (a space heater, an emergency generator and a kerosene tank) at the Danville facility in Limestone Township, **Montour County**.

**MINING**

**APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES**

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

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

*Coal Applications Issued*

**32823005.** Permit Renewal. **Blairsville Associates, Inc.** (P. O. Box 157, Blairsville, PA 15717-0157), commencement, operation and restoration of bituminous strip mine in Burrell and West Wheatfield Townships, **Indiana County**, affecting 367.0 acres, receiving stream a tributary to Black Lick Creek and Palmers Run and unnamed tributaries to Roaring Run. Application received June 23, 1998. Issued August 18, 1998.

**56960108. PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), commencement, operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 101.0 acres, receiving stream unnamed tributary to Buffalo Creek; Buffalo Creek. Application received August 19, 1996. Permit issued August 18, 1998.

**32970109. P & N Coal Company, Inc.** (P. O. Box 332, 240 West Mahoning Street, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous strip mine in Banks Township, **Indiana County**, affecting 62.3 acres, receiving stream UNTs to Brady Run and UNTs to Horton Run to Cush Creek. Application received August 18, 1997. Permit issued August 19, 1998.

*Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840*

**17870129. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), major revision to an existing bituminous surface mine permit to apply biosolids (stabilized sewage sludge) to enhance vegetation on a 498.3 acre operation in Morris Township, **Clearfield County**. Application received March 25, 1998. Permit issued August 19, 1998.

*Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.*

*Large Industrial Mineral Permits Issued*

**53980301. NE Hub Partners, L.P.** (2 Riverbend at Lansdowne, 44084 Riverside Parkway, Suite 340, Leesburg, VA 22075), commencement, operation and restoration of a large industrial mineral surface mine permit for the surface activities connected with surface or underground solution mining of caverns in salt formation 4,500—5,000 feet below ground surface in Lawrence, Farmington and Tioga Townships, **Tioga County** affecting 2,379 acres, receiving streams: Baldwin Creek, Cummings Creek, Crawford Run and Elkhorn Creek. Application received March 11, 1998. Permit issued August 11, 1998.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*Noncoal Permits Issued*

**8073SM2A1C4. Glasgow, Inc.** (Willow Grove Ave. and Limekiln Pike, P. O. Box 248, Glensides, PA 19038), correction to an existing quarry operation in Upper Merion Township, **Montgomery County** affecting 191.7 acres, receiving stream—unnamed tributary to Schuylkill River. August 21, 1998.

*Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.*

*Small Industrial Mineral Authorizations Granted*

**08980806. Marvin J. Armitage, Sr.** (R. D. 2, Box 6B, New Albany, PA 18833), commencement, operation and restoration of a small industrial mineral (bluestone) permit in Terry Township, **Bradford County** affecting 2

acres, receiving streams: none. Application received May 18, 1998. Authorization granted August 13, 1998.

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

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (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 rule of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**E15-574.** Encroachment. **Donna Horvath, Ted Piersol and Tom Piersol**, Honey Brook Golf Club, 1420 Cambridge Road, Honey Brook, PA 19344. To perform the following activities associated with the construction of the Honey Brook Golf Club Development:

1. To place and maintain fill within an existing 0.75 acre pond and remove an associated on-stream nonjurisdictional dam, located along an unnamed tributary of the West Branch of Brandywine Creek (HQ-TSF-MF);
2. To place and maintain fill within various locations of the 100-year floodway of an unnamed tributary of the West Branch of Brandywine Creek (HQ-TSF-MF), associated with grading activities for fairway construction;
3. To rehabilitate and maintain an existing wooden golf cart bridge and to construct and maintain numerous bituminous cart paths, along existing terrain situated in and along the 100-year floodway of an unnamed tributary of the West Branch of Brandywine Creek;
4. To rehabilitate and maintain 2,512 linear feet of stream bank by a combination of vegetative plantings,

grading, rock riprap and stone wall construction, along an unnamed tributary of the West Branch of Brandywine Creek;

5. To excavate along the stream and within the 100-year floodway of an unnamed tributary of the West Branch of Brandywine Creek, associated with the establishment of a pond, which will impact approximately 505 linear feet of stream channel;

6. To construct and maintain an intake structure for an off-stream pond, along an unnamed tributary of the West Branch of Brandywine Creek;

7. To place and maintain fill within 0.09 acre of wetland (PEM), associated with the construction of a tee for hole 13 of the proposed golf course.

The site is located approximately 1,000 feet south of the intersection of Cambridge Road and White Horse Pike (S. R. 0322) (Honeybrook USGS Quadrangle N: 14.4 inches, W: 2.2 inches) in Honeybrook Township, **Chester County**. This approval also includes an Environmental Assessment approval for the construction of an on-stream nonjurisdictional dam, which will impact approximately 65 linear feet of stream. The permittee will provide 0.27 acre of replacement wetlands.

**E23-370.** Encroachment. **Southeastern Pennsylvania Transportation Authority**, 1234 Market Street—13th Floor, Philadelphia, PA 19107. To construct and maintain 288 linear feet of a 6.5-foot high gabion wall, to construct and maintain an additional 3 foot high course of gabions along the top of a previously constructed gabion wall that is 204 feet long, and to authorize the maintenance of 145 linear feet of 8-foot high gabion wall. These activities are located alongside SEPTA's Point Reading Road Bus Route to protect the left bank of an unnamed tributary to Cobbs Creek (WWF-MF) (Lansdowne, PA Quadrangle N: 22.2 inches; W: 7.10 inches) in Haverford Township, **Delaware County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E46-791.** Encroachment. **Bentwood Corporation**, 839 East Germantown Pike. To construct the Bentwood Executive Campus, a business complex consisting of three office buildings, a hotel and a restaurant, which will impact 425 feet of an intermittent tributary to Stoney Creek (TSF) and 1.05 acres of adjacent wetlands. The proposal includes:

1. Placing fill in 400 linear feet of stream and 0.56 acre of wetlands (PEM) associated with the construction of parking areas, a stormwater collection system and roadway accesses to the site from Old Arch Road.

2. The construction of seven stormwater outfall structures discharging to wetlands (PEM).

3. The dredging of 0.46 acre of wetland (POW).

This application also includes a request for an environmental assessment approval for a nonjurisdictional dam. The work will include the filling of 0.02 acre of wetlands (POW). This site is located at the northwest corner of the intersection of Germantown Pike and Arch Road (Lansdale, PA Quadrangle N: 2.2 inches; W: 7.7 inches) in East Norriton Township, **Montgomery County**.

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

**E45-347.** Encroachment. **Pocono Commons Associates, L.L.C.**, 1765 Merriman Road, Akron, OH 44315. To place fill in approximately 0.41 acre of wetlands for the

purpose of constructing a commercial/retail complex known as Pocono Commons. The project is located north of the intersection of S. R. 0611 and T498 (White Stone Corner Road) (Stroudsburg, PA-NJ Quadrangle N: 22.0 inches; W: 16.5 inches) in Stroud Township, **Monroe County**. The permittee is required to provide 0.41 acre of replacement wetlands.

**E64-186.** Encroachment. **Pennsylvania 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 stream enclosure of Holbert Creek, consisting of approximately 110 linear feet of 18.0-foot by 14.5-foot cast-in-place concrete box culvert, with its invert depressed 1.0 foot below streambed elevation. Construction of the culvert will permanently impact a de minimis area of wetlands equal to 0.01 acre. The project is located on S. R. 0006, Section 671, Segment 0320, Offset 1388, approximately 0.7 mile northwest of the intersection of S. R. 0006 and S. R. 0652 (White Mills, PA Quadrangle N: 9.8 inches; W: 13.5 inches), in Texas Township, **Wayne County**.

**E66-117.** Encroachment. **Pennsylvania Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501-0111. To remove the existing S. R. 0092 structure and abandoned bridge abutments approximately 400 feet upstream of S. R. 0092, to place fill in the 100-year floodplain of the Susquehanna River for the proposed S. R. 0006 roadway embankment fill, to excavate a silt and sediment deposit having a length of approximately 365 l.f., along the eastern streambank of Tunkhannock Creek near the confluence of the Susquehanna River, to construct and maintain approximately 310 l.f. of R-8 riprap slope protection above sheet piling along the western streambank of Tunkhannock Creek and to construct and maintain the following three bridges: (1) the "Eastern Terminus" structure consisting of a four-span prestressed I-beam bridge having a total span of 475 feet and a minimum underclearance of approximately 30 feet across Tunkhannock Creek on a 51° skew; (2) the S. R. 0092 structure consisting of a three-span prestressed spread box beam bridge having a total span of 256 feet and a minimum underclearance of approximately 23.9 feet across Tunkhannock Creek on a 72° skew; and (3) the "Viaduct" structure consisting of a five-span prestressed I-beam bridge having a total span of 620 feet and a minimum underclearance of approximately 31.9 feet across Tunkhannock Creek on an approximate 71° skew. This work is associated with the construction of Section E11 of the S. R. 0006 Tunkhannock By-Pass project which begins 0.2 mile east of the intersection of S. R. 0006 and S. R. 0092, continues west parallel to S. R. 0006 between Tunkhannock Creek and the Susquehanna River and ends at S. R. 0029 (Tunkhannock, PA Quadrangle N: 6.8 inches; W: 8.3 inches and N: 6.6 inches; W: 9.9 inches) in Tunkhannock Borough and Tunkhannock Township, **Wyoming County**.

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

**E07-291.** Encroachment. **Forever of Pennsylvania, Inc.**, WFGY Radio Station, Carol Mills, P. O. Box 2005, Altoona, PA 16603. To place fill in 0.18 acre of wetlands in conjunction with the construction of a 9288.4 square foot building to house the office staff at Forever of Pennsylvania, Incorporated located about 600 feet west of Logan Boulevard (SR 0220) 1.6 miles south of its intersection with Route 36 (Hollidaysburg, PA Quadrangle N: 14.5 inches; W: 3.25 inches) in Allegheny Township,

**Blair County.** The permittee is required to provide a minimum of 0.18 acre of replacement wetlands. This permit also includes 401 Water Quality Certification.

**E22-379.** Encroachment. **Milton Hershey School**, Lawrence Davenport, Founders Hall, P. O. Box 830, Hershey, PA 17033. To relocate approximately 2,950 feet of stream channel to near its original location to excavate an instream pond (Town Center Pond) to dredge and restore the banks of Founders Pond and to construct a foot bridge over Town Center Pond in the channel of a tributary to Spring Creek at a point upstream of Route 322 (Hershey, PA Quadrangle N: 4.0 inches; W: 16.7 inches) in Derry Township, **Dauphin County**. This permit also includes 401 Water Quality Certification.

**E22-384.** Encroachment. **Roy Brubaker**, 4146 Colebrook Road, Elizabethtown, PA 17022. To construct and maintain a bridge having a span of 38 feet and a clearance of 5 feet across the channel of Hoffer Creek at a point approximately 3,000 feet downstream of Route 341 (Elizabethtown, PA Quadrangle N: 15.8 inches; W: 14.1 inches) in Conewago Township, **Dauphin County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E17-321.** Encroachment. **Salvation Army**, 119 South Jared St., City of Dubois, PA 15801. To construct and maintain a 4,300 square foot addition to an existing 3,080 square foot building and to demolish approximately 2,100 square feet of existing structures in the floodway of Pentz Run approximately 1,700 feet above the mouth of Pentz Run on South Jared Street (Dubois, PA Quadrangle N: 21.6 inches; W: 2.2 inches) in the City of Dubois, **Clearfield County**. This permit was issued under section 105.13(e) "Small Projects."

**E49-218.** Encroachment. **Jim and Nellie Vargo**, R. R. 3, Muncy, PA 17756. To remove washed in gravel and restore eroded stream banks along 150 feet of Warrior Run located just downstream of Fullertown Road along SR 1007 (Muncy, PA Quadrangle N: 4.4 inches; W: 6.80 inches) in Delaware Township, **Northumberland County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E10-271.** Encroachment. **Recmix of PA, Inc.**, 359 North Pike Road, Sarver, PA 16055. To relocate approximately 1,000 feet of a tributary to Little Buffalo Creek for the expansion of the existing Recmix industrial facility's slag stockpile area east of S. R. 356 approximately 3,000 feet north of Riemer Road in the village of Lernerville (Curtisville, PA Quadrangle N: 22.6 inches; W: 1.5 inches) located in Winfield Township, **Butler County**. Project includes rock riprap and gabion lined channel and a riprap and gabion energy dissipater. Energy dissipater will impact a de minimis area of wetland (0.04 acre).

**E43-267.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To remove the existing structure and to construct and maintain a precast reinforced concrete box culvert having two 20-foot-wide by 6.33-foot-high waterway openings in Lackawannock Creek on S. R. 3022, Segment 0250, Offset 0000 approximately 1 mile north of

S. R. 258 near the village of Big Bend (Fredonia, PA Quadrangle N: 4.7 inches; 8.6 inches) located in Jefferson Township, **Mercer County**.

[Pa.B. Doc. No. 98-1450. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Citizens Advisory Council to the Department of Environmental Protection; September Meeting Change

Notice is hereby given of meetings of the Citizens Advisory Council to the Department of Environmental Protection on Wednesday, September 23, 1998, and Thursday, September 24, 1998. The meetings will be held at 6 p.m. and 9 a.m., respectively, at the Atherton Hotel, 125 S. Atherton Street, State College, PA 16801. The meeting previously scheduled for September 14, 1998, in Harrisburg has been cancelled.

Questions concerning these meetings or agenda items can be directed to Stephanie Mioff at (717) 787-4527.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Stephanie Mioff directly at (717) 787-4527 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Council may accommodate their needs.

JOLENE CHINCHILLI,  
Chairperson

[Pa.B. Doc. No. 98-1451. Filed for public inspection September 4, 1998, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Miners Memorial Medical Center for Exception to 28 Pa. Code § 153.1(b)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Miners Memorial Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1(b), referencing the "Guidelines for Design and Construction of Hospital and Health Care Facilities," 1996—97 edition, which requires under section 7.2.A4 that handwashing facilities be located in the patient toilet room. The Medical Center proposed to reactivate 16 existing acute care beds; however, handwashing facilities are located within each patient bedroom instead of the patient toilet room.

The request is on file with the Department. Persons may receive a copy of request for exception by requesting a copy from: Division of Acute & Ambulatory Care, Room 530 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, E-Mail Address: LVIA@HEALTH.STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute & Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984[TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1452. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Availability for Public Comment of the Department of Health's Plan Required by Section 1932 of the Alcohol, Drug Abuse and Mental Health Administration (ADAMHA) Reorganization Act of 1992

The Bureau of Drug and Alcohol Programs of the Department of Health is making available for public review and comment, under Section 1941 of the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1992, 42 U.S.C.A. § 290aa *et seq.*, the Department's Final Plan for the 1997—1998 Federal fiscal year required by Section 1932 of the Act.

The Plan includes provisions for complying with the funding agreements set out in the Act, which are prerequisites for receiving block grant funds, and a description of the manner in which the Department expended the grant.

The grant amount was approximately \$55 million for the period of October 1, 1997 to September 30, 1998.

A copy of the Department's Plan may be obtained by contacting: C. Thomas Brown, Program Analyst, Policy and Evaluation Unit, Bureau of Drug and Alcohol Programs, Department of Health, P. O. Box 90, Harrisburg, PA 17108, (717) 783-8200. Persons with a disability who require an alternative format of this document (for example, large print, audio tape or braille) may contact the Bureau of Drug and Alcohol Programs so that it can make the necessary arrangements.

Written comments on the Department's Plan must be submitted within 30 days of the date of publication of this Notice. All comments received will be considered in the development of the Department's Plans that will be part of the Commonwealth's application for Substance Abuse Prevention and Treatment Block Grant funding for the 1998—1999 Federal Fiscal Year and future years.

Persons with a disability may submit inquires to the Bureau in alternative formats, such as audio tape, braille or using TDD: (717) 783-6514.

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1453. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Cancellation of the Health Policy Board Meeting

The Health Policy Board meeting scheduled for September 9, 1998, has been canceled. The meeting has been

rescheduled for October 28, 1998, at 10 a.m. in Room 812 of the Health & Welfare Building, Harrisburg, PA.

This meeting is subject to cancellation without notice.

For additional information, or for persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Robin Bowman at (717) 783-2500, V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1454. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act, as amended, 42 U.S.C.A. §§ 241(a) and 247(b), will hold a public meeting on Wednesday, September 16, 1998.

The meeting will be held at the Harrisburg Holiday Inn, Hotel and Conference Center, I-83 and the Pennsylvania Turnpike, New Cumberland, PA, from 10 a.m. to 4 p.m.

For additional information, or persons with a disability who desire to attend the meeting and require an auxiliary aid service or other accommodation to do so, should contact Thomas M. DeMelfi at the following address and telephone number: Thomas M. DeMelfi, Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Harrisburg, PA 17108, (717) 783-0574, TDD: (717) 783-6514 or Network/TDD: (8) 717-433-6514.

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 98-1455. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Pennsylvania Cancer Control Prevention and Research Advisory Board

The Pennsylvania Cancer Control, Prevention and Research Advisory Board is scheduled to hold a meeting on October 5, 1998, from 10 a.m. to 11:30 a.m. at the Governor's Residence, 2035 North Front Street, Harrisburg, PA. Persons planning to attend this meeting must contact Brenda Reichert at (717) 787-5251 by September 25, 1998, in order to gain admittance to the Governor's residence.

Anyone wishing to attend the meeting or who has questions regarding the meeting should contact Susan F. George, Program Manager, Department of Health, Cancer Control Program, 1011 Health and Welfare Building, Harrisburg, PA, at (717) 787-5251.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Susan F. George

at (717) 787-5251, TDD: (717) 783-6514/Network TDD:8-433-6514.

DANIEL F. HOFFMANN,  
Secretary

[Pa.B. Doc. No. 98-1456. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Public Meeting Concerning the 1999 State Plan of Program Operations and Administration for WIC

In accordance with 7 CFR 246.4(b), the Department of Health (Department) has scheduled a public meeting for the purpose of obtaining comments and recommendations for an amendment to the 1999 State Plan of Program Operations and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. The amendment to the State Plan is for the purpose of including State regulations governing Retail Store Management and Administrative Appeals aspects of the Program.

The Department has drafted the regulations as a result of the decision issued by the Commonwealth Court (Judge Doyle) in the matter of *Giant Food Stores, Inc. v. Commonwealth of Pennsylvania, Department of Health*, 2623 C.D. 1997. The Court determined that the criteria the Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program) uses to make the decisions to authorize grocery stores for participation in the program was not valid because the criteria had not been published as regulations in accordance with the procedures set forth in the Commonwealth Documents Law (45 P.S. §§ 1102—1602) and the Commonwealth Attorneys Act (71 P.S. §§ 731-201—732-506). As a result of the court's decision, the WIC Program is unable to authorize new stores, or review currently authorized stores as required by Federal regulations. It is the Department's intention to proceed with adopting the regulations as final with proposed rulemaking omitted. However, the Department will seek public comment on the draft regulations prior to the publication.

The public meeting will be held on Thursday, September 24, 1998, from 9 a.m. to 3 p.m. at the Rachel Carson State Office Building located at 400 Market Street, Harrisburg, PA. The purpose of the meeting is to solicit comments on the draft State regulations governing the WIC Program. These regulations will amend the State Plan of Program Operations and Administration required by Federal regulations governing the program.

The Department invites comments on the Program's draft regulations and amendment to the State Plan.

Copies of the draft regulations will be available on the Department's web page ([www.health.state.pa.us](http://www.health.state.pa.us)) from September 11 to September 24, 1998. Persons may also obtain a copy by calling the WIC Program Office at (717) 783-1289.

Persons wishing to give testimony at the public meeting are requested to preregister with the State WIC Program Office by calling (717) 783-1289. Persons unable to attend the meetings, but wishing to express their views, may submit written comments to the Department. To be considered, written comments must be received no later than 5 p.m. September 24, 1998. Direct written comments to: Department of Health, Division of Women, Infants and Children (WIC), Attention: Retail Store Management Unit, P. O. Box 90, Harrisburg, PA 17108.

Persons who require reasonable accommodations in accordance with the Americans with Disabilities Act (ADA) of 1990, should contact Wendy Noel at (717) 783-1289 for assistance.

V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at 1 (800) 654-5984 [TT].

DANIEL F. HOFFMANN,  
Secretary

[Pa.B. Doc. No. 98-1457. Filed for public inspection September 4, 1998, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Take 5 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Take 5.
2. *Price:* The price of a Pennsylvania Take 5 instant lottery game ticket is \$1.00.
3. *Play Symbols:* Each Pennsylvania Take 5 instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE).
4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Prize" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTN), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$75\$ (SVY FIV), \$100 (ONE HUND), \$500 (FIV HUND) and \$5,000 (FIV THOU). The prize play symbols and their captions located in the "Fast \$5 Bonus Box" area are: \$5<sup>00</sup> (FIV DOL) and NO BONUS (NO BONUS).
5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$10, \$15, \$25, \$50, \$75, \$100, \$500 and \$5,000.
6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,760,000 tickets will be printed for the Pennsylvania Take 5 instant lottery game.
7. *Determination of Prize Winners:*
  - (a) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$5,000 (FIV THOU) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$5,000.
  - (b) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$500 (FIV HUND) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$500.
  - (c) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$100 (ONE HUND) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$75\$ (SVY FIV) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$75.

(e) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$50\$ (FIFTY) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$25\$ (TWY FIV) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$25.

(g) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$15<sup>00</sup> (FIFTN) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$15.

(h) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$10<sup>00</sup> (TEN DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with a prize play symbol of \$5<sup>00</sup> (FIV DOL) in the "Fast \$5 Bonus Box" area, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$3<sup>00</sup> (THR DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$2<sup>00</sup> (TWO DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets with three matching play symbols of 5 (FIVE) in the same row, column or diagonal, and a prize play symbol of \$1<sup>00</sup> (ONE DOL) in the "Prize" area, on a single ticket, shall be entitled to a prize of \$1.

(m) A prize will be paid only for the highest Pennsylvania Take 5 instant lottery game prize won on the ticket if the ticket meets the criteria established in 61 Pa. Code § 819.213 (relating to ticket validation and requirements).

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

*Get Three 5's In Any Row, Column Or Diagonal With Prize(s) Of:*

	Win	Approximate Odds	Approximate No. of Winners Per 5,760,000 Tickets
\$1	\$1	1:8.33	691,200
\$2	\$2	1:15	384,000
\$3	\$3	1:75	76,800
FAST \$5	\$5	1:60	96,000
\$10	\$10	1:600	9,600
\$15	\$15	1:300	19,200
\$25	\$25	1:300	19,200
\$50	\$50	1:2,400	2,400
\$75	\$75	1:4,800	1,200
\$100	\$100	1:12,000	480
\$500	\$500	1:40,000	144
\$5,000	\$5,000	1:480,000	12

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Take 5 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Take 5, prize money from winning Pennsylvania Take 5 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Take 5 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Take 5 or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 98-1458. Filed for public inspection September 4, 1998, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

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

*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 28 Pa.B.

167 on January 10, 1998, a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

*Approval*

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing device (radar):

(1) Stalker. Manufactured by Applied Concepts Incorporated, 730 F. Avenue, Suite 200, Plano, Texas 75074.

*Deletion*

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 State Police, the Department hereby gives notice of the deletion of the following station:

Transcat/EIL, 701 Rodi Road, Suite 35, Pittsburgh, Allegheny County, Pa. 15235 (Appointed: 05/20/97, Station R5).

As an addendum to the listing of approved Official Speedometer Testing Stations, the Department hereby gives notice of the deletion of the following station:

Hertz Penske Truck Leasing, Incorporated, 255 Penske Plaza, Reading, Berks County, Pa 19603 (Appointed: 07/03/74, Station S76).

As an addendum to the listing of approved Official Stopwatch Testing Stations, the Department hereby gives notice of the deletion of the following station:

William H. Nagle, Incorporated, 617 Penn Avenue, West Reading, Berks County, PA 19611 (Appointed: 11/02/77, Station W25).

As an addendum to the listing of approved Official Electronic Device Testing Stations for nonradar devices which measure elapsed time between measured road surface points by using two sensors, the Department hereby gives notice of the deletion of the following station:

Transcat/EIL, 701 Rodi Road, Suite 35, Pittsburgh, Allegheny County, PA 15235 (Appointed: 05/20/97, Station EL17).

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Processing Section, 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 28 Pa.B. 167 (January 10, 1998) and 28 Pa.B. 2327 (May 16, 1998).

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-1459. Filed for public inspection September 4, 1998, 9:00 a.m.]

**Finding**

**Lycoming County**

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

The Department of Transportation plans to replace the existing through truss bridge which carries S. R. 0220 over Muncy Creek in the Borough of Picture Rocks, Lycoming County. The bridge will be replaced on its existing horizontal alignment.

The project limits are within the Picture Rocks Historic District. The bridge, a stone wall, and a residence are contributing elements to the Historic District. These elements will be impacted by the proposed project. To mitigate impacts, the historic elements will be recorded in accordance with established guidelines.

No adverse environmental effect is likely to result from the replacement of this bridge.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-1460. Filed for public inspection September 4, 1998, 9:00 a.m.]

**Finding**

**Tioga County**

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

The Department of Transportation plans to replace the existing through truss bridge which carries Township Road T-493 over the Tioga River in Richmond Township, Tioga County. The bridge will be replaced on an alignment slightly downstream (north) of the existing location.

The subject bridge was determined eligible for the National Register of Historic Places. The proposed action will impact the historically significant bridge. To mitigate impacts, the bridge will be recorded in accordance with established guidelines.

As a result of the above mitigation, no adverse environmental effect is likely to result from the replacement of the subject bridge.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-1461. Filed for public inspection September 4, 1998, 9:00 a.m.]

**Retention of Engineering Firms**

**Westmoreland County  
Project Reference No. 08430AG2242**

The Department of Transportation will retain an engineering firm to perform final design and services during construction (consultation during construction and shop drawing review) for S. R. 0022, Section B02, the reconstruction of Traffic Route 22 located in the Municipality of Murrysville and Salem Township, Westmoreland County, Engineering District 12-0. The estimated construction cost is \$25 million.

The proposed project consists of the reconstruction of Traffic Route 22 from just east of the Cozy Inn cutoff (Segment 0070/0000) eastward to S. R. 0022/S. R. 0066 Interchange (Segment 0160/0000), in Westmoreland County, a total distance of 4.0 miles.

The selected firm will be required to perform field surveys; roadway design; intersection geometry investigation; signing layout; geotechnical reports; traffic control plans; hydraulic computations, storm water management plans; utility coordination; right-of-way plans; preliminary and final structure design; erosion and sedimentation control plans; signing; sign lighting and pavement marking plans; traffic signal plans; construction plans; forms; estimates and specifications; roadway and structure borings; project partnering and public involvement.

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

- a. Ability to package and present the Letter of Interest in accordance with the "General Requirements and Information" section.
- b. Experience in roadway and bridge design.
- c. Ability to expedite project.
- d. Project team composition and experience.
- e. Past performance.
- f. Current Workload.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent 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 project(s).

The District's copy of the Letter of Interest and required forms (see general requirements and information section) shall be sent to: Mr. Michael H. Dufalla, P.E., District Engineer, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401, Attention: Mr. P. Gregory Bednar, P.E.

Any technical questions concerning the requirements for this project should be directed to: Mr. P. Gregory Bednar, P.E., District 12-0, at (412) 439-7243.

Any 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 and invited to submit two copies of a Letter of Interest are 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: Mr. Charles W. Allwein, P.E., Chief, Consultant Selection Committee, 7th Floor, Forum Place, 555 Walnut Street, P. O. Box 3060, Harrisburg, Pennsylvania 17105-3060. Note: The Zip Code for express Mailing is 17101-1900.

The Letter of Interest and required information must be received within twenty (20) 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 twentieth 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 corporate 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 (1) 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 (1) 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 (2) 8 1/2" x 11" 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 Organizational Chart (one page, one side, maximum size 11" x 17")

This Chart must 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 must specify only the number of subconsultant personnel and Column B must specify only the number of prime consultant personnel to be assigned to work on this project reference number. Do not include the total personnel for either the subconsultant or prime consultant under Item 4 unless the total personnel are necessary to provide the required work and services.

The prime and each subconsultant may include no more than one page each for Items 10 and 11.

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 one (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 must be assembled with the prime's form first, followed by the form for each subconsultant in the same order as the subconsultants appear in Item 6 of Form 255.

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

Separate Workload Projection Graphs for the prime and each subconsultant shown in Item 6 of the Form 255 must be included and must indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graphs must be submitted for the office(s) where the work would be performed and must only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (For Construction Inspections Services, if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the

Letter of Interest, the letters from proposed prime employees must 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)

A single page summary must indicate 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 Accountant 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 (10) one sided 8 1/2" x 11" pages or five (5) double sided 8 1/2" x 11" pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisement(s) 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. 98-1462. Filed for public inspection September 4, 1998, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Township of Collier v. DEP and Collier Stone Company, Permittee; EHB Doc. No. 98-149-R**

The Township of Collier has appealed the renewal by the Department of Environmental Protection of an NPDES permit to Collier Stone Company for a facility in Collier Township, Allegheny County.

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

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by an interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at

(717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

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

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 98-1463. Filed for public inspection September 4, 1998, 9:00 a.m.]

## GOVERNOR'S OFFICE OF ADMINISTRATION

### Request for Qualified Contractors (RFQC): Commonwealth Telecommunications Services Acquisition

The Commonwealth of Pennsylvania is seeking to conduct the most comprehensive and complete Telecommunications Services Acquisition in its history. All Commonwealth Telecommunications Services (CTS) used by State government agencies will be brought together in this single acquisition. The CTS will include basic digital transport, voice, data, video and Internet access telecommunications services, together with the appropriate support infrastructures. This acquisition process has been specifically designed to encourage the best and the most innovative service providers to seek out new and innovative solutions.

The primary mission of this acquisition process is to acquire reliable and cost effective telecommunication services to serve better the State Government. It is also anticipated that local governments, schools, as well as the general public will benefit from the expansion of telecommunications services throughout the State. To conduct this acquisition, the Commonwealth will use a much more flexible, and we believe, a more appropriate process, which we have termed a Request for Qualified Contractors (RFQC) process.

The Request for Qualified Contractors will be issued in the near future. Telecommunications Service vendors, and others, interested in receiving an announcement of its release should either email, fax, or mail their request (email preferred) to the Issuing Office: Commonwealth of Pennsylvania, OA/OIT, Room 310 Finance Building, Harrisburg, PA 17120, Att: Nicholas Giordano, Fax: 717-787-0939, Internet: cts\_email@state.pa.us

Please provide a complete organization name and the name of the individual within the organization who should receive the announcement, along with a complete mailing address, and if available, a telephone number, fax number and an Internet email address. The announcement will provide the date of availability, and information concerning the various methods for obtaining a complete document with detailed appendices on electronic media (CD-ROM).

When the RFQC is released, the text document will be available over the Internet through the Pennsylvania State government home page (web address [www.state.pa.us](http://www.state.pa.us), search under "Technology"). The detailed appendices containing all of the locations and individual

service requirements per location will, however, only be available on CD-ROM. When the RFQC is released, receipt of the CD-ROM may be requested through the web site.

For those without access to the Internet, the announcement of release will provide information on how to obtain printed copies of appropriate material. In addition, the announcement sent to those responding to this notice will also provide information on alternative methods for obtaining the CD-ROM.

CHARLES F. GERHARDS,  
*Director*  
*Commonwealth Technology Center*

[Pa.B. Doc. No. 98-1464. Filed for public inspection September 4, 1998, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council (Council) review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator F. Joseph Loeper, Majority Leader and Chairperson of the Senate Committee on Rules and Executive Nominations, to review House Bill 1873, Printers Number 3473 (Gruppo), which would require Hepatitis B immunization for attendance at school after August 1, 1999.

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on July 11, 1998, with documentation due to the Council by August 21, 1998.

Following is a list of the documentation received. This information is available for public review and comment at the Council offices during regular business hours (8:30 a.m. to 5 p.m.) until September 25, 1998. Any additional comments on this information must be received by this time. Council offices are located at: 225 Market Street, Suite 400, Harrisburg, PA 17101. Send comments (six copies) to Flossie Wolf at this address.

#### *House Bill 1873 Submissions*

1. Representative John M. Perzel, Majority Leader of the Pennsylvania House of Representatives
  - Letter from Representative Perzel supporting House Bill 1873.
  - Medical literature on Hepatitis B Immunization
2. The Insurance Federation of Pennsylvania
  - Letter from John R. Doubman, Secretary & Counsel, addressing section 9 requirements.
3. Hepatitis B Foundation
  - Letter from Joan M. Block, President, supporting Hepatitis B immunization.
  - Pamphlets on Hepatitis B.
4. Hepatitis Foundation International
  - Letter from Thelma King Thiel, Chairperson and Chief Executive Officer, supporting Hepatitis B immunization.

- Pamphlets and brochures on Hepatitis.
5. Highmark
    - Letter from Bruce R. Hironimus, Vice President of Government Affairs, addressing Hepatitis B immunization.
  6. American Academy of Pediatrics, Pennsylvania Chapter
    - Letter from Bradley J. Bradford, MD, President, supporting Hepatitis B immunization.
  7. Parents of Kids with Infectious Diseases
    - Letter from Trish Parnell supporting Hepatitis B immunization.
  8. Thomas Jefferson University, Jefferson Medical College
    - Letter from Hie-Won L. Hann, M.D, Director, Liver Disease Prevention Center, supporting Hepatitis B immunization.

MARK P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 98-1465. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council (Council) review existing or proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator F. Joseph Loeper, Majority Leader and Chairperson of the Senate Committee on Rules and Executive Nominations, to review Senate Bill 938, Printers Number 1952 (Lemmond), which would require health insurance policies to provide coverage for newborn hearing screening tests, including initial testing and any necessary follow-up testing.

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on July 11, 1998, with documentation due to the Council by August 21, 1998.

Following is a list of the documentation received. This information is available for public review and comment at the Council offices during regular business hours (8:30 a.m. to 5 p.m.) until September 25, 1998. Any additional comments on this information must be received by this time. Council offices are located at: 225 Market Street, Suite 400, Harrisburg, PA 17101. Send comments (six copies) to Flossie Wolf at this address.

#### *Submissions for Senate Bill 938*

1. The Insurance Federation of Pennsylvania
  - Letter addressing section 9 requirements and opposing Senate Bill 938.
  - Information on newborn hearing screening.
2. The Managed Care Association of Pennsylvania
  - Letter from Kimberly J. Kockler, Executive Director, addressing section 9 requirements and raising concerns about Senate Bill 938.
  - Information on newborn hearing screening.

3. Highmark
  - Letter from Bruce R. Hironimus, Vice President of Government Affairs, opposing Senate Bill 938.
  - Statement addressing section 9 requirements.
  - Information on newborn hearing screening.
4. American Academy of Pediatrics, Pennsylvania Chapter
  - Letter from Bradley J. Bradford, President, addressing newborn hearing screening and supporting screening for at-risk newborns.
5. Pennsylvania Speech-Language and Hearing Association
  - Letter from Richard M. Gmerek and Elvira O. Guida from the Law Offices of Maley, Williamson, Hayden & Gmerek, supporting Senate Bill 938.
  - Statement addressing section 9 requirements.
  - Information on newborn hearing screening.
6. National Center for Hearing Assessment and Management
  - Letter from Karl R. White, Ph.D., supporting Senate Bill 938 and addressing section 9 requirements.
  - Information on newborn hearing screening.
7. National Organization for Hearing Research
  - Letter from Geraldine Dietz Fox, President, supporting Senate Bill 938.
  - Information on newborn hearing screening.
8. Robert C. Cicco, M.D., President of the Pittsburgh Pediatric Society
  - Letter opposing Senate Bill 938.
9. Jack L. Paradise, M.D., Professor of Pediatrics, University of Pittsburgh School of Medicine, Children's Hospital of Pittsburgh
  - Letter opposing universal newborn hearing screening.
  - Information on newborn hearing screening.
10. Christina Seaborg, Director of Audiology, Penn State Geisinger Health Group, Wilkes-Barre
  - Letter supporting newborn hearing screening.
11. Diane L. Sabo, Ph.D., Clinical Director of Audiology, Children's Hospital of Pittsburgh.
  - Letter supporting universal newborn hearing screening.
  - Information on newborn hearing screening.
12. Eric S. Cahill, M.S. CFY-A, Program Coordinator, Universal Newborn Hearing Screening, Temple University School of Medicine
  - Letter supporting Senate Bill 938.
13. Louis R. Sieminski, Ph.D.
  - Letter supporting universal newborn hearing screening.
  - Information on newborn hearing screening.
14. State Interagency Coordinating Council ad Hoc Committee on Universal Hearing Screening.
  - Letter from Sheila Coyne, Co-Chair, supporting universal newborn hearing screening.
15. AFLAC—The American Family Life Assurance Company of Columbus

- Letter from Richard M. Gmerek and Elvira O. Guida of the Law Offices of Maley, Williamson, Hayden & Gmerek, addressing section 9 requirements and requesting exemptions for disability income policies.
16. Women & Infants Hospital of Rhode Island
- Information on the Rhode Island Hearing Assessment Program.
17. Independent Insurance Agents of Pennsylvania
- Letter from Vince Phillips, Vice President for Government Affairs, addressing legislative mandates.

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 98-1466. Filed for public inspection September 4, 1998, 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. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
54-54	Pennsylvania Liquor Control Board Wine in Kegs; Sale by Limited Winery Licensees	8/20/98
15-405	Department of Revenue Net Gains or Income from Disposition of Property	8/25/98

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 98-1467. Filed for public inspection September 4, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for Plan Approval of a Mutual-To-Stock Conversion

Educators Mutual Life Insurance Company, a Pennsylvania domiciled mutual life insurance company, has submitted a Plan of Conversion which provides for conversion from a mutual life insurance company to a stock life insurance company and for the formation of a mutual holding company. The filing was made under the Mutual-to-Stock Conversion Act (40 P. S. § 911-A et seq.).

Interested persons wishing to comment on the filing whether on grounds of public or private interest are invited to submit written comments to the Insurance Department (Department) within 30 days from the date

of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the person submitting the comment, identification of the filing to which the comment is addressed and a concise statement in sufficient detail to inform the Department of the nature of the comment. All comments received will be shared with the applicant company, which will respond. The Department will review all information and comments received and will determine whether the application complies with the pertinent provision of the Mutual-to-Stock Conversion Act.

Written comments should be directed to Michael Graeff, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, or on the Internet using <http://www.mgraeff@ins.state.pa.us>.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-1468. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Notice to Medical Malpractice Insurance Carriers and Self-Insured Health Care Providers

Insurance companies that offer basic limits medical malpractice coverage are required to report medical malpractice claims information to the Medical Professional Liability Catastrophe Loss Fund (Fund) and to the Insurance Department for insureds who are subject to the provisions of The Health Care Services Malpractice Act (40 P. S. §§ 1301.701, et seq.) (act). Organizations and physicians that self-insure their medical malpractice exposures are also required to report this claims information. These reports are required under section 809 of the act, as amended by Act 135 of 1996.

The claims information must be reported to the Fund and to the Insurance Department by October 15 of each year. The following Calendar Year 1997 claims information is due to the Fund and to the Insurance Department by October 15, 1998:

- the aggregate amount of premium earned;
- the aggregate amount of losses paid;
- the aggregate amount of losses incurred;
- the aggregate amount of loss reserves outstanding;
- the aggregate amount of loss adjustment expenses paid;
- the aggregate amount of loss adjustment expenses incurred;
- the aggregate amount of loss adjustment expense reserves outstanding;
- a table showing separately by accident year and county the number of claims first reported, (or arising), in 1997;
- a table showing separately by accident year and disposition (that is, judgment of arbitration panel, judgment of court, settlement or other) the number of claims closed, (or disposed), in 1997;
- a separate table for each type of disposition identified above showing for claims closed (or disposed) in 1997 separately by accident year: the number of claims closed,

(or disposed), with payment; the total losses incurred for those claims closed with payment; the basic coverage premiums collected on the policies under which the claims were reported which closed with payment; and the amount of surcharge collected on the policies under which the claims were reported which closed with payment.

All reports must be submitted in both printed form and in electronic form as an Excel or Lotus spreadsheet. The forms for submission and a pre-formatted Excel spreadsheet have been mailed and should arrive by September 15, 1998.

Persons who have not received forms by this date, should contact Candice Backlarz, Actuarial Associate II, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-2114, e-mail cbacklar@ins.state.pa.us. Questions concerning the information contained in this notice may also be directed to Candice Backlarz.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 98-1469. Filed for public inspection September 4, 1998, 9:00 a.m.]

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

The following insured has 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 his company's termination of the insured's automobile policies. All administrative hearings are held in the Insurance Department Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Jeffrey L. Fishell; file no. 98-181-05022; Prudential Property and Casualty Insurance Co.; doc. no. P98-08-016; September 29, 1998, at 10 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 and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and starting 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 partici-

pate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 98-1470. Filed for public inspection September 4, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Regulation of Group and Party Carriers; Doc. No. P-00981458

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; David W. Rolka; Nora Mead Brownell

Public Meeting held  
August 13, 1998

#### Tentative Decision

By the Commission:

On June 9, 1998, the Transportation Equity Act for the 21st Century, P. L. 105-178 ("TEA Act"), was signed into law. The TEA Act, inter alia, modified 49 U.S.C. § 14501 by preempting state regulation "relating to the authority to provide intrastate or interstate *charter bus transportation*." Section 4016, TEA Act.<sup>1</sup> The preemption is applicable to only *charter bus transportation*, not *commuter bus operations*. Further, the Conference Report accompanying the TEA Act, Report 105-550, explicitly notes "that the [preemption] does not limit a state's ability to regulate taxicab service or limousine livery service." Conference Report, p. 496.<sup>2</sup> Finally, the TEA Act specifically authorizes continuing state oversight of safety and financial responsibility for charter bus carriers.

Historically, this Commission has regulated entry into the charter bus market in order to ensure continued viability. Pursuant to the statutory mandate found at 66 Pa.C.S. § 1103(a), the Commission developed a three part test to determine whether to grant a carrier authority. That test required: 1) that an applicant demonstrate that the proposed service was responsive to a public demand or need; 2) that an applicant demonstrate that it has the

<sup>1</sup>Section 4016 of the TEA Act provides:

SECTION 4016. AUTHORITY OVER CHARTER BUS TRANSPORTATION

Section 14501(a) (49 U.S.C.) is amended to read as follows:

(a) MOTOR CARRIERS OF PASSENGERS.—

(1) LIMITATION ON STATE LAW.—No State or political subdivision thereof and no interstate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard, or other provision having the force and effect of law relating to

(A) scheduling of interstate or intrastate transportation (including discontinuance or reduction in the level of service) provided by a motor carrier of passengers subject to jurisdiction under subchapter I of chapter 135 of this title on an interstate route;

(B) the implementation of any change in the rates for such transportation or for any charter transportation except to the extent that notice, not in excess of 30 days, of changes in schedules may be required; or

(C) the authority to provide intrastate or interstate charter bus transportation.

This paragraph shall not apply to intrastate commuter bus operations.

(2) MATTERS NOT COVERED.—Paragraph (1) shall not restrict the safety regulatory authority of a State with respect to motor vehicles, the authority of a State to impose highway route controls or limitations based on the size or weight of the motor vehicle, or the authority of a State to regulate carriers with regard to minimum amounts of financial responsibility relating to insurance requirements and self-insurance authorization.

<sup>2</sup>The Conference Report provides:

The conference adopts the Senate provision with modification. A clarifying provision is included to ensure that states may continue to regulate safety with respect to motor vehicles and to impose highway route controls or limitations based on the size or weight of the motor vehicle or with regard to minimum amounts of financial responsibility relating to insurance requirements. The conference also notes that the provision does not limit a state's ability to regulate taxicab service or limousine livery service.

technical and financial ability to provide the service safely and legally; and 3) that the entry of a new carrier into the market would not endanger operations of existing carriers in contravention of the public interest. See 52 Pa. Code § 41.14.

Due to the TEA Act's preemption, we will no longer use this three part test to regulate entry into the charter bus industry. However, as more fully discussed below, we will continue to require certification of bus carriers through an application process aimed at compliance with Commission safety and insurance regulations.

The extent of the preemption created by the TEA Act is somewhat ambiguous due to its failure to define "charter bus transportation". Reference to Federal regulations provides some guidance. For instance, "charter transportation of passengers" is defined at 49 C.F.R. § 390.5 as:

"transportation, using a bus, of a group of persons who pursuant to a common purpose under a single contract, at a fixed charge for the motor vehicle, have acquired the exclusive use of the motor vehicle to travel together under an itinerary either specified in advance or modified after having left the place of origin."

Further, "bus" is defined at 49 C.F.R. § 393.5 as a vehicle designed to carry more than 15 passengers, including the driver.<sup>3</sup>

Currently, Commission regulations recognize three (3) categories of group and party (non-scheduled bus) service: charter service, tour or sightseeing service, and special excursion service. 52 Pa. Code § 29.322.<sup>4</sup> Under the Commission's regulations, these services must be provided in vehicles designed to carry ten (10) passengers or more, excluding the driver. 52 Pa. Code § 29.323.<sup>5</sup>

Of the three types of group and party service recognized by the Commission, it appears that the TEA Act's preemption, by definition, would be applicable only to "charter service". However, given the historical treatment of "tour/sightseeing service" and "special excursion service" as ancillary services to charter service, *C.I. Beiber, Inc. v. Pa. P.U.C.*, 281 A.2d 351 (Pa. Comwlth., 1971)<sup>6</sup>, we are inclined to extend the TEA Act's preemption to these services. This is especially the case given the pragmatic factors involved in enforcement of economic regulation for "tour/sightseeing" and "special excursion" services. These services are provided in vehicles that qualify as "charter service" vehicles. Without stopping each vehicle to determine what type of service it is currently providing (i.e., charter, tour/sightseeing, special excursion), the Commission would be unable to determine if that vehicle were subject to economic regulation for that particular trip. We

<sup>3</sup>We note that both of the definitions are found under the Federal Motor Carrier Safety Regulations and are, therefore, of questionable relevance when considering the extent of the TEA Act's preemption. Further, "bus" is defined broadly at 49 C.F.R. § 390.5 (again for purposes of Federal Motor Carrier Safety Regulations) without regard to seating capacity. We reject this broad definition in light of the TEA Act's Conference Report which limited the preemption to buses, not taxicabs or limousines.

<sup>4</sup>52 Pa. Code § 29.322 defines these services as:

*Charter service.* This service shall be limited to the transportation of groups and parties of persons the charge for which is based upon the transportation of a group and not upon the number of persons carried and for which payment is made by a single individual or organization and not by the passengers as individuals.

*Tour or sightseeing service.* This service shall include tours and sightseeing trips on which the general public is invited: limited to trips which originate and terminate at the same point, on which advertised stops are made for sightseeing or recreational purposes, and for which each passenger pays the rate contained in the filed tariff. The charge for the trip may be for transportation alone or may include meals, hotel expenses and admission charges to points of interest.

*Special excursions.* This service shall be limited to advertised trips to a definite destination on which trips the general public is invited and for which transportation a passenger pays the rate contained in the filed tariff.

<sup>5</sup>52 Pa. Code § 29.323 provides:

A group and party service may be operated only in vehicles with seating capacities of ten passengers or greater, excluding the driver.

<sup>6</sup>In *Beiber*, the Court found that excursion and sightseeing services required no independent evidence of necessity.

believe the continuation of economic regulation for tour/sightseeing and special excursion services is undesirable and unachievable under these circumstances. Therefore, we will extend the TEA Act's preemption to these services as well as charter service.

As for the type of vehicle that qualifies as a "bus" for purpose of preemption, we are inclined to apply our current definition, i.e., vehicles with seating capacities of ten passengers or greater, excluding the driver. While we recognize that this definition is broader (i.e., includes more vehicles) than the Federal definition found at 49 C.F.R. § 393.5, (15 passengers) we believe continuing with our historical definition is the enlightened approach. It would be an unmanageable result if we were to limit preemption to those current group and party carriers operating in vehicles with seating capacities of 15 or greater. We do not believe that bifurcating current group and party carriers into two groups, one which will be subject to economic regulation and one which will not, is a viable option. Therefore, we will apply the preemption to vehicles with seating capacities of 10 or greater, excluding the driver.

Finally, we note that our oversight of the rates charged by charter carriers has been dramatically curtailed in recent years. We have previously adopted flexible ratemaking for both the group and party and limousine industries. See *Investigation of Flexible Ratemaking for Bus and Limousine Industries*, Docket No. I-00960063 (Order entered October 16, 1997). Section 4016 of the TEA Act has further clarified the authority of a state to regulate rates charged in charter bus transportation. Specifically, the TEA Act provides that "no State . . . shall enact or enforce any law . . . relating to . . . the implementation of any change in the rates . . . for any charter transportation except to the extent that notice, not in excess of 30 days, of changes in schedules may be required." Based on this provision, we find that our current rate-filing requirement, which is simply a notice requirement, is no longer necessary and serves no useful public purpose. Therefore, we will modify our current rate procedure by deleting any rate filing requirements for group and party carriers.

#### Implementation

Given the TEA Act's reservation to states of continuing oversight in the areas of safety and insurance, we believe that in order to effectively regulate carriers in these areas a continuing registration requirement is necessary. The registration requirement for group and party carriers will be similar to that utilized for property carriers following deregulation. See *Regulation of Motor Common Carriers of Property*, Docket No. P-00940884, (Order entered December 20, 1994). It will be an expedited process designed to ensure compliance and familiarity with Commission safety and insurance requirements. The traditional requirement of demonstration of need for a proposed service is abolished. Further, given our inability to restrict entry, all carriers (charter, tour/sightseeing, special excursion), *new and existing*, will have authority to operate group and party service between points in Pennsylvania.

#### Procedure for New Entrants

Following entry of a final order in this matter, all applicants for authority to provide group and party service will follow the following procedure:

1. A new applicant will file an application on an appropriate form provided by the Commission.
2. The filing fee for new applicants will be reduced from \$350 to \$100.

3. Notice of the application will not be published in the *Pennsylvania Bulletin*.<sup>7</sup>

4. No protests to applications for group and party authority will be considered.<sup>8</sup>

5. If an applicant's safety fitness to provide service is at issue, the application will be referred to the Office of Administrative Law Judge for hearing and decision.

6. If an applicant's safety fitness to provide service is *not* at issue, a compliance order will be issued immediately. The compliance letter will direct applicant to file proper evidence of insurance. Temporary evidence of insurance may be filed in the form of (a) a declaration page of the insurance policy or (b) a copy of a valid binder of insurance. Temporary evidence of insurance shall be replaced by permanent evidence of insurance within 60 days. A carrier may begin operations upon filing acceptable evidence of insurance.

7. Once acceptable evidence of insurance has been filed, a certificate of public convenience will be issued authorizing the transportation of persons, in group and party service, between points in Pennsylvania.

8. No tariff filings are required for new or existing carriers.

9. Applicants which do not possess a satisfactory safety rating issued by the United States Department of Transportation or a state with safety regulations comparable to the Commonwealth's, shall complete a safety fitness review conducted by Commission staff. *See* 52 Pa. Code § 3.381(c)(2)(iii).

#### *Existing Group and Party Carriers*

All currently certificated carriers providing group and party services will have the following right:

To transport persons, in group and party service, between points in Pennsylvania.

#### *Assessments*

Given our continued regulation of group and party carriers in the areas of safety and insurance, the industry will remain subject to our assessment process. We direct our Fiscal Office to examine any required adjustments.

#### *Insurance*

Commission insurance regulations governing passenger carriers are found at 52 Pa. Code § 32.11. Generally, we have required group and party carriers to maintain insurance coverage of \$5 million to cover liability for bodily injury, death, or property damage. On occasion, we have permitted a carrier to carry less coverage if the carrier restricted the vehicles used to vehicles with seating capacities of less than 28 passengers. As a general rule, we will continue to require \$5 million coverage for a group and party carrier. If a carrier voluntarily limits the size of the vehicles it operates, it may request a reduction in the mandated coverage limits.

#### *Waiver of Regulations*

In light of our changed regulatory role over group and party carriers, we will waive all regulations with respect

<sup>7</sup>We are deleting the publication requirement established at 52 Pa. Code § 3.381(b) as well as the protest process provided for at 52 Pa. Code § 3.381(c). Currently, there is a rulemaking pending that deletes the publication/protest process for property carriers. *See Publication and Protests, Motor Carrier Property Applications*, Docket No. L-00980133 (Order entered March 3, 1998). While the rulemaking is not final, it is noncontroversial and has not met any resistance. We believe that the publication/protest concerns for group and party carriers are analogous to the concerns for property carriers, given the similar limitation on Commission regulation of these two groups. Therefore, we will expedite the application process for group and party carriers by eliminating the publication/protest process at this juncture.

<sup>8</sup>See Footnote 7.

to group and party carriers *to the extent* they are inconsistent with the new process. Those regulations include, but are not limited to, 52 Pa. Code §§ 3.381, 23.1—23.149. Regulations found at 52 Pa. Code Chapter 29 remain intact, but for 52 Pa. Code § 29.324; *Therefore, It Is Ordered That:*

1. This Tentative Decision should be entered and served for comment upon all group and party carriers and the Pennsylvania Bus Association.

2. A copy of this Tentative Decision shall be forwarded to the *Pennsylvania Bulletin* for publication.

3. An original and nine copies of any comments are to be filed within 30 days of the date of publication in the *Pennsylvania Bulletin*, with Secretary James McNulty, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments must note the caption and docket number of this proceeding.

4. The Commission's Fiscal Office is directed to examine any changes required in the Assessment process for group and party carriers. The Fiscal Office shall report its findings and recommendations to the Commission within 45 days of the date of entry of this Order.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1471. Filed for public inspection September 4, 1998, 9:00 a.m.]

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

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before September 28, 1998, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests 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-00110557, F. 5002. Five Star Limo Service, Inc., t/d/b/a Flamingo Limousine Service, Ltd.** (347 Taft Street, Bristol, Bucks County, PA 19007), a corporation of the Commonwealth of Pennsylvania—stock transfer—approval of the transfer of all issued and outstanding stock from Delaware County Transportation Service, Inc., to Axis Contractors, Inc., t/d/b/a A. Presidential Transportation. *Attorney:* John J. Gallagher, Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

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

**A-00114314, Folder 2. Max E. Falisec, t/d/b/a Falisec Transportation** (Route 286, R. D. 1, Box 644, Clymer, Indiana County, PA 15728)—additional right—persons in airport transfer service, from points in the

counties of Indiana and Clearfield, to the Pittsburgh International Airport located in Allegheny County, and the Westmoreland County Airport located in Westmoreland County. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

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

**A-00115253. McClelland & Associates, Inc., t/d/b/a Celebrate Pittsburgh** (607 Boden Street, Turtle Creek, Allegheny County, PA 15145-1411), a corporation of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of persons, between points in Pennsylvania.

**Motor Carrier Applications—Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before September 21, 1998.

- A-00111920 F.2 Brown's Service, Inc.  
1739 Golden Mile Highway,  
Monroeville, PA 15146
- A-00115242 Gary L. Pepple  
R. D. 2, Box 136 C, Clearville, PA  
15535
- A-00115250 John Thomas Garrity, t/a J. Garrity  
Trucking  
R. R. 2, Box 127, Canton, PA 17724
- A-00115252 Freeway Transport, Inc.  
812 Princeton Avenue, Philadelphia,  
PA 19111: Andre C. Dasent, 785  
Bourse Building, 21 South, 5th  
Street, Philadelphia, PA 19106
- A-00115251 Teresa A. Michaels, t/a P. H.  
Transporting Service  
R. D. 3, Box 472, Uniontown, PA  
15401
- A-00115241 Concepts International, Inc.  
4 Minshall Circle, Glen Mills, PA  
19342

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1472. Filed for public inspection September 4, 1998, 9:00 a.m.]

**Telecommunications**

**A-310730. Bell Atlantic-Pennsylvania, Inc. and COMAV Telco, Inc.** Joint Petition of Bell Atlantic-Pennsylvania, Inc. and COMAV Telco, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and COMAV Telco, Inc., by its counsel, filed on July 24, 1998, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and COMAV Telco, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1473. Filed for public inspection September 4, 1998, 9:00 a.m.]

**Telecommunications**

**A-310395F0002. Bell Atlantic-Pennsylvania, Inc. and International Telephone Group, Inc.** Joint Petition of Bell Atlantic-Pennsylvania, Inc. and International Telephone Group, Inc. for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and International Telephone Group, Inc., by its counsel, filed on June 30, 1998, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and International Telephone Group, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1474. Filed for public inspection September 4, 1998, 9:00 a.m.]

**Telecommunications**

**A-310729. Bell Atlantic-Pennsylvania, Inc. and Megatel Corporation.** Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Megatel Corporation for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Megatel Corporation, by its counsel, filed on July 24, 1998, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of

the Bell Atlantic-Pennsylvania, Inc. and Megatel Corporation Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1475. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Telecommunications

**A-310727. Bell Atlantic-Pennsylvania, Inc. and MGC Communications, Inc.** Joint Petition of Bell Atlantic-Pennsylvania, Inc. and MGC Communications, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and MGC Communications, Inc., by its counsel, filed on June 26, 1998, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and MGC Communications, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1476. Filed for public inspection September 4, 1998, 9:00 a.m.]

### Water Service Without Hearing

**A-212600F0006, A-212750F0006, A-212300 and A-212370F0048. Consumers Pennsylvania Water Company—Roaring Creek Division, Consumers Pennsylvania Water Company—Shenango Valley Division, Consumers Pennsylvania Water Company—Susquehanna Division and Philadelphia Suburban Corporation.** Joint application of Consumers Pennsylvania Water Company—Roaring Creek Division, Consumers Pennsylvania Water Company—Shenango Valley Division, Consumers Pennsylvania Water Company—Susquehanna Division and Philadelphia Suburban Corporation, for approval of a certificate of public convenience evidencing approval of the transfer, by merger, of a controlling interest in the above-three noted operating water utilities of Consumers Pennsylvania Water Company to Philadelphia Suburban Corporation.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before September 21, 1998, under 52 Pa. Code (relating to public utilities).

*Applicant:* Patricia Armstrong, Esq., D. Mark Thomas, Esq., Thomas, Thomas, Armstrong and Niesen, Attorneys for: Consumers PA Water Company—Roaring Creek Div., Consumers PA Water Company—Shenango Div., Consumers PA Water Company—Susquehanna Div., 212 Locust Street, Harrisburg, PA 17108-9500 and Thomas P. Gadsden, Esq., Anthony C. DeCusatis, Esq., Morgan, Lewis and Bockius, LLP, Attorneys for Philadelphia Suburban Corp., 2000 One Logan Square, Philadelphia, PA 19103-6993.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-1477. Filed for public inspection September 4, 1998, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 14, 1998	Joseph A. Francese (Years of Credited Service)	1 p.m.
	David H. Spahr (Purchase of Service)	2:30 p.m.
October 28, 1998	Herbert T. Kirsop, Jr. (Payment of Death Benefit)	1 p.m.
	Jeannette M. Myers (Multiple Service)	2:30 p.m.

Persons with a disability who wish to attend the above-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Arthur J. Granito, Assistant Executive Director, at (717) 783-5613 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Admin-

istrative Practice and Procedure) unless specific exemption is granted.

JAMES A. PERRY,  
*Secretary*

[Pa.B. Doc. No. 98-1478. Filed for public inspection September 4, 1998, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of an Engineering Firm

#### Total Roadway Reconstruction Westmoreland County

#### Reference No. 1-111

The Turnpike Commission (Commission) will retain an engineering firm for the design for the total reconstruction project between approximate mileposts 85.00 and 94.00 in Westmoreland County. The selected firm will be responsible for the pre-final and final design of this project.

The engineering services required would include supplemental field surveys, cross sections, evaluation of utility conflicts and potential relocations, development of erosion and sedimentation control plans and specifications, preparation of hydraulic reports for waterway approvals, preliminary and final traffic control plans, structural foundation reports, preparation of type, size and location and final bridge plans, preparation of preliminary and final right-of-way plans, geotechnical investigations, preparation of preliminary and final construction plans and specifications in order for the Commission to bid the total reconstruction of the roadway generally between Milepost 85.00 and 94.00, including the Donegal Interchange ramps at Milepost 90.69. The intent is to rebuild the roadway and widen the existing 10-foot median to a width between 18-34 feet based on preliminary evaluations. It is anticipated that a number of the mainline and overhead structures will require widening or replacement. The actual number of affected structures will depend on the selected median width. We will consider either rubbilizing the existing concrete roadway and overlay with bituminous material, or removing the existing pavement and replace with full-depth bituminous. An entirely new drainage system will be installed.

In addition, low-level photography will be available in this area to an accuracy of  $\pm .05$  feet. Hard copies of the mapping and a disk will be provided to the consultant for their use. A digital terrain model in AUTOCAD format will also be provided. The consultant will be required to perform supplemental surveys and reestablish the existing centerline of the Turnpike. Also, cross sections will be cut and plotted from the available information. The design for this project will be performed in metric units.

Direct inquiries to Michael D. Shaak, P.E., at (717) 939-9551, Ext. 5380; or by e-mail at mshaak@paturndpike.com.

#### General Requirements and Information for Reference No. 1-111

Firms interested in performing the above services are invited to submit Expanded Letters of Interest to Barry L. Troup, P.E., Assistant Chief Engineer for Design, at the Turnpike Commission Administration Building located on Eisenhower Boulevard at the Harrisburg-East Inter-

change, Highspire, PA 17034 (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The expanded letters of interest must include in the heading the project reference number indicated in the advertisement. A Standard Form 254, "Architect-Engineer and Related Services Questionnaire," not more than 1 year old as of the date of this advertisement, and Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project," must accompany each expanded letter of interest. Explanation that the firm has successfully completed similar type projects, of the same magnitude, is required. If the firm has multiple offices, the location of the office performing the work must be identified.

Firms with out-of-State headquarters or corporation not incorporated in Pennsylvania must include with each expanded letter of interest a copy of their registration to do business in this Commonwealth as provided by the Department of State.

The Commission currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Commission currently limits its participation in the consultant's indirect payroll costs (overhead) on design projects to 130% or the consultant's actual audited overhead rate, whichever is less.

The Consultant in their submission should identify the following factors:

(A) Specialized experience and technical competence of firm. The firm must clearly demonstrate their capabilities of completing this project by identifying similar projects that have been completed, the magnitude of the project and the client.

(B) Past record of performance with respect to cost control, work quality and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.

(C) Expanded letters of interest must include an indication of the prime consultant's and subconsultant's current workload for all Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission projects.

(D) Location of consultant's office where the work will be performed.

(E) Listing of subconsultant intended. Any deviation from the subconsultant listed in the expanded letter of interest will require written approval from the Commission.

(F) Special requirements of the project.

(G) An organization chart for the Project, identifying key personnel. Only resumes of key personnel should be included.

(H) Other factors, if any, specific to the project.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10%. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their Expanded Letter of Interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Pennsylvania Department

of Transportation at the time of the submission of the Expanded Letter of Interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Office of Equal Opportunity Development, Turnpike Commission at the above address, or by calling (717) 939-9551 Ext. 4241.

Each firm should demonstrate in their expanded letter of interest their ability to perform the specific requirements indicated for this project by including a maximum three page report on this project.

The expanded letter of interest and required forms must be received by 12 p.m. (noon), Friday, September 25, 1998. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable expanded letters of interest received in response to this solicitation, one

firm will be selected for this project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all expanded letters of interest, to cancel solicitation requested under this notice, and/or to re-advertise solicitation for these services.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-1479. Filed for public inspection September 4, 1998, 9:00 a.m.]