

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending June 2, 1998.

#### BANKING INSTITUTIONS

##### Mutual Holding Company Reorganizations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-1-98	Standard Bank, PaSB Murrysville Allegheny County	Murrysville	Effective
	Represents reorganization into a mutual holding company to be known as "Standard Mutual Holding Company," Murrysville, PA.		

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-27-98	Susquehanna Interim Bank York York County	2951 Whiteford Road York York County	Filed

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-27-98	Hollidaysburg Trust Company Hollidaysburg Blair County	Morrison's Cove Home 429 S. Market St. Martinsburg Blair County	Approved
5-28-98	Investors Trust Company Wyomissing Berks County	The Atrium 234 Mall Boulevard King of Prussia Montgomery County	Approved
5-29-98	Citizens & Northern Bank Wellsboro Tioga County	1085 South Main St. Mansfield Richmond Township Tioga County	Approved
6-1-98	Jonestown Bank and Trust Company Jonestown Lebanon County	421 East Penn Avenue Cleona Lebanon County	Filed

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-29-98	The York Bank and Trust Company York York County	<i>To:</i> 2801 East Market St. York York County	Filed
		<i>From:</i> York Mall Shopping Center 2801 East Market St. York York County	

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-27-98	First Commonwealth Bank Indiana Indiana County	Route 913 Broad Top City Huntingdon County	Filed
5-29-98	Dauphin Deposit Bank and Trust Company Harrisburg Dauphin County	20 East Main St. Fairfield Adams County	Application Withdrawn

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
5-28-98	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	To provide for an increase in the number of authorized shares of common stock from 1,000,000 at \$1.5625 par value to 5,000,000 at \$1.5625 par value.	Approved and Effective

**SAVINGS ASSOCIATIONS****Branch Applications**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
5-29-98	North Penn Savings and Loan Association Scranton Lackawanna County	651 Northern Boulevard Clarks Summit South Abington Township Lackawanna County	Filed

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-925. Filed for public inspection June 12, 1998, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of July 1998**

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of July, 1998, is 8 1/2%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such

individual occupies or has occupied as his principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.99 to which was added 2.50 percentage points for a total of 8.50% that by law is rounded off to the nearest quarter at 8 1/2%.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 98-926. Filed for public inspection June 12, 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, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the 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 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 specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

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

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

**PA 0051730.** Sewage, **Philadelphia Country Club**, 1601 Spring Mill Road, Gladwyne, PA 19035.

This application is for renewal of an NPDES permit to discharge treated sewage from the Philadelphia Country Club in Lower Merion Township, **Montgomery County**. This is an existing discharge to Sawmill Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.3 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine		
(0—2 years)	monitor/report	monitor/report
(3—5 years)	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 4.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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

**PA 0042170.** Sewerage, **Deer Lake Municipal Authority**, P. O. Box 30, Auburn, PA 17922.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Pine Creek in West Brunswick Township, **Schuylkill County**.

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

For the purpose of evaluating effluent requirements for NO<sub>2</sub>-NO<sub>3</sub>, the existing downstream potable water supply (PWS) considered during the evaluation is Pottstown Water Supply on Schuylkill River.

The proposed effluent limits for Outfall 001, based on a design flow of .153 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	9		18
Dissolved Oxygen	a minimum of 5 mg/l at all times		
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—24th Month)	monitor and report		monitor and report
(25th Month—Expiration Date)	1		2

The EPA waiver is in effect.

WQM—Public Notice for NPDES permit (industrial) 11-318.dot

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

**PA 0023540.** Sewerage, SIC: 4952, **Berks Montgomery Municipal Authority**, P. O. Box 370, Gilbertsville, PA 19525.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to Ironstone Creek, in Colebrookdale Township, **Berks County**.

The receiving stream is classified for trout stocking, 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 Pennsylvania American Water Company located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.40 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15.0
Total Residual Chlorine (Interim)	monitor and report		monitor and report
(Final)	0.21		0.68
Dissolved Oxygen	minimum of 5.0 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)	3,460/100 ml as a geometric average		

The EPA waiver is in effect.

**PA 0087840.** Industrial waste, SIC: 2086, **JMH, Inc.**, 1090 Spring Street, Wyomissing, PA 19610.

This application is for issuance of an NPDES permit for an existing discharge of stormwater in Muhlenberg Township, **Berks County**.

The proposed effluent limits for Stormwater Outfalls 001, 002, 003, 004, 005 and 006 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
Total Suspended Solids		monitor and report	monitor and report
Fecal Coliform		monitor and report	monitor and report
Total Copper		monitor and report	monitor and report
Total Iron		monitor and report	monitor and report
Total Manganese		monitor and report	monitor and report
Total Zinc		monitor and report	monitor and report
Total Aluminum		monitor and report	monitor and report
pH		monitor and report	monitor and report

The EPA waiver is in effect.

**PA 0014591.** Industrial waste, SIC: 4941, **City of Coatesville Authority**, 114 East Lincoln Highway, Coatesville, PA 19320.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to West Branch Octoraro Creek, in Colerain Township, **Lancaster County**.

The receiving stream is classified for high quality cold water 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 the Naval Training Center located in Bainbridge, Maryland. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.076 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Total Aluminum	4	8	10
Total Iron	2	4	5
Total Manganese	1	2	2.5
pH		6—9	

The EPA waiver is in effect.

**PA 0010201.** Industrial waste, SIC: 4941, **Columbia Water Company**, 220 Locust Street, Columbia, PA 17512.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to the Susquehanna River, in Columbia Borough, **Lancaster County**.

The receiving stream is classified for warm water 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 Lancaster Municipal Water Authority located in Manor Township, 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 0.1128 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Total Aluminum	4	8	10
Total Iron	2	4	5
Total Manganese	1	2	2.5
pH		6—9	

The EPA waiver is in effect.

**PA 0087815.** Sewage, SIC: 6515, **Char-Mar Properties**, 420 East Conestoga Street, New Holland, PA 17557.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary of the Conestoga River, in Caernarvon Township, **Lancaster County**.

The receiving stream is classified for warm water 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 Lancaster Municipal Water Authority located in Lancaster City, 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 0.041 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	1.5	3.0
(11-1 to 4-30)	4.5	9.0
Total Residual Chlorine	0.2	0.7
Dissolved Oxygen	minimum of 5.0 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 0026905.** Sewage, **Connellsville Municipal Authority**, P. O. Box 925, Municipal Lane, Connellsville, PA 15425.

This application is for renewal of an NPDES permit to discharge treated sewage from the Connellsville Waste Water Treatment Plant in the City of Connellsville, **Fayette County**.

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

*Outfall 001:* existing discharge, design flow of 3.24 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	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)	10,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

*Other Conditions:* Outfalls 002—017 will serve as combined sewer overflows.

The EPA waiver is not in effect.

**PA 0206067.** Sewage, **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676.

This application is for renewal of an NPDES permit to discharge treated sewage from the Mon Valley/Fayette Expressway Northern Toll Plaza STP in California Borough, **Washington County**.

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

*Outfall 001:* existing discharge, design flow of 0.00024 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	monitor and report			
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 0222445.** Sewage. **L. Scott Pepperman (Boyles, Pepperman, & Main)**, 178C Eccles Road, Sugar Grove, PA 16350.

This application is for a new NPDES permit, to discharge treated sewage from a small flow sewage treatment facility to Unnamed Tributary to Stillwater Creek in Sugar Grove Township, **Warren County**. This is a new discharge.

The receiving water is classified for the following uses: high-quality cold water fish, 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 State of New York on Stillwater located at 11.92 which is approximately 3.78 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.001200 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		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.5	40
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0041564.** Sewage. **S-2 Properties**, P. O. Box 24509, Pittsburgh, PA 15234.

This application is for renewal of an NPDES permit to discharge treated sewage to the Unnamed Tributary to Hereford Manor Lake in Lancaster Township, **Butler 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 Beaver River located at Beaver Falls, approximately 10 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.02 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Phosphorus		
(4-1 to 10-31)	2.0	4.0
Ammonia-Nitrogen		
(5-1 to 10-31)	1.5	3
(11-1 to 4-30)	4.5	9
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	.2	.5
Dissolved Oxygen	minimum of 5 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

---

#### NPDES Minor Renewals

---

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0036285	MGM Enterprises, Inc. Brookhaven MHP One Waterford Prof. Center, York, PA 17402	York Hellam Twp.	Dee Run	TRC

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

**Applications under the Pennsylvania Clean  
Streams Law**

**(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (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 1 (800) 654-5984.

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

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

**A. 5298402.** Sewerage. **Wallenpaupack Area School District**, HC 6, Box 6075, Hawley, PA 18428-9045. Application for modification of an existing sewage treatment plant located in Palmyra Township, **Pike County**. Application received in the Regional Office—March 30, 1998.

*Southcentral Regional Office: Water Management Program Manager, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707.*

**A. 0198403.** Sewage, submitted by **Gettysburg Municipal Authority**, 601 East Middle Street, P. O. Box 3307, Gettysburg, PA 17325-3307 in Cumberland Township, **Adams County** to construct and operate the National Park Service Sewer System was received in the Southcentral Region on May 20, 1998.

**A. 0698201.** Industrial waste, submitted by **NGK Metals Corporation**, P. O. Box 13367, Reading, PA 19612-3367 in Muhlenberg Township, **Berks County** to construct and operate facilities to treat groundwater prior to discharge to the Laurel Run was received in the Southcentral Region on May 22, 1998.

**A. 6798407.** Sewage, submitted to **West Manheim Township**, 31 Fairview Drive, Hanover, PA 17331 in West Manheim Township, **York County** to construct a

sewer extension and pumping station to serve South Pointe was received in the Southcentral Region on May 22, 1998.

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

**WQM Permit No. 2098406.** Sewage, **Dwight R. and Yolanda E. Williams**, SRSTP, 17027 Townhouse Rd., Saegertown, PA 16433. This project is for the construction of a single residence sewage treatment plant in Hayfield Township, **Crawford 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 of 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.

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

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

**NPDES Permit PAS10-G319.** Stormwater. **352 Associates**, 50 Exeter Avenue, Haverford, PA 19041, has



applied to discharge stormwater from a construction activity located in East Whiteland Township, **Chester County**, to Valley Creek.

**NPDES Permit PAS10-G320.** Stormwater. **Malvern Preparatory School**, 418 South Warren Avenue, Malvern, PA 19355-2707, has applied to discharge stormwater from a construction activity located in Malvern Borough, **Chester County**, to Crumm Creek.

**NPDES Permit PAS10-S10-G321.** Stormwater. **Liberty Property Trust**, 65 Valley Stream Parkway, Great Valley Corporate Center, Malvern, PA 19355, has applied to discharge stormwater from a construction activity located in Tredyffrin Township, **Chester County**, to Valley and Little Valley Creeks.

*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 PAS10Q155.** Stormwater. **Pitcairn Properties, Inc.**, Cliff Zimmerman, 165 Township Line Rd., Ste. 1500, Jenkintown, PA 19046-3599, has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

*Monroe County Conservation District, District Manager, 8050 Running Valley Road, Stroudsburg, PA 18360, (717) 629-3060.*

**NPDES Permit PAS10S017-2.** Stormwater. **Crossings Outlet Square**, Outletter Associates, 285 Crossings Outlet Square, Tannersville, PA 18372, has applied to discharge stormwater from a construction activity located in Pocono Township, **Monroe County**, to Pocono Creek.

**NPDES Permit PAS10S069.** Stormwater. **Mountain View Park**, Pocono Township, P. O. Box 197, Tannersville, PA 18372, has applied to discharge stormwater from a construction activity located in Pocono Township, **Monroe County**, to Pocono Creek.

*Pike County Conservation District, District Manager, HC 6, Box 6770, Hawley, PA 18428, (717) 226-8220.*

**NPDES Permit PAS10V021.** Stormwater. **Sunrise Lake—Sect. 19**, Robert Ramagosa, Sunrise Ventures, Inc., 3000 Sunrise Lake, Milford, PA 18337, has applied to discharge stormwater from a construction activity located in Dingman Township, **Pike County**, to ground-water within the Rattlesnake Creek watershed (HQ).

## SAFE DRINKING WATER

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

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

**A. 9996460.** **Le Bleu Corporation**, 3134 Cornatzer Road, Advance, NC 27006-2093, Keith Hester, Executive Vice President. Applicant requests Department approval to sell bottled water in Pennsylvania under the brand names: Winston Cup Drinking Water and Le Bleu Ultra Pure Drinking Water.

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

**A. 1598502.** Public water supply. **Willowdale Water Company**, 721 Unionville Road, Kenneth Square, PA 19348. This proposal involves the permitting of the addition of Well No. 6 to the Willowdale Water Company's system. Well No. 6 will serve as backup to Well No. 2 in East Marlborough Township, **Chester County**.

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

**A. 1789505-T1.** The Department has received an operating permit application from **Deville Estates Mobile Home Park** (Sandy Township, **Clearfield County**) for transfer of ownership from Leo Karoleski, 264 Treasure Lake, DuBois, PA 15801 to Daniel J. Russell, P. O. Box 96, Curwensville, PA 16833.

**A. M. A.** The Department has received a construction permit application from **State College Borough Water Authority** (1201 West Branch Road, State College, PA 16801-7697, Harris Township, **Centre County**) for installation of piping/valves, and the like to interconnect to Well No. 25 to the Authority's Water treatment plant to enable filtration of Well No. 25.

**A. 1498503.** The Department has received a construction permit application from **Milesburg Borough** (416 Front Street, Milesburg, PA 16853, Milesburg Borough, **Centre County**) for construction of pump station, force main and .5 mg water storage tank. Water source will be Bellefonte Big Spring via a line constructed by others. (Aqua Penn)

**A. 4146292-A9.** The Department has received a construction permit application from **Aqua Penn Spring Water Company** (One Aqua Penn Drive, P. O. Box 938, Milesburg, PA 16853-0938, Bellefonte Borough, **Centre County**) for construction of approximately 27,000 linear feet of ductile iron pipe and appurtenances for the purpose of providing potable water for both Milesburg Borough and the AquaPenn Spring Water Company Bottling Plant.

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

**0298505.** **Western Allegheny County Municipal Authority**, 403 Virginia Drive, Oakdale, PA 15071-9105. Construction of a pump station which will replace the existing Tonidale pump station serving North Fayette, **Allegheny County**.

**3298501.** **Blairsville Municipal Authority**, 203 East Market Street, Blairsville, PA 15717. Construction of a water storage tank serving Blairsville Borough, **Indiana County**.

**0298506.** **West View Borough Municipal Authority**, 210 Perry Highway, Pittsburgh, PA 15229. Construction of a 5,000,000 gallon water storage tank serving the Town of McCandless, **Allegheny 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 must provide a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

**National Label Co.**, Whitmarsh Township, **Montgomery County**. William F. Beers, Tetrahedron Consultants, Inc., has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

**Ross Matico Property**, Yardley Borough, **Bucks County**. Ross Matico, 52 Canal Street, Yardley, PA 19067, has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

**Ultra Precision Facility (Former)**, Middletown Township, **Bucks County**. Hugh V. Dzenis, ENSR, Inc., 2005 Cabot Blvd. West, Langhorne, PA 19047, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health standards.

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

**Golden Triangle Shopping Center**, Manheim Township, **Lancaster County**. Triangle Center Associates, c/o Brentway Management, 44 South Bayles Avenue, Port Washington, NY 11050, has resubmitted a Notice of Intent to Remediate site soils contaminated with heavy metals, BTEX and PAHs. The applicant proposes to remediate site soils to meet the Statewide health stan-

dard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster New Era* and *Intelligencer Journal* during the week of May 25, 1998.

**D. L. Martin Company**, Mercersburg Borough, **Franklin County**. D. L. Martin Company, 25 Harbaugh Drive, Mercersburg, PA 17236, has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heavy metals. The applicant proposes to remediate site soils to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Public Opinion* during the week of May 25, 1998.

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

**Corning Consumer Products Co.**, Borough of Charleroi, **Washington County**. C. R. Springer, Borden, Inc., 180 East Broadcast Street, 28th Floor, Columbus, OH 43215-3799. J. Cherill, Corning, Inc. HP-ME-03-055, Corning, NY 14831 and Steve E. Johnson, Weston, 1 Weston Way, West Chester, PA 19380 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with PCB's, lead, heavy metals, pesticides, solvents, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide health standard.

*Northeast Regional Field Office: Joseph A. Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

**Pennsylvania Power & Light Company (PP&L)—Honesdale (former) Manufactured Gas Plant**, Honesdale Boro, **Wayne County**. PP&L, Inc., Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate concerning the remediation of site soils and groundwater suspected to be contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) components and polyaromatic hydrocarbon compounds. The applicant proposes to remediate the site to meet the Statewide human health standard in combination with remediation according to the site-specific standard.

## 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 Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

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

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

**Collegeville Associates, L. P.**, Collegeville Borough, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, Suite 500, 401 City Avenue, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil contaminated with lead, solvents, BTEX and petroleum hydrocarbons; and groundwater contaminated with solvents, BTEX and petroleum hydrocarbons. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Times Herald* on May 27, 1998.

*Northeast Regional Field Office: Joseph A. Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

**Pennsylvania Power & Light Company (PP&L)—Honesdale (former) Manufactured Gas Plant**, Honesdale Boro, **Wayne County**. PP&L, Inc., Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate concerning the remediation of site soils and groundwater suspected to be contaminated with BTEX (benzene, toluene, ethylbenzene and xylene) components and polyaromatic hydrocarbon compounds. The applicant proposes to remediate the site to meet the site-specific standard in combination with remediation according to the Statewide human health standard. A

summary of the Notice of Intent to Remediate was reportedly published in the *Wayne Independent* newspaper on or about May 27, 1998.

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

**Golden Triangle Shopping Center**, Manheim Township, **Lancaster County**. Triangle Center Associates, c/o Brentway Management, 44 South Bayles Avenue, Port Washington, NY 11050 has resubmitted a Notice of Intent to Remediate site groundwater contaminated with heavy metals, BTEX and PAHs. The applicant proposes to remediate the groundwater to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster New Era* and *Intelligencer* during the week of May 25, 1998.

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

**Former Lawrenceville Exxon**, Lawrenceville Borough, **Tioga County**. Howard M. Rutledge, Jr., KeyTec Remediation, Inc., on behalf of his client, Brad Robinson, R. R. 1, Box 413, Mansfield, PA 16933 has submitted a Notice of Intent to Remediate soil contaminated with heavy metals, BTEX PHCs and PAHs; and groundwater contaminated with undetermined contaminants. The applicant proposes to reuse the site as a Special Industrial Area. Based upon identification of contamination, all immediate, direct or imminent threats which would prevent the property from being occupied for its intended reuse will be remediated. A summary of the Notice of Intent to Remediate was reported to have been published in *The Wellsboro Gazette* on April 15, 1998.

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

**Beaver County Detention Facility**, Hopewell Township, **Beaver County**. Bet-Tech International, 1150 Broadhead Road, Monaca, PA 15061-2500, County of Beaver, 810 Third Street, Beaver, PA 15009-2191 and Brian E. Davis, P. G., Baker Environmental Inc., APO Building 3, 420 Rouser Road, Coraopolis, PA 15108 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals and PAHs. The applicant proposes to remediate the site to meet a site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Beaver County Times* on May 6, 1998.

## AIR POLLUTION

### Notice of Plan Approval and Operating Permit Applications

#### Non-Major 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.

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 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).

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

**28-03004: Bri-Mar Mfg., Inc.** (330 Wolf Avenue, Chambersburg, PA 17201) for operation of two paint spray booths controlled by dry filters in Chambersburg, **Franklin County**.

**38-310-017C: Carmeuse Pennsylvania, Inc.** (P. O. Box 160, Annville, PA 17003) for the operation of a portable rock crushing plant controlled by a wet suppression system in North Londonderry Township, **Lebanon County**.

**36-313-074: Wyeth-Ayerst Laboratories** (P. O. Box 304, Marietta, PA 17547) to operate two influenza vaccine production lines located in East Donegal Township, **Lancaster County**.

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

**59-304-007A: Ward Mfg., Inc.** (P. O. Box 9, Blossburg, PA 16912-0009) for the operation of five spin blast machines and a fabric collector at Plant No. 3 in Blossburg Borough, **Tioga County**.

**12-399-009A: GKN Sinter Metals, Inc.** (R. R. 2, Box 47, Emporium, PA 15834) for the operation of a powdered metal parts oil impregnation and centrifuge unit (PK No. 20) at Plant No. 1 in Shippen Township, **Cameron 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 and G (relating to operating permit requirements; and Title V operating permits).

Copies of the Title V application, proposed permit and other relevant information are available for public inspection and additional information may be obtained by contacting 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.

*Southeast Regional Office: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Attn: Edward Brown, (610) 832-6242.*

**46-00060: Department of Public Welfare—Norristown State Hospital Facility** (1001 Sterigere Street, Norristown, PA 19401) located in Norristown Borough, **Montgomery County**. This facility is primarily providing psychiatric services. The facility's major air emission sources are four large boilers. All of them are anthracite coal fired boilers which emit major levels of nitrogen oxide compounds (NOx), sulfur oxide compounds (SOx) and particulate matter (PM). There are also 11 diesel fired and one propane gas fired small emergency generators located at the facility.

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

**40-00021: Williams Generation Co.** (R. R. 1, Box 409-D, Humboldt Industrial Park, Hazleton, PA 18201) Hazleton Cogeneration Facility located in Hazle Township, **Luzerne County**. The facility's major sources of emissions include a natural gas turbine, a small boiler, two natural gas heaters and an emergency diesel generator which primarily emit nitrogen oxides (NOx).

**48-00016: Lehigh University** (Facilities Services, 461 Webster Street, Bethlehem, PA 18015-1755) facility located in the City of Bethlehem, **Northampton County**. The facility's major sources of emissions include six No. 6 oil-fired boilers and 115 small, natural gas and oil-fired combustion units which primarily emit sulfur oxides (SOx) and nitrogen oxides (NOx).

**58-00001: Tennessee Gas Pipeline** (P. O. Box 2511, Houston, TX 77252-2511) 321 West Clifford Station located in Clifford Township, **Susquehanna County**. The

facility's major sources of emissions include three natural gas compressor turbines and 15 small, natural gas-fired combustion units which primarily emit nitrogen oxides (NO<sub>x</sub>).

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

**36-05028: New Holland North America, Inc.** (500 Diller Avenue, New Holland, PA 17557) located in New Holland, **Lancaster County**. The facility's major sources of emissions are several surface coating operations which primarily emit volatile organic compounds (VOC).

**44-05002: New Holland North America, Inc.** (P. O. Box 868, Belleville, PA 17004) located in Union Township, **Mifflin County**. The facility's major sources of emissions are several surface coating operations which primarily emit volatile organic compounds (VOC).

#### PLAN APPROVALS

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

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

**67-304-024A: R. H. Sheppard Co., Inc.** (101 Philadelphia Street, P. O. Box 877, Hanover, PA 17331) for installation of a sand cooler and magnetic separator at the facility located in Hanover Borough, **York County**.

**01-310-033A: ISP Minerals, Inc.** (P. O. Box O, Blue Ridge Summit, PA 17214) for installation of two fabric collectors at the facility located in Hamiltonban Township, **Adams County**.

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

**08-316-013A: Masonite Corp.** (P. O. Box 311, Towanda, PA 18848) for the modification of a hardboard press (Line II) in Wysox Township, **Bradford County**.

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

#### Source

#4 lime kiln

#5 lime kiln

The Department has additionally determined that the following nitrogen oxides emission limitations are needed to ensure the maintenance of the National Ambient Air Quality Standard for nitrogen dioxide and is consequently also proposing to establish these limitations as a condition of the proposed operating permit issuance:

#### Source

#4 lime kiln

#5 lime kiln

One public hearing will be held for the purpose of receiving comments on the proposed operating permit and the proposed SIP revision. The hearing will be held on July 23, 1998, at 1 p.m. at the Department Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

**PA-56-239A: PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541) for installation of a coal crushing facility at the Hartman Mine (Job 205) in Brothersvalley Township, **Somerset County**.

**PA-65-860B: Fansteel Hydro Carbide** (P. O. Box 363, Latrobe, PA 15650) for installation of a rota-cone dryer and attritors (2) at the Latrobe Plant in Unity Township, **Westmoreland County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY

#### (RACT)

#### Notice of Proposed Revision to the State Implementation Plan for Oxides of Nitrogen and Volatile Organic Compounds, Notice of Proposed Establishment of Emission Limitations to Ensure Maintenance of the National Ambient Air Quality Standard for Nitrogen Dioxide and Notice of Public Hearing

Approval of Reasonably Available Control Technology (RACT) plan for Bellefonte Lime Company in Spring Township, Centre County.

The Department of Environmental Protection (Department) has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) plan and an amendment to the State Implementation Plan (SIP) for a line production facility (Bellefonte Plant) owned and operated by Bellefonte Lime Company in Spring Township, Centre County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT approval for the facility to comply with current regulations.

The preliminary RACT determination, if finally approved, will be incorporated into an operating permit for the facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The following is a summary of the preliminary RACT determination for this operation:

#### Nitrogen oxides emission limit

4.20 pounds per ton of lime produced

7.90 pounds per ton of lime produced

#### Nitrogen oxides emission limit

69.9 pounds per hour

106.9 pounds per hour

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (717) 327-3659 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (717) 327-3659 or the Pennsylvania AT&T relay service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to David Aldenderfer, Program Manager, Pennsylvania DEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Comments should be submitted by August 7, 1998.

All pertinent documents are available for review from 8 a.m. to 4 p.m. in the Department Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (717) 327-3693.

## 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 Environmental 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*

**17980111. K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), commencement, operation and restoration of bituminous strip-auger mine in Chest Township, **Clearfield County**, affecting 41.0 acres, receiving stream Chest Creek. Application received May 15, 1998.

**32880104. Permit Renewal. M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of bituminous strip mine, valid for reclamation, only in Brushvalley and Buffington Townships, **Indiana County**, affecting 148.0 acres, receiving stream unnamed tributary to Blacklick Creek and Blacklick Creek. Application received May 26, 1998.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**26930102R. Pennsylvania Coal Co., Inc.** (105 26th Street, Suite 200, Pittsburgh, PA 15222). Renewal application received for continued reclamation of an existing bituminous surface mine located in Upper Tyrone Township, **Fayette County**. Receiving streams: unnamed tributary to Jacobs Creek to the Youghiogheny River. Renewal application received: May 18, 1998.

**65930104R. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of an existing bituminous surface mine located in East Huntingdon Township, **Westmoreland County**. Receiving streams unnamed tributary to Stauffer Run to Stauffer Run to Jacobs Creek to the Youghiogheny River. Renewal application received: May 21, 1998.

**03880107R. M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Renewal application received for continued reclamation of an existing bituminous surface mine located in Kittanning Township, **Armstrong County**. Receiving streams: unnamed tributaries to Mill Run and Cowanshannock Creek to the Allegheny River. Renewal application received: May 26, 1998.

**26830201R. Carbon Fuel Resources, Inc.** (P. O. Box 275, West Leisenring, PA 15489-0275). Renewal application received for continued reclamation of an existing coal refuse reprocessing site located in Dunbar Township, **Fayette County**. Receiving streams: unnamed tributary to Opossum Run to the Youghiogheny River. Renewal application received: May 26, 1998.

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

**17820151. Junior Coal Contracting, Inc.** (R. D. 3, Box 225-A, Philipsburg, PA 16866), revision to an existing bituminous surface mine permit for a change in permit acreage from 250.2 to 274.2 acres, Bradford Township, **Clearfield County**. Application received May 20, 1998.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

*Noncoal Applications Received*

**26980601. Commercial Stone Co., Inc.** (2200 Springfield Pike, Connellsville, PA 15425-9503). Application received for a large noncoal (sandstone) surface mining permit for a site located in Bullskin Township, **Fayette County**, affecting 466 acres. Receiving streams: unnamed tributaries of Polecat Hollow Run, then into Breakneck Run. Application received: May 15, 1998.

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

*Large Industrial Mineral Permit Applications Received*

**59880301. Clifford Cross, Jr.** (Box 240, Mainesburg, PA), renewal of an existing NPDES permit, Clymer Township, **Tioga County** affecting 4.4 acres. Application received May 4, 1998.

**59880302. Clifford Cross, Jr.** (Box 240, Mainesburg, PA), renewal of an existing NPDES permit, Richmond Township, **Tioga County** affecting 12.4 acres. Application received May 4, 1998.

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

### ENCROACHMENTS

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

**E09-771.** Encroachment. **Department of Conservation and Natural Resources, Bureau of State Parks**, 400 RCSOB, Harrisburg, PA 17105-8451. To construct and maintain two picnic areas (Virginia Forest and Teddy Roosevelt) in and along the 100 year floodplain of the Delaware River and adjacent to the Pennsylvania Canal (AKA Delaware Canal). The proposed work for each picnic area will include: 1) The construction of 100 linear feet of access road; 2) The construction of a paved parking area for 30 cars; 3) The construction of a well and water supply system; 4) The construction of wastewater treatment system; 5) The construction of 5 temporary access crossings of the Delaware Canal. The Virginia Forest picnic area is located 5,600 feet west of the intersection of Cuttalus Road and SR 32 (Lumberville, PA-NJ quadrangle N: 5.75 inches; W: 0.55 inch) in Solebury Township, **Bucks County**. The Teddy Roosevelt Picnic Area is located along the Delaware Canal approximately 3,000 feet south of the intersection of Hellertown Rd. and Rt. 611 (Easton, NJ-PA Quadrangle N: 0.4 inch; W: 9.2 inches) in Williams Township, **Northampton County**.

**E46-806.** Encroachment. **Towamencin Township**, P. O. Box 303, Kulpsville, PA 19443. To construct and maintain two stream crossings of unnamed tributaries to Skippack Creek (TSF) associated with the proposed Towamencin Avenue construction. The proposed road will connect Sumneytown Pike (SR 0063) and Forty Foot Road to alleviate increased traffic congestion in the Village of

Kulpsville. One crossing will utilize a 107-foot long, 36-inch and 42-inch diameter RCP stream enclosure with concrete endwall attached at the downstream end. The other crossing will consist of a 162-foot long, 6-foot wide by 3-foot high R. C. box stream enclosure with concrete endwalls. The project will also require modification of a non-scope dam and an environmental assessment approval. The project is located near the intersection of Sumneytown Pike (SR 0063) and Forty Foot Road, immediately east of the Lansdale exit on PA Turnpike (Lansdale, PA Quadrangle N: 22.3 inches; W: 12.5 inches) in Towamencin Township, **Montgomery County**.

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

**E52-155.** Encroachment. **Delaware Water Gap National Recreation Area**, River Road, Bushkill, PA 18324. (1) To repair and maintain the Route 209 Bridge across Sawkill Creek (EV), with work consisting of the repair of spalled concrete on the substructure. The bridge is located at M. P. 21.3 (Milford, PA-NJ Quadrangle N: 12.2 inches; W: 6.9 inches), in Milford Borough and Dingman Township, **Pike County**. (2) To repair and maintain the Route 209 bridge across Raymondskill Creek (HQ-CWF), with work including scour repair and repair of a crack in the north abutment wall. The bridge is located at M. P. 18.3 (Milford, PA Quadrangle N: 6.7 inches; W: 11.6 inches), in Dingman Township, **Pike County**. (3) To repair and maintain the Route 209 Bridge across Adams Creek (EV), with work including scour repair and repair of a crack in one abutment wall. The bridge is located at M.P. 14.6 (Culvers Gap, NJ-PA Quadrangle N: 20.7 inches; W: 16.0 inches), in Delaware Township, **Pike County**. (4) To remove the existing structure and to construct and maintain a road crossing of Hornbecks Creek (HQ-CWF), consisting of a precast concrete open-bottomed culvert, having a span of 9.765 m (32.0 feet) and an underclearance of approximately 2.05 m (6.7 feet). The crossing is located at M. P. 10.9 of Route 209 (Lake Maskenozha, PA-NJ Quadrangle N: 11.8 inches; W: 1.3 inches), in Delaware Township, **Pike County**. (5) To remove the existing structure and to construct and maintain a road crossing of a Tributary to the Delaware River (HQ-CWF), consisting of a precast concrete open-bottomed culvert, having a span of 4.880 m (16.0 feet) and an underclearance of approximately 1.80 m (5.9 feet). The crossing is located at M. P. 7.8 of Route 209 (Lake Maskenozha, PA-NJ Quadrangle N: 5.2 inches; W: 5.7 inches), in Lehman Township, **Pike County**. The project also includes modification/maintenance of three minor road crossings, to be accomplished using the Department's General Permit BDWM-GP-7 (Minor Road Crossings). The project limits extend from M. P. 7.8 to M. P. 21.3, along Route 209 (Philadelphia District, U. S. Army Corps of Engineers).

**E35-296.** Encroachment. **Lackawanna County Rail Authority**, 701 Wyoming Avenue, Scranton, PA 18509. To construct and maintain a 26 foot high, 162 foot long sheet pile retaining wall along the left bank of Roaring Brook (CWF). The project is located approximately 0.66 mile east of the intersection of S. R. 0435 and S. R. 0084 (Olyphant, PA Quadrangle N: 4.5 inches; W: 10.0 inches) in Roaring Brook Township, **Lackawanna County** (Baltimore District, U. S. Army Corps of Engineers).

**E39-352.** Encroachment. **Lower Macungie Township**, 3400 Brookside Road, Macungie, PA 18062. To construct and maintain three stormwater outfall structures as follows: 66-inch diameter R.C.P. (HS); 36-inch

diameter R.C.P. (A30); and a 21-inch diameter R.C.P. (C9) within the floodway of Little Lehigh Creek (HQ-CWF). The project is associated with the Rolling Meadows Estates Development and is located south of the intersection of S. R. 2012 (Lower Macungie Road) and S. R. 3001 (Spring Creek Road) (Allentown West, PA Quadrangle N: 7.7 inches; W: 9.5 inches) in Lower Macungie Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

**E39-353.** Encroachment. **Pennsylvania Department of Transportation, District 5-0**, 1713 Lehigh Street, Allentown, PA 18103. To place fill in 0.22 acre of PEM wetlands; to construct and maintain a 185 foot long, 72 inch diameter stream enclosure in a tributary to Upper Saucon Creek; to relocate a tributary to Upper Saucon Creek with work consisting of the construction and maintenance of approximately 450 linear feet of channel change. The project, associated with the S. R. 2044, Section 002 roadway extension, is located on S. R. 2044 approximately 1.2 miles northeast of the intersection of S. R. 0309 and S. R. 2044 (Allentown East, PA Quadrangle N: 11.5 inches; W: 3.6 inches) in Upper Saucon Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

**E39-354.** Encroachment. **Jaindl Land Company**, 3150 Coffeetown Road, Orefield, PA 18069. To construct and maintain two culvert crossings each consisting of 1.2-foot  $\times$  7.5-foot and three 22-foot  $\times$  6.0-foot concrete box culverts, depressed 0.5 foot below the stream bed elevation in Iron Run (HQ-CWF). The project, associated with the Lehigh Valley West/to Industrial Park, is located on the west side of S. R. 0100 approximately 1 mile south of S. R. 0078 (Allentown West, PA Quadrangle N: 11.9 inches; W: 16.4 inches) in Upper Macungie Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

**E40-500.** Encroachment. **Robert Cook**, R. R. 3, Box 3054, Harveys Lake, PA 18618. To modify and maintain an existing pile-supported dock in Harveys Lake, increasing the areal coverage from approximately 900 square feet to approximately 1,680 square feet. As modified, the dock will have dimensions of approximately 40 feet lakeward by 42 feet. The project is located at Pole No. 281 (Harveys Lake, PA Quadrangle N: 18.2 inches; W: 6.5 inches), in Harveys Lake Borough, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers).

**E45-355.** Encroachment. **David S. Weiss**, R. R. 3, Box 3890, East Stroudsburg, PA 18301-9579. To place fill in a de minimis area of wetlands equal to 0.05 acre for the purpose of constructing a private shale driveway to access an upland portion of a property located southwest of the intersection of S. R. 1003 (Hallet Road) and Township Road T509 (Bog Road) (East Stroudsburg, PA Quadrangle N: 8.9 inches; W: 17.1 inches) in Pocono Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

**E45-356.** Encroachment. **Nature Conservancy**, Lee Park—Suite 470, 1100 East Hector Street, Conshohocken, PA 19428. To place fill in a de minimis area of PFO wetlands equal to 0.02 acre for the purpose of constructing a raised, stone walkway having a length of 215' and with 5' to provide access to the existing Tannersville cranberry bog nature trail system. The project is located on the east side of S. R. 1001 (Cherry Lane) approximately 0.6 mile south of Township Road T509 (Mount Pocono, PA Quadrangle N: 7.4 inches; W: 2.6 inches) in Pocono Township, **Monroe 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.*

**E01-193.** Encroachment. **Adams County Commission**, 111—117 Baltimore St., Gettysburg, PA 17325. To construct and maintain an 80-foot single span bridge with an underclearance of 7 feet over Willoughby Run on Waterworks Road to replace a bridge destroyed in the 1996 flood in the same located west of Red Rock Road (Fairfield, PA Quadrangle N: 8.8 inches; W: 2.3 inches) in Cumberland Township, **Adams County**.

**E06-513.** Encroachment. **Eli Burkholder**, Box 64, 315 Bowers Road, Bowers, PA 19511. To widen an existing bridge by 10 feet, 4 inches to allow crossing with farm equipment across the channel of Sacony Creek at a point approximately 2,300 feet downstream of Bowers Road (Manatawny, PA Quadrangle N: 20.75 inches; W: 16.75 inches) in Maxatawny Township, **Berks County**.

**E07-292.** Encroachment. **PA Department of Transportation, District 9-0**, Robert Heim, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove a single span bridge and to construct and maintain a single span prestressed adjacent box beam bridge having a clear span of 48.40 feet and an underclearance of 8.64 feet over Sinking Run for purposes of highway maintenance located on SR 1013, Section 005, about 1.0 mile from its intersection with SR 0350 (Spruce Creek, PA Quadrangle N: 20.2 inches; W: 8.7 inches) in Tyrone Township, **Blair County**.

**E07-293.** Encroachment. **PA Department of Transportation, District 9-0**, Robert Heim, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove an existing two span bridge and to construct and maintain a two span prestressed concrete spread box beam bridge having two clear spans of 43.11 feet and a minimum underclearance of 7.92 feet over Sinking Run and to temporarily place fill in a de minimis amount of associated wetlands for purposes of highway maintenance located on SR 1013, Section 010 about 0.7 mile west of its intersection with SR 0350 (Spruce Creek, PA Quadrangle N: 20.6 inches; W: 7.9 inches) in Tyrone Township, **Blair County**.

**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**.

**E28-253.** Encroachment. **Metal Township Municipal Authority**, Wilmer Lehman, P. O. Box 226, Willow Hill, PA 17271. To construct and maintain an embankment of a proposed waste water lagoon at the authority's treatment plant located along the right bank's 100-year floodplain of the West Branch Conococheague Creek about 250 feet upstream of the SR 4004 Bridge (Fannettsburg Road) (Fannettsburg, PA Quadrangle N: 11.22 inches; W: 9.4 inches) in Metal Township, **Franklin County**.

**E31-45.** Encroachment. **PA Dept. of Transportation, District 9-0**, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove an existing bridge and to construct and maintain concrete adjacent box beam bridge having a normal horizontal clearance of 34.88 feet and an underclearance of 4.4 feet across an unnamed tributary to Three Spring Creeks for purposes of highway maintenance located on SR 0655, Section 003, about 1.5 miles south of its intersection with SR 0994 (Saltillo, PA Quadrangle N: 9.7 inches; W: 3.0 inches) in Clay Township, **Huntingdon County**.



**E67-628.** Encroachment. **York County Commissioners**, One West Marketway, 4th Floor, York, PA 17401. To construct and maintain a 5 foot wide by 40 foot long pedestrian bridge adjacent to an existing vehicular bridge located on Cross Mill Road at the Cross Mill Historical site over a tributary to Rambo Run (Stewartstown, PA Quadrangle N: 8.9 inches; W: 5.8 inches) in East Hopewell Township, **York County**.

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

**E14-323.** Encroachment. **Pa. Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a prestressed concrete box beam bridge with a span of 80 feet and underclearance of 8 feet across Spring Creek located on SR 3006, Section A01 just west of SR 0150 (Bellefonte, PA Quadrangle N: 6.6 inches; W: 4.3 inches) in Bellefonte Borough, **Centre County**. Estimated stream disturbance is 100 feet with no wetland impact; stream classification is Cold Water Fishery.

**E41-424.** Encroachment. **Alex Bobotas**, R. R. 4, Box 412, South Williamsport, PA 17701. To construct and maintain: 1) a 97 foot by 16 foot clean fill boat ramp in the right floodway of the West Branch Susquehanna River; 2) a 1,127.5 square foot wooden boat dock system in the West Branch Susquehanna River located 1.8 miles east on Sylvan Dell Road from the railroad crossing in South Williamsport (Montoursville South Quadrangle N: 21.5 inches; W: 11.0 inches) in Armstrong Township, **Lycoming County**. The project proposes to disturb 90 linear feet of stream with is classified a Warm Water Fishery.

**E41-425.** Encroachment. **Jay R. Alexander, Wayne Alexander and Joseph L. Reighard**, R. R. 2, Box 600, Montoursville, PA 17754. To construct and maintain a single span steel beam bridge with a span of 55 feet and underclearance of 8 feet across with a span of 55 feet and underclearance of 8 feet across Wallis Run off SR 1006 opposite Frymire Road (Barbours, PA Quadrangle N: 7.0 inches; W: 16.0 inches) in Cascade Township, **Lycoming County**. Estimated stream disturbance is 100 feet with no wetland impacts; stream classification is HQ-CWF.

**E59-367.** Encroachment. **Deerfield Township Supervisors**, R. R. 1, Box 990, Knoxville, PA 16928. To realign and maintain the channel of Troups Creek to protect private and public property from flooding. The realignment work shall consist of the periodic removal of two gravel deposition areas that shall not exceed the depth of normal, historic streambed elevation or a maximum of 4 feet. The first deposition area for periodic removal is upstream of the bridge that carries T-404 across Troups Creek and its removal shall not exceed a maximum area of 600 feet long  $\times$  100 feet wide. The second deposition area is downstream of the bridge that carries T-404 across Troups Creek and its removal shall not exceed a maximum area of 800 feet long  $\times$  40 feet wide. The project is located along the eastern right-of-way of SR 0249 approximately 750 feet northeast of the T-404 and SR 0249 intersection (Knoxville, PA Quadrangle N: 19.9 inches; W: 13.0 inches) in Deerfield Township, **Tioga County**. This permit shall be void 5 years from the date of issuance. As proposed, the realignment of Troups Creek will not impact wetlands while impacting 1,400 linear feet of waterway; stream classification is Cold Water Fishery.

**E59-368.** Encroachment. **Deerfield Township Supervisors**, R. R. 1, Box 990, Knoxville, PA 16928. To realign

and maintain the channel of Troups Creek to protect private and public property from flooding. The realignment work shall consist of the periodic removal of gravel deposition areas that shall not exceed the depth of normal, historic streambed elevation or a maximum of 4 feet. The deposition area for periodic removal is downstream of the confluence of Abbot Hollow Run along the eastern streambank of Troups Creek and its removal shall not exceed a maximum area of 400 feet long  $\times$  50 feet wide. The project is located along the eastern right-of-way of SR 0249 approximately 1.5 miles northwest of the SR 0049 and SR 0249 intersection (Knoxville, PA Quadrangle N: 17.9 inches; W: 11.4 inches) in Deerfield Township, **Tioga County**. This permit shall be void 5 years from the date of issuance. As proposed, the realignment of Troups Creek will not impact wetlands while impacting 400 linear feet of waterway; stream classification is Cold Water Fishery.

**E59-369.** Encroachment. **Deerfield Township Supervisors**, R. R. 1, Box 990, Knoxville, PA 16928. To realign and maintain the channel of Cowanesque River to protect private and public property from flooding. The realignment work shall consist of the periodic removal of five gravel deposition areas that shall not exceed the depth of normal, historic streambed elevation or a maximum of 4 feet. The first three deposition areas for periodic removal are upstream of the bridge that carries T-889 across the Cowanesque River and their removal shall not exceed a maximum area of 400 long  $\times$  60 feet wide along the southern streambank; a maximum area of 600 feet long  $\times$  70 feet wide along the northern streambank; a maximum area of 70 feet long  $\times$  40 feet wide immediately below the confluence of Troups Creek. The second two deposition areas are downstream of the bridge that carries T-889 across the Cowanesque River and their removal shall not exceed a maximum area of 300 feet long  $\times$  40 feet wide center stream; a maximum area of 300 feet long  $\times$  25 feet wide along the southern streambank. The project is located along the southern right of way of SR 0049 approximately 1,800 feet south of the T-889 and SR 0049 intersection (Knoxville, PA Quadrangle N: 14.0 inches; W: 8.9 inches) in Deerfield Township, **Tioga County**. This permit shall be void 5 years from the date of issuance. As proposed, the realignment of Troups Creek will not impact wetlands while impacting 400 linear feet of waterway; stream classification is Cold Water Fishery. As proposed, the realignment of the Cowanesque River will not impact wetlands while impacting 1,670 linear feet of waterway; stream classification is Warm Water Fishery.

**E59-370.** Encroachment. **Deerfield Township Supervisors**, R. R. 1, Box 990, Knoxville, PA 16928. To realign and maintain the channel of Cowanesque River to protect private and public property from flooding. The realignment work shall consist of the periodic removal of five gravel deposition areas that shall not exceed the depth of normal, historic streambed elevation or a maximum of 4 feet. The first two deposition areas for periodic removal are upstream of the bridge that carries T-402 across the Cowanesque River and their removal shall not exceed a maximum area of 800 long  $\times$  40 feet wide along the northern streambank; a maximum area of 600 feet long  $\times$  80 feet wide along the southern streambank. The remaining deposition area is downstream of the bridge that carries T-889 across the Cowanesque River and its removal shall not exceed a maximum area of 400 feet long  $\times$  60 feet wide along the southern streambank. The project is located along the southern right-of-way of SR 0049 approximately 2,000 feet south of the T-402 and SR 0049 approximately 2,000 feet south of the T-402 and SR

0049 intersection (Knoxville, PA Quadrangle N: 13.4 inches; W: 11.5 inches) in Deerfield Township, **Tioga County**. This permit shall be void 5 years from the date of issuance. As proposed, the realignment of the Cowanesque River will not impact wetlands while impacting 1,400 linear feet of waterway; stream classification is Warm Water Fishery.

**E59-371.** Encroachment. **Deerfield Township Supervisors**, R. R. 1, Box 990, Knoxville, PA 16928. To realign and maintain the channel of Cowanesque River to protect private and public property from flooding. The realignment work shall consist of the periodic removal of two gravel deposition areas that shall not exceed the depth of normal, historic streambed elevation or a maximum of 4 feet. The first deposition area for periodic removal are upstream of the bridge that carries T-824 across the Cowanesque River and their removal shall not exceed a maximum area of 1,400 long × 40 feet wide. The second deposition area is downstream of the bridge that carries T-824 across the Cowanesque River and its removal shall not exceed a maximum area of 600 feet long × 40 feet wide. The project is located along the southern right-of-way of SR 0049 approximately 400 feet south of the T-824 and SR 0049 intersection (Knoxville, PA Quadrangle N: 14.4 inches; W: 6.0 inches) in Deerfield Township, **Tioga County**. This permit shall be void 5 years from the date of issuance. As proposed, the realignment of the Cowanesque River will not impact wetlands while impacting 2,000 linear feet of waterway; stream classification is Warm Water Fishery.

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

**E02-1232.** Encroachment. **Pleasant Hills Construction Company, Inc.**, 60 Terence Drive, Pittsburgh, PA 15236. To construct and maintain an 8 foot diameter culvert in an unnamed tributary to Lick Run; to widen and maintain the channel of said stream, and to place and maintain fill in the floodway of and on the left bank of an unnamed tributary to Lick Run for the purpose of developing a parcel for office buildings. The project is located just northwest from the intersection of Brushglenn Drive and Woodrift Lane (Glassport, PA Quadrangle N: 13.8 inches; W: 13.6 inches) in Pleasant Hills Borough, **Allegheny County**.

**E32-391.** Encroachment. **PA Department of Transportation, Engineering District 10-0**, P. O. Box 429, Indiana, PA 15701. To expand an embankment within the floodplain of the Conemaugh River (WWF) for the purpose of increasing the vertical clearance of a railroad bridge replacement over SR 0056. The project is located along SR 0056 at its intersection with SR 0711 near Robindale Heights (New Florence, PA Quadrangle N: 8.4 inches; W: 3.6 inches) in East Wheatfield Township, **Indiana County**.

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

**E10-279.** Encroachment. **Mr. and Mrs. Jeffrey Domhoff**, 105 Zeigler Street, Zelienople, PA 16063-1075. To construct and maintain a single span I-beam bridge with a clear span of approximately 20 feet and a maximum underclearance of 5.5 feet across Semiconon Run (CWF) to be utilized for private residential access. This project is located across Semiconon Run approximately 3,400 feet southwest of the intersection of Dick Road (S. R. 3029) and Purvis Road (County Lane Road S. R. 3034) located in Connoquenessing Township, **Butler County**.

**E43-267.** Encroachment. **PA Department of Transportation**, Engineering District 1-0, 1140 Liberty Street, Franklin, PA 16323-1251. To remove the existing structure and to construct and maintain a twin cell precast reinforced concrete box culvert with each waterway opening having a clear span of 20 feet and an average underclearance of 6.33 feet on SR 3022 across Lackawannock Creek (TSF). The project is located on SR 3022 across Lackawannock Creek approximately 2,200 feet northwest of the intersection of SR 3022 and SR 3039 adjacent to the Big Bend Church. This project will include placement of the bottom of this box culvert approximately 1.67 feet below existing streambed elevations to provide unobstructed access for aquatic organisms (Fredonia, PA Quadrangle N: 4.7 inches; W: 8.6 inches) located in Jefferson Township, **Mercer County**.

#### ENVIRONMENTAL ASSESSMENT

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

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

**EA09-014C0.** Environmental Assessment. **Pickertown Partnership**, G. P. (2421 Bristol Road, Warrington, PA 18914). To construct and maintain a nonjurisdictional dam across a tributary to Mill Creek (TSF, MF) and modify an existing nonjurisdictional dam for the purpose of stormwater management at the proposed Urwiler tract subdivision located approximately 2,900 feet east of the intersection of Lower State Road and Pickertown Road (Doylestown, PA Quadrangle N: 2.05 inches; W: 5.85 inches) in Warrington Township, **Bucks County**.

**D56-005EA.** Environmental Assessment. **Windber Area Authority** (1700 Stockholm Avenue, Windber, PA 15963-2061). To breach and remove a jurisdictional dam across Clear Shade Creek (HQ-CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 2.0 miles upstream of the confluence of Dark Shade Creek and Clear Shade Creek (Windber, PA Quadrangle N: 4.45 inches; W: 4.55 inches) in Shade and Logan Townships, **Somerset County**.

#### ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

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

(Part I Permits)

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

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

ronmental Hearing Board, Second Floor, 400 Market Street, 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 1 (800) 654-5984.

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

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

**NPDES Permit No. PA-0021873.** Sewerage. **Borough of Jim Thorpe**, 101 East 10th Street, Jim Thorpe, PA 18229 is authorized to discharge from a facility located in Jim Thorpe Borough, **Carbon County**, to the Lehigh River.

**NPDES Permit No. PA-0051551.** Industrial waste. **Ecolaire, Inc.**, 1550 Lehigh Drive, Easton, PA 18042 is authorized to discharge from a facility located in West Easton Borough, **Northampton County**, to the Lehigh River.

*Northwest Regional Office: Regional Water Management*

*Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6942.*

**NPDES Permit No. PA0210781.** Sewerage. **Hamlin Township**, R. D. 1, Box 185A, Kane, PA 16735 is authorized to discharge from a facility located in Hamlin Township, **McKean County** to Potato Creek.

**NPDES Permit No. PA0210803.** Sewerage. **Star Route Estates—MHP**, 2182 Beulah Road, Pittsburgh, PA 15235 is authorized to discharge from a facility located in East Mead Township, **Crawford County** to an unnamed tributary to Little Sugar Creek.

**NPDES Permit No. PA0222399.** Industrial waste. **Decker Transportation, Inc.**, R. D. 3230, Route 957, Russel, PA 16345 is authorized to discharge from a facility located in Farmington Township, **Warren County** to an unnamed tributary to Kiantone Creek.

**WQM Permit No. 4398412.** Sewerage, **Gerald S. Pacifico**, SRSTP, 126 Shenango Park Rd., Transfer, PA 16154. Construction of Gerald S. Pacifico SRSTP located in Pymatuning Township, **Mercer County**.

**WQM Permit No. 4398413.** Sewerage, **Larry D. and Joanne I. Cramer**, SRSTP, 25 Maple Rd., Greenville, PA 16125. Construction of Larry D. and Joanne I. Cramer SRSTP located in West Salem Township, **Mercer County**.

**WQM Permit No. 2598403.** Sewerage. **Erie Sewer Authority/City of Erie**, c/o Knox, McLaughlin, Gornall & Sennett, P. E., 120 West 10th Street, Erie, PA 16501-1461. This project is for the construction of headworks facility and overflow retention facility and associated onsite piping in the City of Erie, **Erie County**.

**WQM Permit No. 2093405.** Sewerage. **Star Route Estates—MHP**, 2182 Beulah Road, Pittsburgh, PA 15235. This project is for a hydraulically related treatment plant in East Mead Township, **Crawford County**.

**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-D104	AT&T Corporation Promenade Annex PA 189 1200 Peachtree Street, NE Atlanta, GA 30309	Tinicum, Bedminster, East Rockhill, Richland, Milford and Springfield Twps., and Quakertown Borough, Bucks County, Upper Saucon and Salisbury Townships, Lehigh County	Delaware River, Tinicum and, Tohickon Creeks, Mink Run, Deer Run, Unnamed Tributary to East Branch Perkiomen Crk., Three Mile Run, Morgan Creek, Unnamed Tributaries to Unami Crk. and Beaver Run, Unnamed Tributaries to Tumble Run, Saucon and Trout Crks.
PAS10-G247	Irish Oaks Development Corp. 1316 West Chester Pike, Suite 198 West Chester, PA 19382	West Brandywine Twp. Chester Co.	East Branch Brandywine Creek, Tributary to Indian Crk.
PAS10-G303	Belle Capital Corporation, Inc. 30-1 Lindenwood Drive, Suite 1 Malvern, PA 29355	West Bradford Twp. Chester Co.	Unnamed Tributaries to Valley Run and Broad Run

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G306	TPT Partners, Inc. P. O. Box 866 Kimberton, PA 19442	North Coventry Twp. Chester Co.	Unnamed Tributary to Schuylkill River
PAS10-G310	Owen J. Roberts School District 901 Ridge Road Pottstown, PA 19464-9341	North Coventry Twp. Chester Co.	Unnamed Tributaries to Pigeon Creek and Schuylkill River
PAS10-G311	Wooldridge Construction of PA 1500 Green Hill Rd. West Chester, PA 19380	East Goshen Twp. Chester Co.	West Branch Ridley Crk.
PAS10-G312	Cornerstone Communities, Inc. Radnor Bldg. 717 Lancaster Ave. Villanova, PA 19085	Willistown Twp. Chester Co.	Crumm Crk.

**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
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 Sewage Sludge By Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage By Land Application to Agricultural Land, Forest or a Land Reclamation Site

*General Permit Type—PAG 2*

*Facility Location*

<i>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>
Columbia County Briar Creek Borough	PAR102132	Lyon Properties 433 South Main St. West Hartford, CT 06110	E. Branch Briar Crk.	Columbia CCD 702 Sawmill Rd., Suite 105 Bloomsburg, PA 17815

<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>
Chadds Ford Township Delaware County	PAR10-J110	Dr. Thomas P. O'Dea Harvey Road Chadds Ford, PA 19317	Harvey Run	Southeast Regional Office 555 North Lane Suite 6010, Lee Park Conshohocken, PA (610) 832-6131
Aston Township Delaware County	PAR10-J106	D & D Developers, Inc. c/o Jack Donald 510 East Baltimore Pk. Media, PA 19063	West Branch Chester Creek	Southeast Regional Office 555 North Lane Suite 6010, Lee Park Conshohocken, PA (610) 832-6131
City of Philadelphia Philadelphia County	PAR10-5317	Philadelphia Naval Shipyards Philadelphia Naval Business Center QTRS M-2 Philadelphia, PA 19221-5094	Reserve Basin flowing into Schuylkill River	Southeast Regional Office 555 North Lane Suite 6010, Lee Park Conshohocken, PA (610) 832-6131
Clarion County Piney Creek Twp.	PAR101509	Piney Creek Limited Partnership R. D. 2, Box 56 Clarion, PA 16214	Piney Creek	Northwest Region Water Mgt. Program Manager 230 Chestnut St. Meadville, PA 16335-3481 (814) 332-6942
Erie County Summit Township	PAR10K106	Joyce Pfadt 9550 Donation Road Erie, PA 16509	UNT to Walnut Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Erie County North East Twp. & Boro.	PAR10K107	North East School District 50 Division St. North East, PA 16428	UNT to 16-Mile Creek	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203

*General Permit Type—PAG 7*

<i>Facility Location County and Municipality (If Applicable)</i>	<i>General Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
	PAG079901	Lang EnviroVenture, Inc. 60 Lake Street Narrowsburg, NY 12764	Bureau of Water Quality Protection (717) 787-8184

*General Permit Type—PAG 8*

<i>Facility Location County and Municipality (If Applicable)</i>	<i>General Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Montgomery County Upper Dublin Twp.	PAG080010	Nutrecon, Inc. P. O. Box 442 South Main at Randolph Ambler, PA 19004	Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130

## 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 **Upper Chichester Township, Delaware County** to provide for sewage currently being treated at the New Castle County's City of Wilmington Wastewater Treatment Plant to be diverted for treatment at the Southwest Delaware County Municipal Authority's (SWDCMA's) Baldwin Run Pollution Control Facility. The diversion is planned in the amount of 2,218 edus or 554,500 gpd. This will be accomplished by the construction of a 12 inch force main from the existing Beech Street pump station to the existing SWDCMA's Baldwin Run interceptor, as shown on Exhibit 34.

## SAFE DRINKING WATER

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

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

**Permit No. 2598502.** Public water supply. **Pleasant Ridge Manor—West**, 8300 West Ridge Road, Girard, PA 16417-9802 has been issued a permit to upgrade their existing water system in Fairview Township, **Erie County**.

*Type of Facility:* Community Water Supply.

*Consulting Engineer:* Eugene G. Hlifka, 151 West 14th St., Erie, PA 16501.

*Permit to Construct Issued:* May 27, 1998.

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

**A. 0888503-T1.** The Department issued an operating permit to **Claymac Equities, L.L.C.** (P. O. Box 1346, Southeastern, PA 19399, Athens Township, **Bradford County**) for operation of the water system at Blue Spruce Mobile Home Park.

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

The Department has received the following final report:

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

**Ross Matico Property**, Yardley Borough, **Bucks County**. Ross Matico, 52 Canal Street, Yardley, PA 19067, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet Statewide health standards.

## SOLID AND HAZARDOUS WASTE

### RESIDUAL WASTE PROCESSING FACILITIES

**Permit modification issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

**General Permit Application No. WMGR043.** **Atlas Environmental Services & Equipment Company**, 6801 State Road, Building A, Philadelphia, PA 19135. A permit modification has been issued to allow the processing of nonhazardous petroleum contaminated soils at a fixed stationary location. The original general permit was issued to Atlas only for mobile use of their soil processing

technology. The fixed stationary location has been indicated as 6801 State Road, Building A, Philadelphia, PA. The permit modification was issued by the Central Office on May 22, 1998.

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

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

*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-3653.*

**Permit No. 100963.** Permit Modification. **Lycoming County Landfill, Lycoming County Resource Management Service** (P. O. Box 187, Montgomery, PA 17752). Approval of Form R, Waste Analysis and Classification Plan for existing municipal waste landfill located in Brady Township, **Lycoming County**, issued in the regional office on May 18, 1998.

**Permit No. 301626.** Permit Modification. **White Pines Landfill, White Pines Corporation** (R. R. 1, Box 69, Millville, PA 17846). Permit modification for revisions to the landfill gas collection and additional wastestreams to an existing residual waste landfill located in Pine Township, **Columbia County**, issued in the regional office on May 26, 1998.

**Override Justification**

On November 12, 1997, the Department received comments from the Columbia County Planning Commission concerning this major permit modification application. After full review of the permit modification application and the Planning Commission's comments, the Department has made a decision to issue the permit modification. Following are the relevant comments pertaining to the application and the basis for overriding these comments:

*Comment no. 1:* The County requests to be provided with a copy of all monitoring information submitted to the DEP.

*Response:* All information with respect to monitoring is public information and is available for review by the County at the DEP Regional Office.

*Comment no. 2:* Attachment A-2 and Attachment A-4 do not contain executed return receipts as required.

*Response:* Copies of the executed return receipts were required from the applicant and were received by the DEP.

*Comment no. 3:* Attachment A-3 does not contain a proof-of-publication as required.

*Response:* Copies of the proof-of-publication were required from the applicant and were received by the DEP.

*Comment no. 4:* The submission indicated that the reanalysis frequency contained in Table R-2 is a modification of that which was originally permitted, using information provided by the DEP subsequent to original issuance. The subsequent information was not identified nor included in this submission. Additionally, certification in lieu of sampling and analysis for interim years is acceptable only if the permit for the facility authorizes such interim year certification.

*Response:* The information provided by the DEP was the result of meetings and discussions between the

applicant and the DEP Waste Program Chemist. The Chemist made the suggestions, which were agreed to by the applicant and were written into the permit modification. Also, the issue of certifications in lieu of sampling and analysis has been agreed to and has been written into the permit modification.

*Comment no. 5:* Attachment R-4 requests approval to dispose of municipal like residual waste for certain waste streams. For all these wastes, the applicant has stated that chemical analysis should not be required given the fact that these wastes contain known materials. The County questions the accuracy of this reasoning since some of the waste streams could contain substances in the form of dyes, curing agents and additives which are not generic and which could alter the chemical composition normally anticipated to be present in these wastes.

*Response:* In order for wastes to be considered municipal like residual waste, they must be one of the categories listed on the Department's Form S. The Department has determined that for wastes to be considered for this classification they are nonimpacting. Therefore, even though these wastes may have dyes and additives, in order for them to be accepted under the Form S classification, they must be nonimpacting.

*Comment no. 6:* The application indicates that an application for Air Quality Plan Approval was submitted to the DEP. A copy of the Air Quality Application was not included in the documentation submitted for our review.

*Response:* Applications for Air Quality Plan Approval are submitted to the Air Quality Control Program of the Department and would not be included in an application to the Waste Management Program. Therefore, the Air Quality application was not included in the Waste Management application. The County was notified through the Act 14 Notification process that the Department received an Air Quality Plan Approval application.

**AIR POLLUTION**

**OPERATING PERMITS**

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

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

**GP1-01-3008: Gettysburg College** (300 N. Washington Street, Gettysburg, PA 17235) issued for a Natural Gas/No. 2 fuel oil boilers in Gettysburg Borough, **Adams County**.

**GP3-05-03007: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16648) issued for a portable nonmetallic mineral processing plant in Snake Spring Township, **Bedford County**.

**Minor Modification of 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.**

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

**08-316-014: Masonite Corp.** (P. O. Box 311, Towanda, PA 18848) modified on May 14, 1998, to specify the required performance of stack testing on a molded hardboard press (Die Form press) within 360 days of plan approval issuance rather than 180 days in Wysox Township, **Bradford 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.**

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

**06-10070: Carpenter Technology Corp.** (P. O. Box 14662, Reading, PA 19612-4662) issued May 14, 1998, for modification of the press forge facility in Reading/Muhlenberg Township, **Berks County**.

**06-5063B: EAFCO, Inc.** (Spring and Schaeffer Streets, Boyertown, PA 19512) issued May 29, 1998, for construction of the surface coating line controlled by dry filters at the Eastern Foundry, Boyertown/Colebrookdale Township, **Berks County**.

**21-303-001B: Hempt Brothers, Inc.** (205 Creek Road, Camp Hill, PA 17011) issued May 22, 1998, for modification of the three asphalt plants at the Camp Hill Quarry in Lower Allen Township, **Cumberland County**.

**21-320-010B: Fry Communications, Inc.** (800 West Church Road, Mechanicsburg, PA 17055) for construction of one 9-unit double web offset press controlled by dryers/afterburners at Building 3, in Mechanicsburg Borough, **Cumberland County**.

**22-301-062: Humane Society of Harrisburg Area, Inc.** (7790 Grayson Road, Harrisburg, PA 17111) issued May 21, 1998, for construction of the animal crematory incinerator with an afterburner at the East Shore Shelter in Swatara Township, **Dauphin County**.

**28-302-049B: Knouse Foods Cooperative, Inc.** (P. O. Box 709, Biglerville, PA 17307-0709) issued June 1, 1998, for the installation of a backup/emergency natural gas fired boiler at their Chambersburg Plant in Chambersburg Borough, **Franklin County**.

**28-310-006D: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) issued May 21, 1998, for modification of the limestone crushing plant controlled by a wet suppression system at the Dry Run Quarry in Fannett Township, **Franklin County**.

**44-304-009: Donsco, Inc.** (P. O. Box 2001, Wrightsville, PA 17368-0040) issued May 22, 1998, for the installation of two cold-box core machines at the Belleville Foundry in Union Township, **Mifflin County**.

**67-301-080: Golden Lake Pet Memorial Gardens** (210 Andersontown Road, Mechanicsburg, PA 17055) issued May 21, 1998, for construction of the animal crematory incinerator with an afterburner in Monaghan Township, **York County**.

**67-304-034B: R. H. Sheppard Co., Inc.** (101 Philadelphia Street, Hanover, PA 17331) issued May 22, 1998, for the installation of a cold-box core process in Hanover Borough, **York County**.

**67-320-026A: GTY, Inc.** (2075 Loucks Road, York, PA 17404) issued May 27, 1998, for construction of the printing operations in West Manchester Township, **York**

**County.** This source is subject to 40 CFR 60, Subpart FFF, Standards of Performance for New Stationary Sources.

## 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 Permits Issued

**32860106.** Permit Revision. **Kent Coal Mining Company** (P. O. Box 729, Indiana, PA 15701), to change the post-mining land use from cropland to forestland on the Rochester & Pittsburgh Coal Company property in Blacklick Township, **Indiana County**, affecting 233.1 acres, receiving stream four unnamed tributaries to Aultmans Run and Aultmans Run. Application received February 20, 1998. Application issued May 14, 1998.

**56823008.** Permit Renewal. **Croner, Inc.** (P. O. Box 157, Berlin, PA 15530), commencement, operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 176.0 acres, receiving stream unnamed tributaries to Buffalo Creek and to Tubs Run. Application received March 26, 1998. Permit issued May 26, 1998.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**03970109. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface/ auger mining site located in Cowanshannock Township, **Armstrong County**, affecting 97 acres. Receiving streams: Huskins Run and two unnamed tributaries to Huskins Run. Application received: October 28, 1997. Permit issued: May 22, 1998.

**03880109R. Terry Coal Sales, Inc.** (Box 58, Distant, PA 16223). Renewal permit issued for continued reclamation of a bituminous surface mine located in Cowanshannock Township, **Armstrong County**, affecting 254.0 acres. Receiving streams: unnamed tributaries to Cowanshannock Creek to the Allegheny River. Renewal application received: March 9, 1998. Renewal permit issued: May 28, 1998.

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

**17820181. Larson Enterprises, Inc.** (P. O. Box 96, Kylertown, PA 16847), revision to an existing bituminous surface mine permit for a change in permit acreage from 172.1 to 181 acres, Cooper Township, **Clearfield County**, receiving streams: Sulphur Run, tributary to Moshannon



Creek and Flat Run. Application received January 14, 1998. Permit issued May 6, 1998.

**17930117. Al Hamilton Contracting Company** (R. R. 1, Box 87, Woodland, PA 16881), revision to an existing bituminous surface mine permit to apply biosolids (stabilized sewage sludge) to enhance vegetation. A variance is also being requested for the application of biosolids within the 100 foot barrier for Surveyor Run and the unnamed tributaries to Surveyor Run. This variance is to apply only to those areas affected by the reclamation activity, Goshen and Girard Townships, **Clearfield County** affecting 345.6 acres. Application received December 3, 1997. Permit issued May 12, 1998.

**17960107. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), transfer of an existing bituminous surface mine-auger permit from Bermuda Triangle, Inc., Greenwood Township, **Clearfield County** affecting 40.7 acres, receiving streams: unnamed tributary to West Branch of the Susquehanna River. Application received March 3, 1998. Permit issued May 20, 1998.

**17950113. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), transfer of an existing bituminous surface mine-auger permit from Bermuda Triangle, Inc., Greenwood Township, **Clearfield County** affecting 60.2 acres, receiving streams: unnamed tributary #1 and #2 to Watts Creek to Watts Creek to Clearfield Creek to West Branch Susquehanna River. Application received March 3, 1998. Permit issued May 20, 1998.

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

**54871303R2. D & D Coal Company** (139 East Independence Street, Shamokin, PA 17872), renewal of an existing anthracite underground mine operation in Cass Township, **Schuylkill County** affecting 2.8 acres, receiving stream—none. Renewal issued May 29, 1998.

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

#### *Large Industrial Mineral Permits Issued*

**4673SM5. Fink & Stackhouse, Inc.** (515 Princeton Avenue Ext., Williamsport, PA 17701), permit revision to an existing large industrial mineral surface mine permit to apply biosolids (stabilized sewage sludge) to enhance vegetation, Beech Creek Township, **Clinton County** affecting 52.7 acres. Application received December 29, 1997. Permit issued May 15, 1998.

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

#### *Small Industrial Mineral Authorizations Granted*

**08970822. Robert J. Johnson** (R. R. 2, Box 310, Wyalusing, PA 18853), commencement, operation and restoration of a small industrial mineral (bluestone) permit in Orwell Township, **Bradford County** affecting 2 acres, receiving streams: unnamed tributary to South Creek. Application received December 18, 1997. Authorization granted May 18, 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 Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval

and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 1 (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The 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.*

**E46-801.** Encroachment Permit. **Sandy Run Country Club**, 200 East Valley Green Road, Oreland, PA 19075-0116. To maintain a 120 foot long, 12-foot high, gabion wall that has been previously constructed. Also to construct and maintain an additional 96 feet of a 12-foot high gabion wall adjacent to an irrigation pond, located within the floodway of Sandy Run Creek (TSF). This site is situated at the Sandy Run Country Club, located near Walnut Avenue and east of Valley Green Road (Germantown, PA Quadrangle N: 21.9 inches; W: 10.1 inches) in Springfield Township, **Montgomery County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

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

**E45-335A.** Encroachment. **Anthony Ponder**, 860 Penn Estates, East Stroudsburg, PA 18301. To amend Permit No. E45-335 to include the placement of fill in an additional 0.03 acre of wetlands for the purpose of constructing an attached 1-car garage and wooden deck. The total wetland encroachment is approximately 0.08 acre. The project is located at Lot 154 of Penn Estates residential subdivision, Section D, approximately 1.7 miles west of the intersection of S. R. 0447 and S. R. 0191 (East Stroudsburg, PA Quadrangle N: 6.7 inches; W: 15.9 inches) in Stroud Township, **Monroe County**. The permittee is required to provide for 0.08 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project.

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

**E22-369.** Encroachment. **American Investors Realty Association**, Barry Geftman, 608 Robinson Lane, Haverford, PA 17041. To place fill in 0.14 acre of wetlands along a tributary to Paxton Creek at a point along Crums Mill Road (Harrisburg East, PA Quadrangle N: 14.4 inches; W: 12.1 inches) in Lower Paxton Township, **Dauphin County**. American Investors Realty Association is required to provide mitigation for 0.24 acre of wetland onsite. This permit also includes 401 Water Quality Certification.

**E36-633.** Encroachment. **Brecknock Township**, 1026 Dry Tavern Road, Denver, PA 17517. To remove sediment deposits and alter the existing channel bottom for 195 linear feet, to construct a low-flow channel in a tributary to Muddy Creek. Rock slope protection will be constructed along 50 linear feet of stream bank, at the upstream work limit. Project will begin at the upstream edge of Horning Road culverts, near its intersection with Maple Grove Road (Terre Hill, PA Quadrangle N: 13.4 inches; W: 4.25 inches) in Brecknock Township, **Lancaster County**. A de minimis area of wetlands less than or equal to 0.05 acre will be filled to construct the low-flow channel configuration. This permit also includes 401 Water Quality Certification.

**E36-649.** Encroachment. **Earl Township**, Clarence Buch, 517 N. Railroad Ave., New Holland, PA 17557. To remove three existing road structures, construct and maintain new road culverts. Project includes (1) four 30-inch pipe culverts at Station 41+49, with 30 linear feet of riprap channel lining at the inlet and outlet ends. To realign a tributary of Mill Creek by construction of a 3-foot wide trapezoidal channel, beginning 125 feet upstream and 150 feet downstream of the pipe culverts; (2) to realign the tributary and construct about 450 linear feet of 4-foot bottom width trapezoidal channel and to construct a 2-foot diameter cross-drain culvert at Station 32+25; and (3) twin cell concrete box culverts, each having a 9-foot span  $\times$  1.5-foot rise on a 50 degree skew, with 30 linear feet of riprap inlet and outlet protection will be constructed at Station 12+36. The proposed activities are a part of the South Custer Avenue Road realignment and channel improvement project (New Holland, PA Quadrangle N: 16 inches; W: 12 inches) located south of New Holland Borough in Earl Township, **Lancaster County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E44-093.** Encroachment. **James Aumiller, Sr.**, 193 Sigler St., P. O. Box 368, Milroy, PA 17063. To construct and maintain a steel stringer bridge having a span of 21.0 feet and an underclearance of 7.0 feet across Treaster Run for the purpose of creating a private access drive for transporting timber located about 1.7 miles east by northeast of the village of Siglerville (Burnham, PA Quadrangle N: 6.2 inches; W: 0.4 inch) in Armagh Township, **Mifflin County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E50-191.** Encroachment. **Kelly Ragan**, 1050 Dellville Road, Duncannon, PA 17020. To construct and maintain a 4-foot by 8-foot arch culvert in the channel of a tributary to Shermans Creek and to fill 0.002 acre of wetlands at a point along Dellville Road (Shermansdale, PA Quadrangle N: 24.1 inches; W: 0.3 inch) in Wheatfield Township, **Perry County**. The amount of wetland impact is considered to be de minimis and wetland mitigation is not required. 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.*

**E08-331.** Encroachment. **Corry Sickler**, R. R. 6, Box 6040, Towanda, PA 18840. To place and maintain fill in 0.15 acre of a 1.0 acre palustrine emergent/scrub-shrub wetland for the purpose of constructing a commercial business. The development encompassed 3.6 acres of undeveloped land. The site is located approximately 0.5 mile west of the SR 006/SR0187 intersection, just south of SR 006 (Towanda, PA Quadrangle N: 4 inches; W: 4.5 inches) in Wysox Township, **Bradford County**.

**E14-316.** Encroachment. **Pa. Dept. of Transportation**, 1924-30 Daisy St., Clearfield, PA 16830. To remove the existing structure and to construct and maintain a twin cell precast concrete box culvert with each cell having a span of 14 feet and rise of 9 feet, depressed 1 foot below the stream bed in Six Mile Run located on SR 504 next to Six Mile Road (Black Moshannon, PA Quadrangle N: 6.12 inches; W: 2.75 inches) in Rush Township, **Centre County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E18-250.** Encroachment. **James Nestlerode**, 685 Pennsylvania Ave., South Renovo, PA 17764. To construct and maintain a 13 foot by 24 foot by 12 foot high gazebo style structure with deck and concrete pad in the floodway of the West Branch Susquehanna River. The project is located about 2,500 feet west of Farrandville Rd. and 6,500 feet south of the intersection of Queens Run Road with Farrandville Road (Lock Haven, PA Quadrangle N: 6.0 inches; W: 13.2 inches) in Woodward Township, **Clinton County**. This permit was issued under section 105.13(e) Small Projects.

**E53-311.** Encroachment. **DCNR, Bureau of Forestry**, 3150 E. Second St., Coudersport, PA 16915-0673. To construct and maintain a 112 inch wide by 75 inch high corrugated metal pipe with associated fill and riprap in the East Fork of Sinnemahoning Creek located at a gas pipeline crossing which is approximately 3,000 feet southeast of the Rock Ridge Road and SR 0044 intersection (Cherry Springs, PA Quadrangle N: 7.42 inches; W: 14.6 inches) in Summit Township, **Potter County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E60-133.** Encroachment. **Chris L. Wheeland**, 1241 Warrensville Rd., Montoursville, PA 17754. To remove the existing home and to construct and maintain a new home in the floodway of the West Branch Susquehanna River located on Maplewood Dr. approximately 300 feet north of Groover Road (Northumberland, PA Quadrangle N: 8.3 inches; W: 15.0 inches) in East Buffalo Township, **Union County**. This permit was issued under section 105.13(e) Small Projects.

**E14-319.** Encroachment. **Corl Farm Inc.**, Galen Dreibelis, 1535 N. Atherton St., State College, PA 16830. To construct, operate and maintain a stream enclosure in an unnamed tributary to Big Hollow Run to provide access for a residential development. The stream enclosure shall be constructed with a corrugated metal culvert pipe that will have a diameter of 36 inches and a length of 125 feet. The project is located along the southern right-of-way of SR 0322 (Business Route) approximately 350 feet west of the intersection of Circleville Road and Farmstead Lane (Julian, PA Quadrangle N: 5.9 inches; W: 3.4 inches) in Ferguson Township, **Centre County**. This permit was issued under section 105.13(e) Small Projects. This permit also includes 401 Water Quality Certification.

**E14-320.** Encroachment. **Raymond G. Woodring Jr.**, 10013 South Eagle Rd., Port Matilda, PA 16870. Construct, operate and maintain an earthen levee for the protection of private property from flooding along an unnamed tributary to Bald Eagle Creek. The levy shall be constructed with a maximum length of 215 feet, maximum top width of 13 feet, maximum height of 2.5 feet and vegetated earthen top and side slopes that is located along the eastern right-of-way of SR 0220 approximately 2.6 miles south of the intersection of SR 0322 and SR 0220 (Port Matilda, PA Quadrangle N: 5.5 inches; W: 11.3 inches) in Taylor Township, **Centre County**. This permit was issued under section 105.13(e) Small Projects.

**E18-247.** Encroachment. **J. Michael and Mary Jo Williamson**, P. O. Box 906, Lock Haven, PA 17745-0906. To construct, operate and maintain a horse barn in the floodway of the West Branch Susquehanna River. The work shall consist of constructing a horse barn that has a length of 24 feet and a width of 12 feet that is located along the eastern right-of-way of SR 0220 approximately 1.1 miles west of the intersection of SR 1002 and T-426 (Lock Haven, PA Quadrangle N: 3.0 inches; W: 4.4 inches) in Dunnstable Township, **Clinton County**. This permit was issued under section 105.13(e) Small Projects.

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

**E63-448.** Encroachment. **PA Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. To remove the existing bridge and to construct and maintain a single span, prestressed concrete bridge having a normal span of 84.0 feet with an underclearance of 13.7 feet across Mingo Creek (TSF), to realign, clean and maintain the channel of said stream for a distance of approximately 205.0 feet and to place and maintain rip-rap bank stabilization along the banks of said stream for a distance of approximately 205.0 feet. The project is located on SR 0088, Section 00D, approximately 1,800.0 feet southwest from the intersection of SR 837 (Monongahela, PA Quadrangle N: 15.1 inches; W: 12.5 inches) in New Eagle Borough, **Washington County**.

**E65-687.** Encroachment. **PA Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401-0459. To remove the existing structure and to construct and maintain a 45-foot long, rigid frame culvert having a normal span of 11.0 feet and an underclearance of 7.0 feet across Belson Run (WWF) located on SR 3089 Section G01, Segment 0140, Offset 1748. The project includes construction and maintenance of a 72-inch diameter temporary pipe culvert (Mt. Pleasant, PA Quadrangle N: 14.6 inches; W: 17.1 inches) in Hempfield Township, **Westmoreland 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.*

**E10-275.** Encroachment. **Breakneck Creek Regional Authority**, 1166 Mars-Evans City Road, Mars, PA 16046. To place fill within the 50-foot floodway on the left side of a tributary to Breakneck Creek beginning at Mars-Evans City Road and extending downstream approximately 140 feet for a driveway associated with construction of an office building at the Breakneck Creek Regional Authority Wastewater Treatment Plant approximately 1.2 miles north of Hutchman Road (Mars, PA Quadrangle N: 17.5 inches; W: 13.6 inches) located in Adams Township, **Butler County**.

**E37-117.** Encroachment. **Chad A. Marinelli**, 19 Belaire Drive, New Castle, PA 16105. To operate and maintain a steel beam bridge having a clear span of 19 feet and a maximum underclearance of 7 feet across McKee Run for a private driveway access to Cilli Subdivision Parcel No. 1 south of Union Valley Road approximately 0.5 mile east of S. R. 2001 (Savannah Road) at the Village of Union Valley (New Castle South, PA Quadrangle N: 11.25 inches; W: 11.4 inches) located in Shenango Township, **Lawrence County**.

Construction of this bridge was authorized by a General Permit, BDWM-GP-8, Temporary Road Crossing, No. GP083797604 acknowledged August 8, 1997, in response to the Department's Notice of Violation dated July 9, 1997.

**E43-266.** Encroachment. **Borough of Grove City**, 123 West Main Street, P. O. Box 110, Grove City, PA 16127. To remove the existing bridge superstructure and to repair and maintain the bridge abutments along Wolf Creek approximately 500 feet upstream of East Pine Street (Grove City, PA Quadrangle N: 6.5 inches; W: 11.5 inches) located in Grove City Borough, **Mercer County**.

---

## SPECIAL NOTICES

---

### Public Hearing Notice

#### 102/NPDES/Stormwater Construction Activities

The Department of Environmental Protection (DEP) Water Management Program will be holding a fact finding hearing on the following Stormwater NPDES permit applications:

*352 Associates, Lincoln Highway and Sproul Rd. Shopping Center, PAS10-G318; and Liberty Property Trust, 600-700 Chesterfield Parkway, PAS10-G320.*

The hearing is scheduled for July 21, 1998, at 1:30 p.m. at Chester County Conservation District Office, Government Services Center, Conference Room 240, 610 Westtown Road, West Chester, PA 19382-4519, Chester County. The hearing is being held to solicit pertinent comments on these applications. These applications are for stormwater construction activities, with a discharge to Valley and Little Valley Creeks. A copy of these applications are available for review in the Southeast Regional Office's Record Management Section, (610) 832-6268. Those interested in reviewing these applications should call to schedule a date to review the files. The project sponsors are: 352 Associates, 50 Exeter Avenue, Haverford, PA 19401; and Liberty Property Trust, 65 Valley Stream Parkway, Great Valley Corporate Center, Malvern, PA 19355.

Comments received will be considered by DEP in completing its review and prior to taking final actions concerning these applications. The hearing will not be a question and answer session.

Persons intending to make a presentation at the hearing should submit written notice to the Regional Manager, Water Management Program at the above address. The notice should include name, address and phone number; whether a person is opposed or in favor of the project; and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Persons wishing to present written material directly to DEP may do so within 30 days following the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### **Bureau of Water Quality Protection**

#### **Public Notice of Proposed General NPDES Permit for Discharges from Hydrostatic Tests of Tanks and Pipelines (PAG#10)**

In compliance with the provisions of the Federal Clean Water Act, The Clean Streams Law (35 P. S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice seeks public comments on the proposed General NPDES Permit, the general permit Application—(Notice of Intent) and other related documents for Discharges from Hydrostatic Tests of Tanks and Pipelines to be conducted in this Commonwealth. The documents set forth the effluent limitations and other terms and conditions of the permit and eligibility criteria to apply for the general permit. An individual permit will be required for any discharges to the waters designated for Special Protection in 25 Pa. Code Chapter 93. In addition, a public hearing is also required for discharges to exceptional value waters.

The draft permit documents package is on file in the Department's Central Office in the Division of Wastewater Management, Bureau of Water Quality Protection at the following location. The documents package can be obtained by writing to the following address or by calling the telephone number given: Department of Environmental Protection, Bureau of Water Quality Protection, Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774—11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184. E-mail address: Patel.ratilal@A1.DEP.STATE.PA.US. World Wide Web Address: HTTP://WWW.DEP.STATE.PA.US.

The Department invites public comments on the proposed general permit documents package. All comments must be submitted within 30 days from the date of the publication of this notice in the *Pennsylvania Bulletin*. If there is significant public interest in the general permit or if requested, the comment period may be extended at the discretion of the Department for an additional 15-day period. Only the comments received within the specified period will be considered in the formulation of the final documents for this general permit. Persons wishing to comment should include in comments their name, address and telephone number and a concise comment statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. A public meeting or hearing may be held if the Department considers the public interest and/or comments significant.

Written comments should be submitted at the above address. The comments will also be accepted by electronic mail to be sent at patel.ratilal@A1.DEP.STATE.PA.US. Persons with a disability may use the AT&T Relay Service by calling 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users). Comments will not be accepted by facsimile or on voice mail. Following the specified comment period, the Department will review all submitted comments, prepare written comments and response document (CRD) and prepare final documents package for this permit. An availability of the final permit documents will be announced in the *Pennsylvania Bulletin*. Persons

wishing to also receive a copy of the final documents may request them by contacting the above addresses or telephone numbers.

Once the availability of the final general permit is published for the applicant's use, the applicant may apply to the Department for use of the permit at a single discharge point or for Statewide use depending upon how the applicant conducts the testing operations. In addition, the Department may allow existing individual permit holders of the discharges to apply for and obtain coverage under the general permit when the existing permit is due for renewal. The permit coverage approval will be contingent upon the applicant's eligibility to apply for the general permit and a demonstration of compliance with all effluent limitations, and other terms and conditions of the permit.

#### **Notice of Proposed Consent Decree, Amendment to the Statement of Decision, and Reopening of the Administrative Record.**

##### **Easterly Sewage Treatment Plant Site Logan Township, Blair County**

###### *Proposed Consent Decree*

The Department of Environmental Protection (DEP) under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1304) has entered into a Proposed Consent Decree with American Premier Underwriters (APU). Under the proposed Consent Decree, APU will perform the final remedial response action for the Easterly Sewage Treatment Plant Site. The final remedial response action was proposed by APU and approved by the DEP. The final remedial response action proposed by APU replaces the final remedial response action selected by the DEP in its June 1994 Statement of Decision (SOD). The final remedial response action which will be carried out is a combination of air sparging and soil vapor extraction (AS/SVE). The AS/SVE technology employs a series of wells and soil vents to inject air into the water table and to extract soil gases from the unsaturated portion of the soil, to volatilize and otherwise strip VOCs from the soil and groundwater and collect the VOCs for treatment in a granulated activated carbon filter system. Under the Proposed Consent Decree, APU will reimburse the DEP for its past response costs in the amount of \$524,500. APU will also reimburse the DEP for its future response and oversight costs. The Proposed Consent Decree also provides for a Covenant Not to Sue and reservation of rights provided under section 505 of the Land Recycling and Environmental Remediation Standards Act (Act 2), and under section 706 of HSCA, and for contribution protection under section 705(c)(a) of HSCA. The Proposed Consent Decree is authorized by section 505(g) of HSCA. The Consent Decree is entered into in order to expedite efficient remedial action, to minimize prolonged litigation and to resolve APU's liability to the DEP under a Cost Recovery Complaint filed by the DEP against APU, the City of Altoona (City) and the Altoona City Authority (ACA) in November 1995. The City and the ACA are not parties to the Consent Decree. The Proposed Consent Decree will be lodged with the Pennsylvania Commonwealth Court in Harrisburg, PA during the 60-day public comment period provided for under HSCA section 1113.

The Easterly Site is located approximately 0.25 mile north of East Altoona in Logan Township, Blair County, PA. The site includes two waste pits which were discovered in August, 1989 during construction at the Easterly Sewage Treatment Plant to upgrade the facility. The pits

are located immediately north of several treatment plant buildings and south of lagoons that contain sludges generated at the treatment plant. The combined surface area of the two pits is approximately 27,000 square feet. The DEP conducted a Preliminary Site Investigation in 1989. The investigation revealed that groundwater was contaminated as a result of a release of hazardous substances from the waste pits. Waste and hazardous substances in the pits contained PCBs and volatile organic compounds (VOCs) including benzene, vinyl chloride, trichloroethene (TCE) and tetrachloroethene (PCE). The DEP then conducted an interim response, under section 505 of HSCA, in 1990—1991, which included excavation of approximately 8,000 cubic yards of soils from the pits and placement of the waste in an impoundment designed as an interim storage facility on the property. The material stored in the surface impoundment will be addressed during the final remedial response.

This Notice is being provided under section 1113 of HSCA and is being published in the *Pennsylvania Bulletin* and the *Altoona Mirror*. The Proposed Consent Decree is available for public review and comments and is located in the Administrative Record for the Easterly Sewage Treatment Plant site which is maintained by the DEP in its Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110 and in its Altoona District Office at 615 Howard Avenue, Altoona, PA 16601. Persons wishing to submit written comments may do so by sending them to Noreen Wagner at the Harrisburg address.

The public comment period extends for 60 days from the date of publication in the *Pennsylvania Bulletin*. At the close of the public comment period, the DEP will file responses to any significant written comments received during the public comment period. Unless the DEP determines, based upon the public comments received, that the Consent Decree is not in the public interest, the DEP and APU will then file a Joint Motion to Enter the Consent Decree with the Commonwealth Court, requesting the Court approve the Consent Decree. The Consent Decree becomes final upon the Court's approval and entry of the Consent Decree.

#### *Proposed Amendment to Statement of Decision*

In June 1994, the DEP issued a Statement of Decision (SOD) for the Easterly Site. In the SOD, the DEP identified and selected a final remedial response for the Site which consisted of onsite, ex-situ soil washing. The DEP's remedy involved excavation of all contaminated material followed by an organic solvent extraction process. Extracted contaminants would be disposed offsite and treated material was to be disposed according to Pennsylvania's Residual Waste regulations. The remedy also included extraction and treatment of contaminated groundwater.

APU has proposed an alternative remedial response which will address the release of hazardous substances from the Site which will be performed in substitution for the final remedial response selected DEP in its 1994 SOD. The DEP has reviewed and approved the Clean-Up Plan for the alternative remedial response. The alternative remedial response to be performed by APU is a combination of air sparging and soil vapor extraction (AS/SVE). The AS/SVE technology employs a series of wells and soil vents to inject air into the water table and to extract soil gases from the unsaturated portion of the soil, to volatilize and otherwise strip VOCs from the soil and groundwater and collect the VOCs for treatment in a

granulated activated carbon filter system. The remedial response will be carried out under the Proposed Consent Decree described above.

The DEP proposes to amend the SOD for the Easterly Site, as set forth in the following, by: i) replacing the DEP's response action with the remedial response action to be implemented by APU outlined in Section III (Selected Response); and ii) amending the ARARS Section to delete the groundwater protection strategy and add the cleanup standards provided for under Act 2.

#### *Applicable or Relevant and Appropriate Requirements (ARARS)*

In the ARARS Section, Chapter 3 of the Land Recycling and Environmental Standards Act (35 P. S. §§ 301—304) and the regulations promulgated thereunder, 25 Pa. Code Chapter 250 §§ 250.1—250.708 has been added. In the section titled "To Be Considered (TBC) Material," the 'groundwater protection strategy' has been deleted.

#### *Selected Response*

The DEP's final remediation response involved excavation of all contaminated material followed by an organic solvent extraction process. Extracted contaminants would be disposed offsite and treated material was to be disposed according to Pennsylvania's Residual Waste regulations. The remedy also included extraction and treatment of contaminated groundwater. The remedial response to be performed in substitution for DEP's selected remedy is a combination of air sparging and soil vapor extraction (AS/SVE). The AS/SVE technology employs a series of wells and soil vents to inject air into the water table and to extract soil gases from the unsaturated portion of the soil, to volatilize and otherwise strip VOCs from the soil and groundwater and collect the VOCs for treatment in a granulated activated carbon filter system. The DEP has determined that the remedial response to be performed by APU meets the Act 2 cleanup standards. The Department proposes no other amendments to the SOD.

#### *Reopening of the Administrative Record*

The DEP is also reopening the Administrative Record for the Easterly Sewage Treatment Plant Site, under the authority of section 506(g) of HSCA and 25 Pa. Code § 3.33, in order to include documentation of its response costs incurred in addressing the release and threat of release of hazardous substances from the Easterly Site, and to add the amended SOD. The DEP opened the administrative record, under section 506 of HSCA on October 31, 1992 to allow the public to comment on the DEP's proposed Response for the Site. The Administrative Record was closed on June 27, 1994 upon filing of the DEP's SOD. The documentation of the DEP's response costs is provided for under section 505(g)(3) of HSCA and 25 Pa. Code § 3.11(c)(3).

This notice is being provided under section 506(h) of HSCA and 25 Pa. Code § 3.33, and is being published in the *Pennsylvania Bulletin* and *The Altoona Mirror*. The Proposed amendment to the SOD and documentation of response costs are available for public review and comments, and they are located in the Administrative Record for the Easterly Sewage Treatment Plant Site which is maintained at the DEP's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110 and its Altoona District Office at 615 Howard Avenue, Altoona, PA 16601. Persons wishing to submit written

comments may do so by sending them to Noreen Wagner at the Harrisburg address. Persons wishing to have a public hearing on the proposed amendment to the SOD or the reopening of the Administrative Record may request DEP to hold a public hearing by submitting a written request to Noreen Wagner at the Harrisburg address. The written request must be made within 30 days of this notice.

The public comment period extends for 60 days from the date of publication in the *Pennsylvania Bulletin*. At the close of the public comment period, DEP will file responses to any significant written comments received during the public comment period. The proposed amendment to the SOD outlined above will become final upon filing of the DEP's response to written comments.

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

In the month of May 1998, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23 RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Edward Cummins	140 Walnut Street Spring City, PA 19475	Testing
Kevin Deppe	P. O. Box 987 Cherryville, PA 18035	Testing
David Grammer Stone Ridge/Radata, Inc.	27 Ironia Road, Unit 2 Flanders, NJ 07836	Mitigation
House-Check, Inc.	P. O. Box 731 Valley Forge, PA 19482	Testing
Mark Kuloszewski	113 Valley Street Exeter, PA 18643	Testing Mitigation
Frank Marsico	504 Woodcrest Drive Mechanicsburg, PA 17055	Testing
Charles Patton Alpha Energy Labs	1555 Valwood Parkway, Suite 100 Carrollton, TX 75006	Laboratory
Surekha Paunikar Alpha Environmental, Inc.	2430 Rosewood Lane Havertown, PA 19083	Testing
Radon Detection	1317 Gwynedale Way Lansdale, PA 19446	Testing

[Pa.B. Doc. No. 98-927. Filed for public inspection June 12, 1998, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's World Wide Web site (<http://www.dep.state.pa.us>) at the Public Participation Center. The "January 1998 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 1998.

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

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

In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check

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

#### *Changes to Technical Guidance Documents*

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

#### *Revocation of Notice of Intent to Develop*

DEP ID: 580-2219-001 Title: Section 268(b): Criteria for Extending Distances Between Shelter Holes Under Section 702 Description: The Department has determined that it will not develop an industry-wide variances for extended distance between shelter holes. Contact: Richard E. Stickler at (724) 439-7469.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-928. Filed for public inspection June 12, 1998, 9:00 a.m.]

### Proposed State Plan to Implement Emission Guidelines for Hospital/Medical/Infectious Waste Incinerators; Public Hearing

Under sections 111(d) and 129 of the 1990 Amendments to the Clean Air Act (CAA), the United States Environmental Protection Agency (EPA) promulgated standards for new hospital/medical/infectious waste incinerators (HMIWI) in 40 CFR Part 60, Subpart Ec and Emission Guidelines for "existing" HMIWI in Subpart Ce to control the emissions of designated pollutants. (See 62 FR 48348, September 15, 1997). The designated pollutants regulated under the Guidelines include particulate matter (PM); metals (cadmium, lead and mercury); acid gases (sulfur dioxide, hydrogen chloride and nitrogen oxides), organic compounds (dioxins and furans); and carbon monoxide. States must submit a section 111(d)/129 for HMIWI to the EPA within 12 months after publication of the final emission guidelines to implement and enforce the Subpart Ce requirements. Consequently, the Department of Environmental Protection (Department) must develop and submit the State Plan for HMIWI to the EPA no later than September 15, 1998.

For purposes of the State Plan, a hospital/medical/infectious waste incinerator is a device that combusts any amount of hospital waste or medical/infectious waste. The designated HMIWI source category is divided into small (less than or equal to 200 lb/hr), medium (greater than 200 lb/hr but less than or equal to 500 lb/hr) and large (greater than 500 lb/hr) subcategories based on the maximum design waste burning capacity. A facility is considered an existing HMIWI if the facility commenced construction on or before June 20, 1996. Approximately 54 existing HMIWI facilities are currently subject to the proposed HMIWI State Plan and Emission Guidelines in 40 CFR Part 60, Subpart Ce. The State Plan developed and implemented under sections 111(d) and 129 of CAA, is not an element of State Implementation Plans required under section 110 of the CAA.

The Department will hold three public hearings for the purpose of accepting testimony on the proposed State Plan for designated HMIWI facilities. The public hearings will be held at 1 p.m. on the following dates at the following Department locations:

July 15, 1998	Southeast Regional Office Main Conference Room 555 North Lane, Suite 6010 Conshohocken, PA 19428
July 16, 1998	Rachel Carson State Office Building Room 105 400 Market Street, Harrisburg, PA 17105-2063
July 21, 1998	Southwest Regional Office Monongahela Room 400 Waterfront Drive Pittsburgh, PA 15222-4745

Persons wishing to present testimony at a hearing should contact Kimberly Maneval at the Department of Environmental Protection, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-4325 at least 1 week in advance of the hearing to reserve a time to present testimony. Persons who do not reserve a time to testify will be able to testify after preregistered witnesses. Each witness must keep oral testimony to 10 minutes,

and submit three written copies of the oral testimony at the hearing. Each organization should designate one witness to present testimony on its behalf.

Persons interested in submitting written comments on the proposed State Plan should send the comments to Krishnan Ramamurthy, Chief, Technical Support Section, Division of Permits, P. O. Box 8468, Harrisburg, PA 17105-8468. Written comments must be received by the close of business on July 31, 1998. Copies of the proposed adopted State Plan for HMIWI may be obtained from Krishnan Ramamurthy at the above address or at (717) 787-4325 (e-mail: ramamurthy.krishnan@a1.dep.state.pa.us). This proposed State Plan is also available on the DEP Web site at <http://www.dep.state.pa.us> (choose Public Participation Center/Proposals Open for comment). A copy of the proposed HMIWI State Plan will be available for review in each of the Department's regional offices.

Persons with a disability who will attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Krishnan Ramamurthy at the above address or telephone number; or for TDD users, the AT&T Relay Service at 1 (800) 654-5984 to discuss how the Department can best accommodate their needs.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-929. Filed for public inspection June 12, 1998, 9:00 a.m.]

### Public Notice of Proposed Strategy, NPDES Permit and Water Quality Management Part II Permit for Concentrated Animal Feeding Operations (CAFOs)

The Department of Environmental Protection (Department) has developed a strategy and permit documents proposed to regulate Concentrated Animal Feeding Operations (CAFOs) in this Commonwealth. By this notice, the Department seeks public comments on the proposed strategy, NPDES Permit, Water Quality Management Part II Permit and other related documents. The documents set forth the definitions used to classify animal operations as CAFOs, the design and construction standards for CAFO manure storage facilities and requirements for the safe application of animal manure generated by these facilities. In addition, the documents outline public participation requirements prior to Department action on permit applications and establish requirements for proper operation and maintenance of CAFOs. The strategy and permit documents being proposed are the result of input from a workgroup formed to help the Department formulate these documents.

The draft strategy and permit documents are on file in the Department's Central Office in the Division of Wastewater Management, Bureau of Water Quality Protection at the location noted as follows. The documents package can be obtained by writing to the following address or by calling Mary Miller at the following telephone number: Department of Environmental Protection, Bureau of Water Quality Protection, Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774—11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184.

Copies are also available by e-mail to: Patel.ratalal@al.dep.state.pa.us, or by visiting DEP's Website at <http://www.dep.state.pa.us> (choose Information by Subject/Water Management/CAFO).

The Department invites public comments on the proposed strategy and permit documents package. All comments must be received by August 13, 1998. Only the comments and testimony received by August 13, 1998, will be considered in the formulation of the final requirements for regulating CAFOs. Persons wishing to comment should include their name, address and telephone number and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based.

Public meetings/hearings have been scheduled to provide additional opportunity for public discussion and comment. Each session will begin with a public information meeting where the Department will explain the proposal and respond to questions. The public meeting will be followed by a public hearing where witnesses may submit testimony regarding the proposal.

July 14, 1998—6:30 p.m. Lancaster Farm and Home Center, 1383 Arcadia Rd., Lancaster, PA

July 20, 1998—6:30 p.m. Northern Bedford High School, Route 36, Bedford, PA

July 28, 1998—7 p.m. DEP Northcentral Regional Office, 208 W. 3rd Street, Suite 101, Williamsport, PA

#### *Oral and Written Comments*

Persons wishing to present testimony at the hearing portion of any of the meeting/hearings are requested to contact Mary Miller, DEP Bureau of Water Quality Protection, P. O. Box 8774, Harrisburg, PA 17105-8477, (717) 787-8184, at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chair at the hearing. Each organization is limited to designating one witness to present testimony on its behalf.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation in order to participate should contact Mary Miller or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD users) or 1 (800) 654-5988 (voice users) to discuss how their needs may be accommodated.

Written comments may be submitted to the above address in place of or in addition to oral testimony. The comments will also be accepted by electronic mail at the e-mail address above. Comments will not be accepted by facsimile or on voice mail. Following the specified comment period, the Department will review all submitted comments, prepare a comment and response document and prepare a final documents package. Availability of the final strategy and permit documents will be announced in the *Pennsylvania Bulletin*.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 98-930. Filed for public inspection June 12, 1998, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Design Professional Selections; Extension of Deadline

The Selections Committee for the Department of General Services (Department) will meet to consider selections of Design Professionals for the following project.

The Selections Committee for the Department of General Services has extended the deadline for the request for consideration for the following project from the date as originally established in 28 Pa.B. 566 (January 31, 1998). The extension is as shown in paragraph (d) within this notice. Professionals who have previously submitted requests for consideration will not be required to resubmit their request; however, any updating, changes or additional information will be accepted until the deadline established within this notice.

**Project No. DGS 655-8**—Conversion of Theatre into a Performing Arts Center, Warner Theatre, Erie, Erie County, PA. Construction Cost: \$8,250,000. The scope of work includes, but is not limited to, restoration of the auditorium and lobby; replace deteriorated building systems, including HVAC, electrical and plumbing; bring building into ADA compliance, including elevator; expand stage, stage support areas and theatrical equipment systems; provide dressing room facilities; modification of fire protection system and exterior envelope. (See Special Note under Requirements and Information section.)

#### Requirements and Information

##### *Special Note—Interviews to be Conducted*

Inasmuch as this is a complex project in an important historic landmark which will combine substantial contemporary facility improvements with the preservation and restoration of the structure, the Selections Committee has determined that oral interviews will be required as part of the selection process.

The Selections Committee will establish interviews with five of the Professionals who have requested consideration for appointment as designer for the project. The Professional will be notified as to the date, time and location.

##### *Note—Project Program*

A Project Program, prepared by the Using Agency, for the above advertised project may be available and can be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125, (717) 783-8468.

##### *Instructions for Filing Application*

Professionals will not be considered by the Committee until all of the following requirements are met.

(a) Signed Revised 1994 Form 150, not more than 1 year old as of the deadline date stated in paragraph (d) as follows, must be filed with the Department of General Services for the requesting professional firm and the designated key consultants listed on the requesting professional firm's application (Form 150-S). All signatures on Form 150 must be original signatures. Consultants listed on the requesting professional firm's application (Form 150-S) shall be deemed to be designated key consultants. If these documents are not on file with the Department, the requesting professional firm must submit them with the firm's application (Form 150-S). A



photocopy of Form 150 without an original signature of a principal of the firm is not acceptable. Revised 1994 Form 150, Architect/Engineer Questionnaire, may be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125, (717) 783-8468.

(b) The requesting professional firm shall obtain from each consultant listed in the requesting professional firm's application (Form 150-S) a signed letter of certification on the consultant's letterhead, attesting to the firm's consent to participate in the requesting professional firm's application (Form 150-S) for the specific project. Signed letters of certification from consultants are required and constitute a part of the requesting professional firm's application (Form 150-S) for the specific project. All signatures on letters of certification must be original signatures.

(c) The requesting professional firm must submit six signed copies of Revised 1994 Form 150-S, Specific Project Form, for each project herein advertised in which the firm is interested and qualified to perform. All signatures on Form 150-S must be original signatures. For architectural projects and, when appropriate, for engineering projects, the Professional shall supply photographs showing a maximum of two different views of each of the three projects described in Question 14, Page 5 of the application (Form 150-S). The requesting professional firm or Joint Venture members must be the Professional of Record for the projects described in Question 14, Page 5 of the application (Form 150-S). It is not acceptable to list work performed by key consultants. The identification and appropriate supportive information concerning each photograph shall include the name, project title, location and the name of the Professional of Record. Renderings and brochures will not be accepted in lieu of photographs. The photographs shall be attached to each copy of the application (Form 150-S). The pages of each copy of revised 1994 Form 150-S must be stapled with photographs and consultant's letters of certification followed by photocopies of licenses of registered professionals included as the last section of the application. Do not bind the application (Form 150-S) in any way to any other documentation. Do not bind the application (Form 150-S) in a binder of any type. Revised 1994 Form 150-S may be obtained upon request to the Selections Committee, Department of General Services, Room 104, 18th and Herr Streets, Harrisburg, PA 17125, (717) 783-8468.

(d) A complete project submission, which consists of documents described in paragraphs (a), (b) and (c) above, must be received on or before the close of business (5 p.m.) Thursday, June 25, 1998, and addressed to the Selections Committee, Department of General Services, Room 104, 18th & Herr Streets, Harrisburg, PA 17125. Fax applications are not acceptable.

Project submissions must be made on the current 1994 forms. Outdated forms are not acceptable.

(e) Additional information, in writing, may be requested by the Committee as required.

**Additional Services—Indoor Air Quality Assessment Program and Hazardous Materials**

The professional firm selected to design a project will be expected to perform and administer, when required by the Department as additional services, an Indoor Air Quality Assessment Program during building or renovation commissioning and the sampling, testing, inspection and monitoring for removal of any asbestos, other hazard-

ous waste or contaminants encountered during project design or construction, unless otherwise stated in the scope.

The professional agrees to comply with the terms of the Agreement and specifically as it relates to the Professional Liability Insurance and the General Liability Insurance Requirements.

The Selections Committee encourages responses from small firms, minority firms, women-owned firms and firms who have not previously performed State work, and will consider Joint Ventures, which will enable them to participate in this program.

All applications submitted are subject to review by the Selections Committee. The Selections Committee disclaims any liability whatsoever as to its review of the applications submitted and in formulating its recommendations for selection. All recommendations for selection made by the Committee shall be final under the act of July 22, 1975 (PL. 75, No. 45).

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 98-931. Filed for public inspection June 12, 1998, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Notice of Taxable and Exempt Property

The Department of Revenue is hereby giving notice to the public, in accordance with the provisions of 61 Pa. Code §§ 52.1 and 58.1 (relating to purchases of medicines, medical supplies, medical equipment and prosthetic or therapeutic devices; and publication of the list of taxable and exempt tangible personal property) of additions, deletions and revisions to the list of taxable and exempt property under the sales and use tax provisions of the TRC published at 25 Pa.B. 1353 (April 8, 1995). Under §§ 52.1 and 58.1, this list is required to be published by notice at least once every 3 years. In addition, quarterly the Department will publish notice of any additions, deletions or revisions to the list.

Copies of the Retailers' Information Booklet may be obtained by calling the 24-hour answering service numbers for forms ordering: in Pennsylvania 1 (800) 362-2050; outside Pennsylvania and within local Harrisburg area (717) 787-8094. TTD (717) 772-2252 (Hearing Impaired Only).

#### Index to Categories

<i>Title</i>	<i>Category No.</i>
Books and Stationery	(1)
Business Supplies and Equipment	(2)
Clothing and Accessories	(3)
Cosmetics and Toilet Goods	(4)
Farming Supplies and Equipment	(5)
Flowers, Seeds, Fertilizers, etc.	(6)
Food and Beverages Sold From a Caterer or Establishment Serving Ready-to-Eat Food	(7)
Food and Beverages Sold From Other than a Caterer or Establishment Selling Ready-to-Eat Food	(8)

<i>Title</i>	<i>Category No.</i>
Hair Goods and Notions	(9)
Hobby Supplies, Toys, Games, Radios, Recorders, etc.	(10)
Home Sewing, Millinery and Craft Supplies	(11)
Household Goods and Supplies	(12)
A. Soaps and Detergents	
B. Cleaning and Polishing Preparations	
C. Paper Goods	
D. Wrapping Supplies	
Infant Supplies	(13)
Jewelry	(14)
Luggage, Handbags, Carrying Bags, Wallets, etc.	(15)
Medicines, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices	(16)
Miscellaneous	(17)
Optical Goods	(18)
Pets	(19)
Religious Articles	(20)
Restaurant Equipment and Supplies	(21)
Shoes and Shoe Accessories	(22)
Sporting Equipment, Clothing, Supplies and Recreational Equipment	(23)
Tobacco Products	(24)
Utilities and Fuel	(25)
Motor Vehicle, Lease and Rental 1/	(26)
Tires 1/	(26)
Vehicle Rental Tax	(27)
1/ Public Transportation Assistance Fund Taxes and Fees	

#### Listing of Taxable and Exempt Property

T—TAXABLE

NT—NONTAXABLE

#### (1) Books and Stationery

Tax is imposed on books, stationery and stationery supplies, not including Bibles and religious publications sold by religious groups.

NT—Bibles

T—Comic books

T—Crossword, game books

T—Dictionaries

T—Greeting Cards

T—Instruction books, for needle-craft, embroidery, knitting, etc.

NT—Mail order catalogues

NT—Newspapers of general circulation qualified to carry a legal advertisement

T—Periodicals and magazines not purchased by subscription

NT—Periodicals and magazines purchased by subscription

T—School supplies, except when sold directly to a school district or nonprofit educational institution

NT—Textbooks when sold by a school or an authorized book store

T—Vending machines and equipment

#### (2) Business Supplies And Equipment

Generally, sales of business supplies and equipment used in construction, repair, etc., of real estate are taxable.

T—Amusement and record playing devices

T—Building materials, supplies, and equipment used in construction, repair, etc., of real estate

T—Business forms such as invoices, order books, etc.

T—Cash register receipt paper

T—Computer software, canned or customized

NT—Direct mail advertising materials, including calendars, matchbooks, etc.

T—Display cases and merchandising equipment

NT—Dry ice, when sold for internal packaging with the sale of property to others

T—Fans

T—Signs, circulars, show cards and posters

T—Vending machines and equipment

NT—Wrapping supplies used in connection with the sale of products

#### (3) Clothing And Accessories

Generally, clothing is nontaxable except the following: (1) Formal day or evening apparel; (2) Articles made of real, imitation or synthetic fur where the fur is more than three times the value of the next most valuable component material; and (3) Sporting goods and clothing normally worn or used when engaged in sports. (See Category 23.)

T—Accessories and ornamental wear

NT—Aprons

NT—Belts and suspenders

NT—Boots

T—Bridal apparel and accessories

T—Corsages and boutonnieres

T—Costumes—Halloween, Christmas, etc.

NT—Dress shields

T—Formal clothing

T—Fur, articles made of fur on hide or pelt or any material imitative of fur and articles of which fur real, imitation or synthetic is the component material of chief value and fur trimmed articles if the value of fur is more than three times the value of the next most valuable component material. Felt, wool or fabric is not taxable unless it resembles fur on the hide.

NT—Garters and garter belts

NT—Girdles

T—Gloves, baseball, golf, racquet, etc.

NT—Gloves, cloth, leather, kid

T—Gloves, sheepskin, fur, rubber

NT—Gym suits

NT—Handkerchiefs

NT—Headwear and millinery, all types

NT—Hosiery, pantyhose and peds

NT—Leotards and tights

NT—Leather wearing apparel

NT—Lingerie

NT—Neckwear, ties

NT—Nightgowns

T—Prom dress

NT—Rainwear

NT—Receiving blankets

NT—Repairing of wearing apparel

NT—Safety clothing

NT—Scarves, for headwear and neckwear

NT—Scout uniforms and camp clothes

T—Sheepskin coats

NT—Stockings, including support-hose

NT—Suspenders

T—Tuxedos

T—Umbrellas

NT—Underclothing

NT—Work clothes, work uniforms

NT—Yard goods (to make clothing)

#### (4) Cosmetics and Toilet Goods

T—After shave creams, lotions, powders

T—Antiperspirants

T—Atomizers containing perfume and other liquids

- T—Bath crystals
- T—Bath milks, oils, powders, salts, tablets, etc.
- T—Bay rum
- T—Bleach creams and lotions
- T—Blush
- T—Bouquet liquids
- T—Breath sweeteners
- T—Bubble bath preparations
- T—Cocoa butter, if advertised or labeled for toilet purposes
- T—Colognes
- T—Compact refills
- T—Compacts containing rouge or powder
- T—Cosmetics
- T—Creams, protective (having cosmetic claims or use as skin creams, antiperspirants)
- T—Creams, cleansing, beauty or cold
- T—Cuticle softeners and removers
- T—Deodorants (even though having a medicinal or curative value, if advertised or labeled for use as a body deodorant)
- T—Deodorants (for use in closets, bureau drawers, etc., for imparting fragrance to clothing)
- NT—Deodorants, colostomy
- T—Dusting powders
- T—Essences and extracts, perfume
- T—Eyebrow pencils
- T—Eyelash mascara and eyelash and brow dyes
- T—Eye shadows
- T—Face creams
- T—Face lotions, facial oils
- T—Face packs
- T—Face powders, in loose or cake and liquid form
- T—Floral essences
- T—Foundation makeup film
- T—Freckle removers
- T—Hair bleaches
- T—Hair conditioners and rinses
- T—Hairdressings
- T—Hair dyes, colorings and tints
- T—Hair lotions
- T—Hair oils
- T—Hair pomades (regardless of whether they are colored or scented)
- T—Hair removers
- T—Hair restoratives
- T—Hairsprays
- T—Hair straighteners
- T—Hair tints and rinses
- T—Hair tonics
- T—Hand creams
- T—Hand lotions
- T—Lavender water
- T—Lip ices and salves
- T—Lip pomade
- T—Lipsticks, lipstick refills
- T—Liquid lip color
- T—Lotions, cleansing and beauty
- T—Manicure preparations
- T—Mask preparations
- T—Massage creams
- T—Mousse
- T—Mouthwashes
- T—Mustache wax
- T—Nail bleaches
- T—Nail enamels
- T—Nail enamel or polish removers
- T—Nail lacquers or removers
- T—Nail polishes, paste, powder, or liquid
- T—Perfumes
- T—Perfume ingredient kits
- T—Perfume novelties, containing perfume
- T—Permanent waving creams, lotions, neutralizers and kits
- T—Powder bases (liquid and cream)
- T—Rouges, blush
- T—Sachets containing powder or aroma producing materials
- T—Scalp lotions, which are used or intended for use as a treatment for dry or oily hair
- T—Shampoos
- T—Shaving preparations, creams, lotions, powders including medicated preparations
- T—Skin balms, bleaches, creams, fresheners, lotions, oils tonics or whiteners
- T—Sun allergy cream
- T—Sunburn preventives—suntan creams, lotions, oils, etc.
- NT—Sunburn treatment, lotions or creams
- T—Talcum powder
- T—Tissue creams
- T—Toothbrush, electric
- NT—Toothbrush, toothpaste, tooth cleansers, dental floss and replacement brushes for electric toothbrush
- T—Vanishing creams
- T—Water Piks
- T—Wave set, paste, powder or lotion
- T—Wrinkle removing and concealing preparations

#### (5) Farming Supplies and Equipment

The tax is not imposed upon the sale of property to a farmer to be used or consumed directly in the business of producing agricultural products. Home gardening is not considered "farming". See REV-1729, Farming Information, for additional information.

- NT—Artificial breeding equipment and supplies
- T—Building supplies and materials used to build and repair barns, sheds, coops, etc.
- NT—Cleansers and disinfectants used in cleaning milking equipment and to sterilize milk cans to prevent spoilage. (Property used for general farm cleaning and maintenance is taxable)
- NT—Equipment used to extract a product from productive animals or from the soil, such as harvesters, combines, binders, forage blowers, milking equipment, egg collecting equipment, corn shuckers, threshers, manure handling equipment
- NT—Equipment such as barn shovels, ensilage forks, wheelbarrows and feed carts
- NT—Feed and feed additives for productive animals
- NT—Fencing—portable when used directly for farm use
- T—Fencing, including gates, which become a permanent part of realty
- NT—Fertilizer and chemical additives to be added to soil
- T—Fire prevention and safety equipment
- NT—Fuel for use in heating poultry brooder and greenhouses
- NT—Fumigation services upon agricultural commodities or containers used for agricultural commodities
- T—Greenhouses and mushroom houses (if permanently installed to the real estate)
- NT—Grooming materials, equipment and supplies when necessary for the health of productive animals
- NT—Harnesses used to control productive animals on the farm
- NT—Ice
- NT—Livestock equipment to dispense chemicals, medicines and feed additives
- NT—Livestock, feeding equipment such as tubs, buckets, cans, etc., feed scoops and portable watering devices

- T—Maintenance facilities including tools, machinery and equipment to maintain machinery, equipment or building property, such as chain hoists, tire spreaders, drills, sanders, lumber, nails, wrenches, brooms, welding equipment, paint brushes and sprayers
- NT—Milk strainers and strainer discs and towels (dispensers to store and dispense the discs are taxable)
- T—Motor vehicles, if required to be licensed by the Dept. of Transportation
- NT—Pest control services for agricultural purposes
- NT—Property which becomes an ingredient or constituent of a farm product or is consumed by productive animals or plant growth, such as seeds, fertilizer, chemical additives, etc., and property such as seeders, planters, plows, harrows, cultivators, sprayers and similar equipment used to till soil, plant, seed and care for productive plants.
- NT—Property used to handle, store or preserve farm products or productive animals on farm premises such as chemicals, grooming equipment (dehomers, debeakers, hoof trimmers, calf weaners, etc.)
- T—Property used to transport or convey the farm product after the final farming operation
- T—Refrigeration or cooling equipment used to store farm products
- NT—Replacement parts such as tires, motors, belts, cutting edges, air filters, gears and similar replacement parts installed on exempt equipment. Motor fuels, lubricants, compressed air, distilled water, abrasives and similar supplies when used in operating exempt machinery are not taxable. Tools and equipment to apply parts and supplies are taxable.
- NT—Seeds
- NT—Silos
- T—Water heater for cleaning dairy equipment and supplies
- NT—Water pump for farm use
- NT—Wrapping supplies and containers which are non-returnable to deliver self-produced farm products.

(6) Flowers, Seeds, Fertilizers, etc.

The tax is imposed upon the sale of property which is purchased by persons not engaged in the business of farming.

- T—Fertilizer, sprays, insecticides
- NT—Gardening supplies
- T—Seeds and bulbs
- T—Vegetable plants, flowers and trees
- NT—Vegetable seeds, vegetable plants and fruit trees purchased with food stamps

(7) Food and Beverages Sold From a Caterer or Establishment Serving Ready-to-Eat Food

Generally, tax is imposed on food and beverages, for consumption on or off the premises, or on a "take-out" or "to go" basis, or delivered to the purchaser or consumer, when purchased from a caterer or an eating establishment from which ready-to-eat foods and beverages are sold, such as a restaurant, cafe, lunch counter, private or social club, tavern, dining car, hotel, night club, fast food operation, honor box, pizzeria, fair, carnival, lunch cart, ice cream stand, snack bar, lunch truck, cafeteria, employee cafeteria, theatre, stadium, arena, amusement park, juice stand, carryout shop, coffee shop, popcorn stand, automat, vending machine and other establishments, whether mobile or immobile.

NT—Alcohol, malt or brewed beverages and wines. Tax is paid at time of purchase from a Liquor Control Board store or licensed malt beverage distributor.

- NT—Candy and gum
- T—All food and beverages, in any quantity, including both food and beverages prepared on the premises and prepackaged food and beverages.
- NT—Ice
- T—Nonalcoholic beverages
- (8) Food and Beverages Sold From Other than a Caterer or Establishment Selling Ready-to-Eat Food
- NT—Bitters, grenadine and noncarbonated cocktail mixes
- NT—Candy and gum
- NT—Food, fruit drinks, soft drinks and sandwiches purchased with food stamps
- NT—Food supplements such as vitamins and therapeutic nutritional supplements
- NT—Fruit drinks, noncarbonated or reconstituted, containing at least 25% natural fruit juice
- T—Fruit drinks, noncarbonated or reconstituted, containing less than 25% natural fruit juice
- NT—Ice
- T—Nonalcoholic beverages
- T—Soft drinks, bottled and nonbottled (including soft drink mixes and powder, liquid or tablet form)
- NT—Tea, all forms including liquid and powdered tea
- NT—Sweeteners, artificial
- NT—Water, including nonflavored mineral water
- T—Water, flavored mineral

A vending machine (EFF. 7-1-98), delicatessen, grocery store, supermarket, farmers market, bakery, donut shop, pastry shop or convenience store selling the following items, whether sold for consumption on or off the premises or on a "take out" or "to go" basis or delivered is considered to be an eating establishment with respect to the sale of the following items:

- T—Brewed coffee
- T—Hot beverages
- T—Hot food items
- T—Hot soup
- T—Hot pizza
- T—Ice cream, yogurt and other ice based products when hand dipped or hand served
- T—Meals—not including prepackaged frozen meals
- T—Salad bars, food from
- T—Sandwiches
- T—Soft drinks

(9) Hair Goods and Notions

Generally, hair goods are taxable unless the item qualifies as clothing.

- T—Hair goods and notions, such as barrettes, hair pins, hair nets, curlers, clips, hair bow holders; combs, brushes, chignons, bandeaux
- T—Shower caps
- T—Wigs and toupees (the service of cleaning, styling, etc., also is taxable)

(10) Hobby Supplies, Toys, Games, Radios, Recorders, etc.

- T—Baseball, football cards, etc.
- T—Bicycles and parts
- T—Boats and equipment
- T—Computer games and equipment
- T—Games
- T—Hobby supplies
- T—Musical instruments and sheet music
- T—Photographic and projection equipment and supplies
- T—Photographic services, film developing, printing, processing, mounting, coloring, etc.
- T—Pocket knives

- T—Radios, TV sets, receiving equipment
- T—Sound players, recorders, components and accessories, records, compact discs
- T—Tape recorders and tapes
- T—Toys
- T—Video cassettes, recorders and cameras

## (11) Home Sewing, Millinery and Craft Supplies

Goods and items which are to become a component part of clothing are not taxable. Goods and items which become a component of articles other than clothing, such as formal wear are taxable. Equipment and supplies used in sewing are taxable. Clothing is defined as articles designed for everyday wear,

- T—Artificial flowers
- NT—Buckles for clothing
- NT—Buttons for clothing
  - T—Dress forms and patterns
- NT—Dress material and fabrics
- NT—Dye, clothing fabric
- NT—Elastics
  - T—Embroidery hoops
- NT—Hooks and eyes
- NT—Knitting yarn for clothing
- NT—Laces, ribbons, edgings, trimmings
  - T—Needle-craft instruction books
  - T—Needles
- NT—Ribbons
  - T—Rug yarns
  - T—Scissors
  - T—Sewing kits
- NT—Shoulder pads
  - T—Tape measures
  - T—Thimbles
  - T—Thread for articles other than clothing
- NT—Thread for clothing
- NT—Yard goods for clothing
  - T—Yarn holders
- NT—Zippers for clothing

## (12) Household Goods and Supplies

- T—Air fresheners
- T—Ant traps
- T—Basin stoppers
- T—Batteries
- T—Bedding
- T—Books
- T—Boot caddy
- T—Brooms
- T—Buckets
- T—Candles
- T—Charcoal
- T—Cloth dish towels
- T—Cloth hand and bath towels
- T—Cloth laundry bags
- T—Clothesline
- T—Clothespins
- T—Coat hangers
- T—Cutlery
- T—Decorations
- T—Dinnerware
- T—Dishpans
- T—Dispensers
- T—Door mat
- T—Drinking glasses
- T—Easter egg color/paint
- T—Extension cords
- T—Filters, disposable air
- T—Fire extinguishers
- T—Fly swatters

- T—Fly tapes
- T—Furnishings, appliances, fittings, ornaments, furniture, equipment and accessories. Furnishings including bedding, rugs, lamps, hardware, electrical goods, mirrors, pillows, scarves for furniture, bookends, clocks, glassware, crockery, silverware and other household wares.
- T—Fuses
- T—Glue
- T—Greeting cards
- T—Grill scraper
- T—Hardware and tools
- T—Household linens, blankets
- T—Insecticide sprays
- T—Ironing board covers
- T—Jars for canning and jar lids
- T—Light bulbs
- T—Lubricating oils
- T—Matches
- T—Metal and plastic cooking utensils and flatware
- T—Mops
- T—Moth balls
- T—Moth flakes
- T—Mouse traps
- T—Needles
- T—Notebooks
- T—Oilcloth
- T—Paints, brushes and painting equipment
- T—Paint removers
- T—Plants, vegetable and flower (see Category 6)
- T—Playing cards
- T—Polishing cloths
- T—Pots and pans
- T—Refrigerator deodorants
- T—Rubber gloves
- T—Rug shampoo applicator
- T—Salt, water softeners
- T—Sandpaper
- T—Scrub brushes
- T—Seeds, vegetable and flower (see Category 6)
- T—Shoe brushes
- T—Sponges
- T—Squeegee scraper
- T—Stationery
- T—Static control spray, sheets
- T—Thermometer
- T—Thimbles
- T—Tie racks
- T—Toothpicks
- T—Turpentine and paint thinner
- T—Vacuum bottles
- T—Vacuum cleaner bags, disposable
- T—Vacuum cleaner parts
- T—Ventilating fans and equipment
- T—Wax applicator
- T—Wax paraffin

## A. Soaps and Detergents

- T—Bleaches
- T—Bluing
- T—Borax
- T—Cleaner, septic tank, hand, oven, toilet bowl or tile
- T—Cleansers
- T—Detergents
- T—Drain opener
- T—Pre-soaks
- T—Rug shampoo
- T—Soaps, scented and unscented
- T—Softeners (fabric)

- T—Spot removers
- T—Starch
- T—Whiteners

#### B. Cleaning and Polishing Preparations

- T—Car cleaners and waxes
- T—Glass cleaner
- T—Polishes, floor, furniture, silver and similar items
- T—Removers, rust or wax
- T—Scouring pads
- T—Steel wool

#### C. Paper Goods

- T—Cups; paper, plastic or styrene
- NT—Disposable diapers and incontinence products
- T—Drop cloths; paper and plastic
- T—Facial tissue
- T—Filters, coffee
- T—Napkins
- T—Place mats
- T—Plates; paper, plastic or styrofoam
- NT—Sanitary napkins, tampons or similar items used for feminine hygiene
- T—Shelf paper, liners
- T—Straws
- T—Tablecloths
- NT—Toilet tissue
- T—Towels
- NT—Wet-wipes

#### D. Wrapping Supplies

- T—Aluminum foil
- T—Food bags
- T—Plastic wraps
- T—Tape, masking, scotch, plastic, freezer, duct
- T—Trash bags, paper and plastic
- T—Twine
- T—Waxpaper
- T—Wrapping paper, including gift wrapping, ribbons, etc.

#### (13) Infant Supplies

- T—Accessories, nursing bottles, nipples, teething beads, teethingers
- NT—Bibs
- T—Car seat, infant
- T—Crib blankets
- T—Diaper bags
- NT—Diaper pins
- NT—Diapers, cloth and disposable
- T—Liners, (nursing bottles)
- NT—Receiving blankets for infants
- NT—Rubber pants

#### (14) Jewelry

- T—Earring backs
- T—Jewelry, although a religious symbol is incorporated
- T—Ornaments and pins for hats and dresses

#### (15) Luggage, Handbags, Carrying Bags, Wallets, etc.

- T—Bags, carrying, athletic, book, etc.
- T—Handbags, pocketbooks and purses
- T—Knitting bags
- T—Leather goods, except clothing
- T—Luggage, briefcases
- T—Wallets and billfolds

#### (16) Medicine, Drugs and Medical Supplies: Prosthetic and Therapeutic Devices

The tax is not imposed on prescription or nonprescription medicines and drugs or medical supplies, crutches

and wheelchairs for the use of people with disabilities, artificial limbs, artificial eyes and artificial hearing devices when designed to be worn on the person of the purchaser or user, false teeth and materials used by a dentist in dental treatment, eyeglasses when especially designed or prescribed by an ophthalmologist, oculist or optometrist for the personal use of the owner or purchaser and artificial braces and supports designed solely for the use of people with disabilities or any other therapeutic, prosthetic or artificial device designed for the use of a particular individual to correct or alleviate a physical incapacity, including but not limited to hospital beds, iron lungs, and kidney machines.

- T—Adhesive removers
- NT—Adhesives used for medical treatment
- T—Air cleaners and electrostatic machines
- NT—Alcohol, rubbing
- NT—Analgesics
- NT—Antacids
- NT—Antiseptics, for external use only
- NT—Applicators (See "Cotton applicators")
- NT—Arch supports
- NT—Arm slings
- NT—Artificial eyes
- NT—Artificial limbs
- NT—Aspirin
- T—Autoclave
- NT—Automobile accessories, when noted by the Department of Transportation upon the motor vehicle operator's license of the purchaser that such accessories are necessary and when charges for accessories are stated separately by the vendor on the sales invoice.
- NT—Automobile wheelchair lift
- T—Baby powder
- NT—Bandages, dressings, gauze and cotton
- T—Bath tub and bathroom safety devices
- T—Bed boards
- NT—Bed drain bags
- NT—Bed pans
- NT—Bed trapeze bars
- NT—Benzoin
- T—Bicycle ergometer
- T—Bidet toilet seat
- T—Blankets
- T—Blood agar plates
- NT—Blood glucose monitors used to treat diabetes (therapeutic devices)
- NT—Blood pack units
- T—Blood pressure testing apparatus
- NT—Bone pins
- NT—Braces and supports worn on the body to correct or alleviate a physical incapacity
- NT—Braille teaching texts
- T—Breast pumps
- NT—Breathing units, intermittent positive pressure
- NT—Burn ointment and lotion
- NT—Calamine lotion
- NT—Canes
- NT—Cardiac emergency kit
- NT—Cardiac pacemakers and electrodes
- NT—Castor oil
- NT—Catheters and accessories
- T—Chemical agents and related supplies for analysis of patients' specimens
- NT—Cod liver oil
- NT—Colostomy appliances
- NT—Colostomy deodorants
- NT—Commode, chair bedside
- NT—Commode seats, elevated for use by incapacitated

- persons
- NT—Contact lens, solutions and kits
- NT—Corn pads and plasters for the removal of corns
- NT—Cotton applicators, cotton rolls, cotton balls and cotton swabs
- NT—Cough and cold items, cough drops, cough syrups
- NT—Crutches
- NT—Crutch pads
- T—Dehumidifiers
- NT—Dental floss
- NT—Dental materials used in dental treatment including x-ray film, cotton, impression materials
- T—Dentist chair
- NT—Dentist drills, disposable
- NT—Dentist materials which are transferred to the patient including dentures, fillings, crowns, inlays, bridges and lingual or palatal bars
- T—Dentist replacement burs, drills, reusable
- NT—Denture products, including denture cleaners and adhesives
- T—Deodorants, personal and room
- T—Diagnostic equipment
- T—Diagnostic glassware and diagnostic testing materials
- NT—Dialysis machines
- NT—Diathermy machines
- NT—Dietary supplements and substitutes
- NT—Diet pills
- T—Disinfectants
- NT—Drapes, paper
- T—Ear plugs
- T—EKG mounts and EKG paper
- NT—Elastic bandages and braces
- T—Electrocardiocorder
- T—Elevators
- NT—Emesis basins or pans
- NT—Epsom salts
- T—Esophageal dilator.
- T—Eucalyptus oil
- NT—Examining table paper
- T—Exercise equipment including exercise bikes and treadmill exercisers
- NT—Eye ointment
- NT—Eye pads
- NT—Eye washes
- NT—Eyeglasses, sold on prescription
- NT—False teeth
- NT—First aid kits
- NT—Fluidic breathing assistor
- NT—Food substitutes
- NT—Foot pads, insoles, all types
- NT—Foot products for treatment of infections
- NT—Gauze
- NT—Gloves, surgical, disposable
- NT—Glycerine
- NT—Gowns, medical
- NT—Hearing aids and batteries
- T—Heaters, portable, room
- NT—Heating pads
- NT—Hospital beds, having side rails, electric and non-electric with attachments
- NT—Hot water bottles
- T—Humidifiers
- NT—Hygienic needs, douche powder, vaginal preparations
- NT—Hydrogen peroxide
- NT—Ice bags
- NT—Ileostomy bags
- NT—Incontinence pants
- NT—Infusion pumps
- NT—Inhalation therapy equipment and equipment used to provide emergency breathing assistance
- NT—Insulin
- T—Intravenous stand
- NT—Iron lungs
- NT—IUD devices
- T—Laboratory testing and analysis equipment and supplies
- NT—Lactose intolerance medication
- NT—Lamps, ultraviolet and infrared
- NT—Laxatives and cathartics
- NT—Lifters, patient
- NT—Lubricating jelly
- NT—Lymphedema pumps
- T—Mattresses, air
- NT—Mattresses, alternating positive pressure
- NT—Mattresses and covers for hospital beds
- T—Medical alert cards
- T—Medical alert systems
- NT—Medicine cups, disposable
- NT—Mercurochrome
- T—Microscopes
- NT—Milk of magnesia
- T—Mouthwashes
- NT—Muscle stimulator, electronic, for physical therapy
- NT—Nasal cannula
- T—Nasal speculum
- T—Needle holder
- NT—Needles, disposable
- T—Needles and syringes, reusable
- NT—Orthodontic brackets
- T—Orthodontic trays
- NT—Orthopedic splints
- T—Overbed tables
- NT—Oxygen and oxygen equipment, when used for medical treatment
- NT—Pads, moist heat pad, alternating positive pressure pad, flotation pad, lambs wool pad
- NT—Paraffin bath units, standard or portable
- T—Percussors
- NT—Pet medicines
- T—Petroleum jelly
- NT—Physical therapy equipment, when designed exclusively for use in correcting or alleviating a physical incapacity
- T—Plaque remover
- NT—Pore cleaners, medicated
- NT—Postural drainage board
- T—Postural support chairs
- NT—Prophylactics
- NT—Prostheses (mammary, malar, chin, urinary, incontinence, etc.)
- T—Pumice powder
- NT—Pump, diaphragm, pressure vacuum
- T—Razor blades
- NT—Rectal preparations
- T—Safety grab bars
- NT—Sanitary napkins, tampons and similar items
- T—Sanitizer, air
- T—Sauna baths
- T—Scissors
- T—Shaving products
- T—Sheets, cloth
- NT—Sheets, disposable
- NT—Shoe insoles, orthopedically designed
- NT—Sitz bath
- NT—Smoking deterrents, gum and patch
- T—Soaps
- NT—Specimen containers, disposable
- T—Sphygmomanometer
- T—Sphygmostat

- NT—Stair gliders for persons having a physical disability.  
(EFF 7-1-98)
- T—Stethoscope
- NT—Styptic pencils
- T—Suction machines and pumps
- NT—Sunburn treatment lotions or creams
- T—Sunglasses (unless sold on prescription)
- T—Suntan lotion
- NT—Suppositories
- T—Surgical instruments
- NT—Surgical instruments and supplies, single use disposable
- NT—Sutures
- NT—Syringes, disposable
- T—Syringes, reusable
- T—Table, bedside
- T—Table, examining
- T—Talcum powder
- T—Telecaption equipment
- NT—Test strips used in treatment of diabetes
- T—Testing kits
- T—Thermometer, medical
- NT—Thermometer covers, disposable
- NT—Tongue depressor, disposable
- NT—Toothache drops
- NT—Tourniquets
- NT—Trachea tubes
- NT—Traction units, including bed stand, anklet, extension, pelvic or cervical units, head holder, fracture unit with trapeze bar set, weights, weight bags, pelvic lacing belt and over door traction equipment
- NT—Tubing, intravenous
- NT—Urine drain bag
- T—Vacutainers
- NT—Vaginal diaphragms
- T—Vapona strips
- T—Vaporizers
- NT—Vitamins
- NT—Walking bars and walkers
- NT—Wheel chairs
- T—Whirlpool baths and whirlpool pumps
- T—X-ray equipment and machines
- T—X-ray film and chemicals not used by dentists

## (17) Miscellaneous

- T—Antiques
- T—Bullion (gold, silver)
- NT—Caskets, burial vaults, markers, cremation urns and tombstones for human graves, including foundations
- T—Coin banks and coin holders
- T—Coins and paper money, which are not legal tender in U.S.A., are taxable on full purchase price
- T—Coins and paper money, which are legal tender in U.S.A., are taxable on amount in excess of face value
- T—Dry ice, except when sold as an internal packaging material to retailer, manufacturer or processor
- NT—Safety equipment and devices designed and worn by production personnel employed in manufacturing, processing, mining, public utility, farming and dairying. Examples: asbestos suits, gloves, aprons, boots, masks, helmets, goggles and similar items
- T—Equipment and devices worn by nonproduction personnel are taxable
- T—Fencing materials
- NT—Flags of the U.S. and Commonwealth. Bunting and others are taxable.
- T—Fuel for motor vehicles except when subject to liquid fuel or fuel use tax
- T—Lunch kits, vacuum bottles and replacement parts

- T—Motor vehicle repair services (including labor), accessories, parts, supplies, lubricants and equipment
- T—Party favors
- NT—Religious articles when used for worship or prayer
- T—Scout supplies and training manuals except when sold to a scout troop
- T—Souvenirs
- T—Stamps, uncanceled U.S.A. stamps are taxable on amount in excess of face value
- T—Stamps, cancelled U.S.A. stamps and all foreign stamps are taxable on the full purchase price
- T—Trading stamp redemption for taxable property
- NT—Coupon books sold to individual consumers

## (18) Optical Goods

- NT—Contact lens, solutions and kits
- NT—Eyeglasses and contact lenses sold on prescription
- T—Magnifying glasses
- T—Opera glasses and field glasses
- T—Sunglasses (prescription sunglasses are exempt)

## (19) Pets (Animals, fish, birds, and similar items)

- NT—Boarding or sitting
- T—Clippers and clipper lubricants
- T—Equipment for pets (collars, leashes, etc.)
- NT—Flea collars, flea powder, flea and tick soap and tick sprays
- T—Food for pets including dietary food
- T—Grooming
- NT—Medicines and medical supplies for pets
- T—Sale or rental of pets

## (20) Religious Articles

Articles used solely for religious or devotional purposes are not taxable.

- NT—Bibles (printed, audio or electric data)
- NT—Candles used in religious worship
- NT—Holy water bottles
- NT—Clergy vestments and choir and altar server clothing
- T—Household articles which are functional or utilitarian, even though a religious symbol is incorporated. (Household shrine not taxable)
- T—Jewelry, even though a religious symbol is incorporated
- NT—Nativity scenes
- NT—Religious statues, medals and symbols used in religious worship
- NT—Religious publications sold by religious groups
- NT—Rosaries
- NT—Wines used in religious services

## (21) Restaurant Equipment and Supplies

Equipment, implements and similar property for use in the preparation and service of food is taxable.

- T—Carbonator for soda fountain operation
- NT—Carbon dioxide for soda fountain
- T—Equipment used to prepare and serve food and beverages
- T—Ice making equipment
- T—Napkins, wooden or plastic spoons, forks, straws, and similar articles for use in restaurants, vending machines and other eating places
- T—Vending machines and equipment
- NT—Wrapping supplies, paper or plastic plates, cups and similar articles used by restaurants or in vending machines for the delivery of food

## (22) Shoes and Shoe Accessories

Generally shoes designed for everyday wear are exempt. However, shoes designed for formal wear or sporting activities are taxable.



- T—Bathing (swimming) shoes
- NT—Overshoes
- NT—Safety shoes
  - T—Shoe brushes, applicators and shoe trees
  - T—Shoecaps
- NT—Shoe dye
- NT—Shoe laces
- NT—Shoe polish
- NT—Shoe repairs
  - T—Shoes for baseball, bowling, football, soccer, hockey, dance, etc.
  - T—Shoes for formal wear, such as metallic cloth, brocade, satin, or silver leather, primarily for formal wear.
- NT—Slippers
- NT—Shoe soles and heels for shoe repair
- NT—Shower clogs
- NT—Sneakers, jogging, tennis and aerobic shoes

(23) Sporting Equipment, Clothing, Supplies and Recreational Equipment

Tax is imposed on sporting and recreational equipment and clothing and supplies which are designed to be worn and are normally worn only when engaged in sports.

- T—Accessories such as ammunition belts, hip waders and fly vests
- NT—Baseball caps and tee shirts
  - T—Bathing caps
  - T—Bathing suits
  - T—Beach coats
  - T—Bicycles, parts, accessories and supplies
  - T—Boats, pleasure boats and equipment and parts
- NT—Bowling shirts
  - T—Equipment and supplies for baseball, football, hockey, basketball and other sports
  - T—Guns and ammunition
- NT—Gym suits, outfits
  - T—Helmets
- NT—Hunting coats, pants and coveralls
  - T—Hunting wear, reflecting orange
- NT—Jogging outfits, running shoes
  - T—Mats, floor
  - T—Protective equipment, knee pads, elbow pads, forearm pads, etc.
  - T—Sleeping bags
- NT—Sneakers, jogging, tennis and aerobic shoes, etc.
- NT—Snowmobile suits
  - T—Uniforms, baseball, football, soccer, basketball, hockey etc.
- NT—Warm-up suits, cloth sweat suits
  - T—Weights
  - T—Skates, ice, roller, in-line

(24) Tobacco Products

- T—Chewing tobacco, snuff
- T—Cigarettes
- T—Smoking accessories
- T—Tobacco, cigars

(25) Utilities and Fuel

- NT—Coal
- NT—Coin-operated telephone charges
  - T—Firelogs, processed
- NT—Firewood and kindling for residential use
- NT—Fuel oil, gas, steam or electricity purchased for residential use

- T—Fuel oil, gas, steam or electricity purchased for commercial use
- T—Interstate and intrastate telephone services for residential or commercial use
- NT—Basic telephone service and subscriber line charges for residential use
  - T—Basic telephone service and subscriber line charges for commercial use
- T—Utilities for office or business within home
  - (26) Tires and Motor Vehicle Leases and Rentals Subject to Public Transportation Assistance Fund Taxes and Fees (PTA) (61 Pa. Code § 9.4).

The following items are subject to a Public Transportation Assistance Fund Tax or Fee as indicated below. The tax or fee is IN ADDITION TO any Sales or Use Tax which may be due. However, the Sales, Use, PTA Tax or PTA Fees shall not be included within the tax base when imposing such taxes or fees.

<i>Item</i>	<i>PTA Tax/Fee</i>	<i>Exemption</i>
Tires, new tires for highway use (used tires and tires for off highway use are not subject to the fee.)	\$1 fee upon the sale of each new tire	Exempt if lessee qualifies for sales tax exemption.
Rentals of Motor Vehicles (the term rental shall mean the transfer of the possession of a motor vehicle for a period of less than 30 days.)	\$2 fee upon each rental day.	Exempt if lessee qualifies for sales tax exemption.
Leases of Motor Vehicles (the term lease shall mean the transfer of possession of a motor vehicle for a period of 30 or more days.)	3% tax upon the total lease payment including down payment and accelerated lease payments.	Exempt if lessee qualifies for sales tax exemption.

(27) Vehicle Rental Tax (VRT) (61 Pa. Code § 9.14)

Rental companies that have available for rental five or more motor vehicles designed to carry 15 or less passengers or a truck, trailer or semi-trailer used in the transportation of property other than commercial freight that is rented without a driver are responsible for collecting an additional 2% tax. This tax is imposed on the purchase price, as calculated for Sales Tax purposes of each rental contract for a period of 29 consecutive days or less. The VRT is separate from, and in addition to any applicable state or local Sales Tax or the \$2 daily PTA fees.

Rental companies may claim a refund up to the amount of tax remitted for filing, and registration fees paid to the Commonwealth during a previous calendar year.

ROBERT A. JUDGE, Sr.,  
*Secretary*

[Pa.B. Doc. No. 98-932. Filed for public inspection June 12, 1998, 9:00 a.m.]

# DEPARTMENT OF TRANSPORTATION

## Finding

### Beaver County

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

The Department of Transportation plans to construct S. R. 4016 (Beaver Hollow Road) in Beaver County.

The project consists of the upgrade of Beaver Hollow Road. The project extends from the intersection with S. R. 4018 (Dutch Ridge Road) in Brighton Township and proceeds in an easterly direction to the intersection with S. R. 4049 (Riverside Drive) in Bridgewater Borough, a distance of approximately 2.1 kilometers (1.3 miles).

This alignment requires 0.14 hectares (0.35 acres) of land from the National Register eligible Wray House. There is no feasible and prudent alternative to avoid the use of the Wray House.

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

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-933. Filed for public inspection June 12, 1998, 9:00 a.m.]

## Finding

### Pike 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 is planning a highway project for the reconstruction, rehabilitation, and resurfacing of S. R. 2001 in Pike County from its intersection with S. R. 2006 in Dingman Township.

The construction of the project will require 16 sliver takes which include right-of-way acquisition from the following historical resources; Milford Borough Historic District and French Town Cemetery (Old Union School House Cemetery).

The right-of-way takes also include 0.22ha (0.55ac) of property from the Delaware Water Gap National Recreation Area, which is a recreational and public park resource.

Use of the following historic properties occur because the boundaries of the resources follow the property lines, and the deeds refer to the center of the road as the property lines, and the deeds refer to the center of the road as the property line for the Wells Property, Cliff Park Inn Property, and Norman Hills Property. Additionally, there will be a visual impact to the historic Alonzo Kline Property.

Mitigation measures will be implemented as outlined in the Categorical Exclusion Evaluation/Section 2002 Evaluation report.

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

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

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 98-934. Filed for public inspection June 12, 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, Chairperson of the Senate Rules Committee, to review Senate Bill 39, the proposed Cancer Prevention and Early Detection Services Act which would require insurance coverage of certain cancer-related services, as well as a proposed amendment that would exclude the following from affected health insurance policies: "accident only, fixed indemnity, limited benefit, credit, dental, vision, specified disease, Medicare supplement, Civilian Health and Medical Program of the Uniform Service (CHAMPUS) supplement, long-term care or disability income, workers' compensation or automobile medical payment insurance." The amendment would also add coverage of annual digital rectal exams and prostate specific antigen tests for men 40-years old and older with certain prostate cancer risk factors and would specify that the benefits be subject to the same copayment and coinsurance provisions of an insurance policy as other medical services, but shall be exempt from any deductible or dollar limit provisions.

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on March 14, 1998, with documentation due to the Council by May 29, 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 July 7, 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 to Flossie Wolf at this address.

### *Senate Bill 39 Submissions*

1. Highmark
  - Letter from Bruce R. Hironimus, Vice President of Government Affairs, addressing Section 9 requirements
  - Relevant research articles
  - Cancer facts/incidence information
2. AFLAC (American Family Life Assurance Company of Columbus)

- Letter from Richard J. Gmerek and Elvira O. Guida of the Law Offices of Maley, Williamson, Hayden & Gmerek, addressing Section 9 requirements and supporting proposed amendment A0385 to SB 39 to exempt supplemental policies

3. The Insurance Federation of Pennsylvania, Inc.

- Letter from John R. Doubman, Secretary & Counsel, addressing Section 9 requirements

- Article from the *Philadelphia Inquirer*

4. American Cancer Society, Commonwealth Division, Inc.

- Letter from Francis X. O'Brien, Jr. of Buchanan Ingersoll, addressing Section 9 requirements

- Cancer fact/incidence information

5. Managed Care Association of Pennsylvania

- Letter from Kimberly J. Kockler, Executive Director, addressing Section 9 requirements and opposing implementation of SB 39

- Research articles

6. Fox Chase Cancer Center

- Letter from Deborah Watkins Bruner, RN, MSN, Program Director, addressing Section 9 requirements and supporting implementation of prostate cancer coverage proposed in SB 39

- Prostate cancer facts/ incidence information

- Research articles

- Copies of bills proposed in New Jersey and Maryland

7. American Foundation for Urologic Disease, Inc.

- Letter from M. Brooke Moran, Director of Patient Advocacy & Government Affairs, supporting implementation of prostate cancer coverage proposed in SB 39

- Comparison of costs for prostate cancer screening and breast cancer screening

- List of states mandating insurance coverage of prostate cancer coverage

- Copies of bills proposed in Maryland and New Jersey

8. Robert Alexander

- Letter supporting prostate cancer coverage proposed in SB 39

- Newspaper article

- Prostate cancer facts

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 98-935. Filed for public inspection June 12, 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, Chairperson of the Senate Rules Committee, to review House Bill 656, which would mandate insurance benefits

for certain diabetic supplies and services, and require any insurer underwriting Medicare or Medicaid insurance for Pennsylvania residents to provide coverage for hearing aids in accordance with the "Hearing Aid Sales Registration Law," as well as a proposed amendment which would define the term "orthotics" in the bill to include "orthotics related to the treatment of diabetes illness" and require that services must be provided "by an individual with expertise in diabetes self-management, training and education."

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on March 14, 1998, with documentation due to the Council by May 29, 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 July 7, 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 to Flossie Wolf at this address.

#### *House Bill 656 Submissions*

1. American Diabetes Association

- Letter of support from Jennifer K. Ross, Regional Advocacy Director, addressing Section 9 requirements and recommending implementation of HB 656

- Research articles supporting implementation of HB 656

- Copies of House Insurance Committee testimony on HB 656

- Diabetes fact/incidence information

- Information from other states addressing diabetes care

2. Pennsylvania Dietetic Association

- Letter of support from M. Colleen McCann, MPH, RD addressing Section 9 requirements, recommending inclusion of medical nutrition therapy

- Research articles supporting implementation of HB 656

- Copies of House Insurance Committee testimony on HB 656

- Diabetes fact/incidence information

3. American Association of Diabetes Educators

- Letter of support from David Holtzman, Director of Government Affairs, recommending inclusion of diabetes education

- Research articles supporting implementation of HB 656

4. Pennsylvania Pharmacists Association

- Letter of support from Carmen A. DiCello, R.Ph, Executive Director, recommending implementation of HB 656

- Summary of House Insurance Committee testimony on HB 656

5. The Insurance Federation of Pennsylvania, Inc.

- Letter from John R. Doubman, Secretary & Counsel, addressing Section 9 requirements and supporting implementation of HB 656 and supporting proposed amendments A0388 and A0470

## 6. Capital Blue Cross

- Letter from Vincent P. Carocci, Manager of Government Relations for Capital Blue Cross, and Mary Ellen McMillen, Vice-President for Legislative Policy for Independence Blue Cross, supporting proposed amendment A0470 to HB 656

## 7. Blue Cross of Northeastern Pennsylvania

- Letter from Gerald M. Guarilia, Senior Director of Legislative and Regulatory Affairs, and Gloria Blandina, Government Affairs Representative, supporting proposed amendment A0470 to HB 656, and opposing mandates in general

## 8. Highmark

- Letter from Bruce R. Hironimus, Vice President of Government Affairs, addressing Section 9 requirements
- Relevant research articles
- Diabetes fact/incidence information
- Information about Highmark's HealthPLACE Diabetes Management Program

## 9. Managed Care Association of Pennsylvania

- Letter of opposition from Kimberly J. Kockler, Executive Director, addressing Section 9 requirements
- Penn State Geisinger Newsletter from April/May 1998
- Research article

## 10. HealthAmerica

- Letter of opposition from Alanna M. Clark, Director of Governmental and Public Affairs, addressing Section 9 requirements and recommending against implementation of HB 656

## 11. AFLAC (American Family Life Assurance Company of Columbus)

- Letter from Richard J. Gmerek and Elvira O. Guida of the Law Offices of Maley, Williamson, Hayden & Gmerek, supporting the exemption of supplemental policies from HB 656

## 12. Holy Spirit Hospital, Diabetes Services

- Letter of support from Denise Bordlemay, RN, BSN, CDE, Manager of Diabetes Services HSH, recommending implementation of HB 656

## 13. Robert W. Piavis, Jr., R.Ph

- Letter of support for House Bill 656, discussing his personal costs for managing his diabetes

## 14. William Greene, R.Ph

- Fax documenting costs for diabetic supplies

## 15. Gary Hoffman

- Letter of support for House Bill 656
- News article from the Internet

83 Constituent Letters in support of House Bill 656

1 Constituent Letter in opposition to House Bill 656

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 98-936. Filed for public inspection June 12, 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. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
#16A-538	State Board of Osteopathic Medicine Prescribing, Administering and Dispensing Controlled Sympathomimetic Amines	5/28/98
#16A-498	State Board of Medicine Licensure, Certification, Examination and Registration Fees	5/29/98
#11-159	Insurance Department Qualifications of Persons Signing Annual Financial Statements	6/1/98
#11-157	Insurance Department Uniform Bylaws for Mutual Fire Companies	6/1/98
#11-152	Insurance Department Uniform Classification of Expenses	6/1/98
#11-150	Insurance Department Anti-Arson Application	6/1/98

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 98-937. Filed for public inspection June 12, 1998, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Agency Contract Termination of Jacob's Agency under Act 143; United States Fidelity and Guaranty Company; Doc. No. AT98-04-034**

The request for review is granted and the scheduled day for review shall be held on July 1, 1998 at 9:30 a.m., in the Administrative Hearing Office, 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

The agency contract at issue shall remain in force and effect pending the issuance of a Decision in this matter.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accomodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-938. Filed for public inspection June 12, 1998, 9:00 a.m.]

### Application for Consolidation of Two Domestic Mutual Fire Insurance Corporations

Millers Mutual Insurance Company and Paradise Mutual Insurance Company have filed an application for approval of an Agreement and Plan of Conversion, which will result in the formation of a new mutual fire insurance corporation. The filing was made under the requirements set forth under the Insurance Holding Company Act, 40 P. S. § 991.1402 *et. seq.* Persons wishing to comment on the acquisition are invited to submit a written statement to the Pennsylvania Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Pennsylvania Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Pennsylvania Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; FAX (717) 787-8557; email <http://www.csmith@ins.state.pa.us>.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-939. Filed for public inspection June 12, 1998, 9:00 a.m.]

### Pennsylvania Compensation Rating Bureau; Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Based Assessments Filings

On June 1, 1998, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (PCRB) a filing which proposes to amend Workers' Compensation Insurance premium computation to recognize the loss based assessments provisions of Section 2218 of House Bill 1027, Act 57 of 1997, for a proposed effective date of July 1, 1998. The loss based assessments provisions of this Legislation amend the maintenance conditions of the Subsequent Injury Fund, the Workmen's Compensation Supersedeas Fund and the Workmen's Compensation Administration Fund. The PCRB's proposal is to define workers' compensation premium to be 96.82% of the dollar value obtained by applying carrier rating values and other rating plans. The remaining 3.18% of the dollar value shall be defined to be assessments for the maintenance of the above referenced loss based assessments.

Also, on June 1, 1998, the Department received from the Coal Mine Compensation Rating Bureau (CMCRB) a filing which, similar to the PCRB's filing, is responding to

House Bill 1027 requirements. The CMCRB defines workers compensation premium to be 96.81% of the dollar value obtained by applying carrier rating values and other rating plans. The remaining 3.19% of the dollar value shall be defined to be assessments for the maintenance of the above referenced loss based assessments.

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

Interested parties are invited to submit written comments, suggestions or objections to Chuck Romberger, CPCU, Insurance Department, Office of Rate and Policy Regulation, Bureau of Property and Casualty Insurance, Actuarial Review Division, 1311 Strawberry Square, Harrisburg, PA 17120, within 5 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-940. Filed for public inspection June 12, 1998, 9:00 a.m.]

### Public Document Room Closed for Renovations

The Insurance Department's Public Document Room will be closed for renovations from June 22, 1998 to July 17, 1998. Any questions concerning this closing can be directed to Thomas J. Lavelle, Chief Budget and Office Management Division at (717) 783-2145.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-941. Filed for public inspection June 12, 1998, 9:00 a.m.]

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

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

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

Appeal of Suhill Barber; file no. 98-121-03007; Erie Insurance Company; doc. no. P98-05-020; July 2, 1998, at 10 a.m.;

Appeal of Donald and Linda L. Smith; file no. 98-308-70691; Erie Insurance Company; doc. no. P198-06-002; July 7, 1998, at 1 p.m.;

Appeal of Howard and Anne Cohen; file no. 98-308-70794; USF&G Insurance Company; doc. no. P198-06-001; July 8, 1998, at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be

held in accordance with the requirements of sections 9 and 10 of the act (40 P. S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

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

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-942. Filed for public inspection June 12, 1998, 9:00 a.m.]

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

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

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

Appeal of Harish Chandra and Sneh Rastogi; file no. 98-267-31758; State Farm Fire and Casualty Insurance Company; doc. no. PH98-06-003; July 7, 1998, at 10 a.m.

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

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

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-943. Filed for public inspection June 12, 1998, 9:00 a.m.]

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

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the termination of the insured's policy.

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

Appeal of State Farm Insurance Company; file no. 98-397-90307; Naomi R. Randolph; doc. no. E98-05-021; June 30, 1998, at 1 p.m.

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

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

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 98-944. Filed for public inspection June 12, 1998, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Lackawanna County, Wine & Spirits Shoppe #3518, Keyser Oak Plaza, 1762 Keyser Oak Avenue, Scranton, PA 18508-1232.

*Lease Expiration Date:* May 31, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space within 1 mile of the North Scranton Expressway and the intersection of U.S. Route 81 and PA Route 307, City of Scranton.

*Proposals due:* July 10, 1998 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

Susquehanna County, Wine & Spirits Shoppe #5802, 78 Grow Avenue, Montrose, PA 18801-1137.

*Lease Expiration Date:* May 31, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,800 net useable square feet of new or existing retail commercial space within the Borough of Montrose.

*Proposals due:* July 10, 1998 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

Susquehanna County, Wine & Spirits Shoppe #5801, 605 Main Street, Forest City, PA 18241-1429.

*Lease Expiration Date:* May 31, 1999

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,000 to 1,500 net useable square feet of new or existing retail commercial space within the Borough of Forest City.

*Proposals due:* July 10, 1998 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 98-945. Filed for public inspection June 12, 1998, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Railroad With Hearing

**I-00980074. Gettysburg Railway Company. Investigation Upon The Commission's Own Motion.** To determine the condition, disposition and responsibility for maintenance of the existing crossing structure carrying West Guernsey Road above-the-grade of the track of the Gettysburg Railway Company in Butler Township, Adams County (AAR 593 406 V).

An initial hearing on this matter will be held Wednesday, July 29, 1998 at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, PA, when and where all persons in interests may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-946. Filed for public inspection June 12, 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 July 6, 1998, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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

**A-00114965. Peter Pan Bus Lines, Inc.** (1776 Main Street, P. O. Box 1776, Springfield, MA 01102), a corporation of the State of Massachusetts—for the right to begin to transport, persons in group and party service, between points in the city and county of Philadelphia, including the Delaware River, in amphibious vehicles with a seating capacity of 35 passengers or less, restricted to round-trip service only, with each trip including transportation on land and water. *Attorney:* Jeremy Kahn, 1730 Rhode Island Avenue, N.W., Suite 810, Washington, DC 20036.

**A-00114984. Lois L. Feister, t/d/b/a Feister's Taxi Service** (2202 Mine Road, Paradise, Lancaster County, PA 17562), for the right to begin to transport—persons, in paratransit service, between points in the township of Bart, Lancaster County, and within an airline distance of 50 statute miles of the limits thereof, and from points in said area, to points in Pennsylvania and return; limited to transportation of persons whose personal conditions prevent them from owning or operating a motor vehicle.

Application for temporary authority has been filed at A-00114984, seeking the rights cited above.

**A-00114982. Elizabethtown Ambulance, A Division of Friendship Fire and Hose Co. #1** (171 North Mt. Joy Street, Elizabethtown, Lancaster County, PA 17022), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the counties of Lancaster, Lebanon, York and Dauphin, and from points in the said counties, to points in Pennsylvania, and return. *Attorney:* Jack Smith, 222 South Market Street, Elizabethtown, PA 17022.

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

**A-00114987. King Motor Koach Services, Inc.** (906 East Main Street, Norristown, Montgomery County, PA 19401), a corporation of the Commonwealth of Pennsylvania—for the right to begin to transport—persons in group and party service, between points in the city and county of Philadelphia, and from points in said area, to points in Pennsylvania; subject to the following conditions: (1) that no right, power or privilege is granted to provide service in that portion of the city and county of Philadelphia located north and east of Frankford/Tacony Creeks; (2) that no right, power or privilege is granted to provide service in that portion of the city and county of Philadelphia bounded by Spring Garden Street on the north, the Schuylkill River on the west and south, and the Delaware River on the east and south; and (3) that no right, power or privilege is granted to provide service to or from the Philadelphia Civic Center and points located within an airline distance of 1/2 statute mile thereof; which is to be a transfer of all of the right authorized under the certificate issued at A-00109378 to Continental Tours, Inc., subject to the same limitations and conditions. *Attorney:* Reginald A. Krasmey, Bay Colony Executive Park, 565 East Swedesford Road, Suite 206, Wayne, PA 19087.

**A-00114875, Folder 3 (corrected). Joseph T. Berg, t/d/b/a Berg's Limousine Service** (480 Sankey Lane, New Castle, Lawrence County, PA 16105-1328)—persons in limousine service, between points in the townships of Wilmington, Pulaski, Washington and Plain Grove, and the boroughs of New Wilmington, and Volant, Lawrence County; the townships of Shenango, Wilmington, Springfield, Findley, East Lackawannok and Lackawannok, the city of Hermitage and the boroughs of West Middlesex and Mercer, Mercer County; the township and borough of Slippery Rock, Butler County; and the townships of Darlington, Big Beaver, North Sewickley, Franklin, the city of Beaver Falls, and the boroughs of Darlington, New Galilee, Koppel, Homewood and West Mayfield, Beaver County; and from points in said territory, to points in Pennsylvania; which is to be a transfer of all of the rights issued to Connolly's Limousine Service, Inc., under the certificate issued at A-00105991, subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

**A-00114985. Cranberry Limousine Service, Inc.** (133 Glenbrook Drive, Cranberry Township, Butler County, PA 16066), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Butler County, and from points in the county of Butler, to points in the county of Allegheny, and vice versa; and from points in the counties of Butler and Allegheny, to points in Pennsylvania on and west of U.S.

Highway Route 219, and return; which is to be a transfer of part of the rights issued to Star Limousine Service, Inc., under the certificate issued at A-00106305, F. 1, subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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

**A-00109753, Folder 1, Am-A. Larry J. Wills** (373 Cannery Road, Somerset, Somerset County, PA 15501), inter alia—persons upon call or demand in the borough of Somerset, Somerset County, and within an airline distance of 10 statute miles of the limits of said borough: *so as to permit* the transportation of persons upon call or demand, in the county of Somerset; subject to the following condition: Provided that no right, power or privilege is granted to provide service in that part of Somerset County that is both east of State Route 160 and north of U.S. Highway Route 30. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**A-00111913, F. 1, Am-B. Bucks County Services, Inc.** (1167 Newport Mews Drive, Bensalem, Bucks County, PA 19020), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in Lower Southampton Township and those portions of Northampton Township, Wrightstown Township, Upper Makefield Township, Solebury Township and the borough of New Hope located south and east of Pennsylvania Route 232, all townships and borough are located in Bucks County; subject to the following condition: that no right, power or privilege is granted to transport persons in call or demand service between points in, to or from the township of Upper Southampton, Bucks County: *so as to permit* the transportation of persons upon call or demand in Solebury Township and New Hope Borough, and the portion of Bucks County, located south and east of Pennsylvania Route 232, and that portion of Bryn Athyn Borough and Lower Moreland Township south and east of Pennsylvania Route 232 in Montgomery County to the Pennypack Creek, thence south and east along the Pennypack Creek in the city and county of Philadelphia, to the Delaware River, thence north along the Delaware River to the Bucks County Line in Bensalem Township, Bucks County. *Attorney:* William H. R. Casey, 99 East Court Street, Doylestown, PA 18901.

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

**A-00111906, Folder 5000. Sharaton Bus Service, Inc.** (RT. 6 East, P. O. Box 790, Wyalusing, Bradford County, PA 18853), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 50 shares of issued and outstanding shares of stock held by Arden Newton to Kenneth Sharer. *Attorney:* Kenneth Zielonis, 208 North Third Street, Suite 310, Harrisburg, PA 17101.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-00114976. Lyle C. Arana** (1541 Fitzwatertown Road, Willow Grove, Montgomery County, PA 19090)—household goods in use, between points in the boroughs of Ambler,



Bryn Athyn and Hatboro, and the townships of Abington, Cheltenham, Upper Moreland, Lower Moreland, Horsham, Upper Dublin, Springfield, Montgomery, Upper Gwynedd and Lower Gwynedd, all in Montgomery County.

**Applications of the following for approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation in use as described under each application.**

**A-00109820, F. 1, Am-A. M. J. McLaughlin Co.** (142 South Washington Street, Wilkes-Barre, Luzerne County, PA 18701-2997), corporation of the Commonwealth of Pennsylvania—discontinuance of service, and cancellation of a certificate, as a common carrier, by motor vehicle, of all the limousine authority held at A-00109820, which permits the transportation of persons, from the city of Wilkes-Barre, Luzerne County, to the Wilkes-Barre/Scranton International Airport, borough of Avoca, Luzerne County; the city of Scranton, Lackawanna County; and points in Monroe County, and return.

**Applications of the following for approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation of household goods in use as described under each application.**

**A-00087078, F. 2, Am-T. J. R. Butler, Incorporated** (P. O. Box 487, East Syracuse, NY 13057), corporation of the Commonwealth of Pennsylvania—discontinuance of service and cancellation of the certificate of public convenience as a common carrier by motor vehicle which authorizes the following rights: (1) as a Class B carrier, household goods, in use, between points in the borough of Dunmore, Lackawanna County, and territory within 3 miles of the limits of said borough; (2) household goods in use from points in said territory, to points in Pennsylvania, and vice versa; (3) household goods in use between points in the city of Scranton, Lackawanna County, and within 3 miles of the limits of said city; (4) household goods in use from points in the city of Scranton, Lackawanna County, and within 3 miles of the limits of said city, to points within 40 miles by the usually traveled highways of the point of origin; and (5) property, except household goods in use, between points in Pennsylvania.

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

**A-00113157, Folder 1, Am-A. Mary Lewis** (R. R. 2, Box 193E, Carmichaels, Fayette County, PA 15320), inter alia—persons in limousine service, between points in the county of Greene, and from points in said county, to points in Pennsylvania, and return; subject to the following conditions: (a) that no right, power or privilege is granted to provide service for funeral homes or to persons attending funerals; and (b) that no right, power or privilege is granted to provide service in vehicles with seating capacities of less than 8 passengers, not including the driver: *so as to permit* the transportation of persons in limousine service: (1) between points in Fayette County; and (2) from points in the county of Fayette, to points in the boroughs of Carmichaels, Clarksville, Jefferson, Rice's Landing and the townships of Cumberland, Monongahela,

Morgan and Jefferson, Greene County; and the boroughs of West Brownsville, Marianna, Centerville, California, Roscoe, Stockdale, Dunlevy, Allenport, Elco, Charleroi, Speers, Coal Center, Beallsville, Donora, and Long Branch, and the townships of East Bethlehem, North Bethlehem and Hanover, Washington County and return; which is to be a transfer of all of the rights authorized under the certificate issued at A-00110340 and A-00110340, F. 1, Am-A to Garry Sisson, t/d/b/a Garry's Car & Truck Rental, subject to the same limitations and conditions. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**A-00102568, F. 3, Am-A. Harry Williams, t/d/b/a Harry Williams Cab Service** (2040 Centre Avenue, Pittsburgh, Allegheny County, PA 15219)—persons upon call or demand in the 3rd, 4th and 5th Wards of the city of Pittsburgh, Allegheny County, and those areas of the city of Pittsburgh commonly known as Northview Heights, St. Clair Village, Glen Hazel Project, Westgate Village, and Broadhead Manor, and the Homewood-Brushton area bounded generally by Washington Boulevard and Penn Avenue, the Beltzhoover area bounded by Brownsville Road, Arlington Avenue, Warrington Avenue and Saw Mill Run Boulevard, and that portion of the Manchester area bounded by Beaver Avenue, Brighton Road, Western Avenue and Marshall Avenue: *so as to permit* the transportation of persons upon call or demand in the city of Pittsburgh, Allegheny County; which is to be a transfer of all of the rights authorized UJSP, Inc., t/d/b/a Blue White Taxi, under the certificate issued at A-00110880, subject to the same limitation and conditions. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**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-00114603, Folder 2. Hershey Entertainment & Resorts Company** (300 Park Boulevard, P. O. Box 860, Hershey, Dauphin County, PA 17033-0860), a corporation of the Commonwealth of Pennsylvania—additional right to its pending application—persons in paratransit service, for the guests of the Hershey Lodge and Convention Center and the Hotel Hershey, between the Hershey Lodge and Convention Center, Hotel Hershey, both located in Derry Township, Dauphin County and the Amtrak Train Station located in the city of Harrisburg, Dauphin County. *Attorney:* John P. Neblett, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108.

**A-00109753, Folder 3. Larry J. Wills** (373 Cannery Road, Somerset, Somerset County, PA 15501)—additional right—persons, in paratransit service, between points in the county of Somerset, and from points in said county, to points in Pennsylvania, and return. *Attorney:* John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219.

**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 June 29, 1998.

- A-00114973 Midwest Logistics, Inc.  
P. O. Box 959, Rantoul, IL 61866
- A-00114974 Leslie W. Miller, Jr., t/a Miller  
Automotive  
P. O. Box 459, Dushore, PA 18614-0459
- A-00114975 Marzocchi Trucking Co., Inc.  
9 Meadowbrook Drive, Selingsgrove, PA 17870
- A-00114977 Menichino Paving Company, Inc.  
402 Sampson Street, New Castle, PA 16101
- A-00114978 Samuel S. & Michael D. Shirk, t/a  
Shirk Excavating  
R. D. 2, Box 2021-B, Fleetwood, PA 19522
- A-00114979 David P. Clover, t/a Clover Trucking  
P. O. Box 1427, Harrisonburg, VA 22801
- A-00114980 B & B Gash Trucking Corp.  
359 Nemoral Street, Warminster, PA 18974; Joseph P. Murdock, P. O. Box 40248, Indianapolis, IN 46240
- A-00114981 Penske Transportation Services, Inc.  
P. O. Box 563, Reading, PA 19603;  
George C. Balchunas, P. O. Box 563, Reading, PA 19603-0563
- A-00114983 Beaver Valley Consolidated Transport  
Systems, Inc.  
901 20th Street, Aliquippa, PA 15001
- A-00111135 F.3 James W. Heater  
614 Jack Street, Greensburg, PA 15601
- A-00114168 F.2 Charles R. & Mildred S. Altemus, t/a  
Altemus Farms  
R. D. 1, Box 134, Penn Run, PA 15765
- A-00114972 Charles W. Reckart, t/a Reckart  
Trucking  
P. O. Box 90, Route 166 South, Martin, PA 15460
- A-00114971 Richard W. Frazee, t/a R. W. Frazee  
6446 National Pike Road, Addison, PA 15411
- A-00114970 Geo-Drain, Inc.  
161 Jordan Street, P. O. Box 85, South Heights, PA 15081
- A-00114969 Thomas J. Jones, t/a T.J.'s Hauling  
9 Moores Court, Quakertown, PA 18951
- A-00114968 Surehaul Transport, Inc.  
P. O. Box 335, Paulsboro, NJ 08066;  
Edward L. Ciemniecki, One Liberty Place, Thirty-Second Floor, 1650 Market Street, Philadelphia, PA 19103-7393
- A-00114929 Red Ball Express Corporation  
625 Rocky Glen Road, Avoca, PA 18641; Mose Lewis III, 4201 Connecticut Avenue, NW, Suite 400, Washington, DC 20008
- A-00109753 F.4 Larry J. Wills  
373 Cannery Rd, Somerset, PA 15501;  
John A. Pillar, 1106 Frick Building, Pittsburgh, PA 15219
- A-00114998 Wayne L. Altemose, t/a Wayne L.  
Altemose Trucking  
R. D. 1, Box 289 A, Astolat Road, Effort, PA 18330
- A-00114997 Brian G. Witosky, t/a Brian G. Witosky  
Trucking  
146 Stouffer Hill Road, Friedens, PA 15541
- A-00114996 Jay-Kay Carrier's, Inc.  
R. R. 2, Box 198, Olyphant, PA 18447
- A-00114995 Earl L. Livingston, t/a Dillsburg Septic  
Excavating & Paving  
516 Range End Road, Dillsburg, PA 17019; J. Bruce Walter, Dauphin Bank Bldg., 12th Floor, One South Market Square, P. O. Box 1146, Harrisburg, PA 17108-1146
- A-00114994 Carl W. Burd  
R. R. 2, Box 1050, Port Royal, PA 17082
- A-00114993 Edward B. Stephens, t/a E. B. Stephens  
Trucking  
121 West Boot Road, West Chester, PA 19380
- A-00114992 Kerry McCrary, t/a McCrary  
Enterprises  
R. D. 2, Box 4473, Jonestown, PA 17038
- A-00114991 Harold T. Litzel, t/a Harold T. Litzel  
Towing  
6870 Old Ridge Road, Fairview, PA 16415
- A-00114990 Bryan Miller Trucking, Inc.  
R. R. 1, Box 90-M, New Ringgold, PA 17960; Thomas R. Lisella, 109 W. Broad Street, Tamaqua, PA 18252
- A-00114989 FMDL Equipment, Inc.  
Box 52, 900 S. Railroad Street, Penn, PA 15675
- A-00114986 Sherwood Wilson, t/a C & S Wilson & Son  
268 Romney Boulevard, Newark, DE 19702
- A-00114999 Keith B. Coyne  
R. D. 8, Box 8229, Reeders, PA 18360
- A-00114976 F.2 Lyle C. Arana  
1541 Fitzwatertown Road, Willow Grove, PA 19090
- A-00115000 Hunnum Electric, Inc.  
P. O. Box 37, Uwchland, PA 19480
- A-00115001 David L. Banghart  
529 Church Drive, Muncy, PA 17756
- A-00115002 D & V Trucking, Inc.  
12803 Col-Canfield Road, Columbus, OH 44408; David A. Ferris, 2733 West Dublin-Granville Road, Columbus, OH 43235-2798

- A-00115003 Rusty E. & Steven N. Miller, Copart-  
ners, t/a R & S Miller Trucking  
P. O. Box 205, Loganton, PA 17747
- A-00115004 Corporate Express Delivery Leasing—  
Northeast, Inc.  
800 Main Street, Troy, NY 12180:  
William P. Parker, 2212 N.W. 50th,  
Suite 163, Oklahoma City, OK 73112
- A-00115005 Corporate Express Delivery Systems—  
Northeast, Inc.  
800 Main Street, Troy, NY 12180:  
William P. Parker, 2212 N.W. 50th,  
Suite 163, Oklahoma City, OK 73112
- A-00115006 Kemner Equipment Management Corp.  
65 Lightcap Road, Pottstown, PA  
19464: Christopher Zettlemyer, P. O.  
Box 11844, Harrisburg, PA 17108-  
1844
- A-00115008 Russell John Greiser, t/a Russell J.  
Greiser  
R. R. 1, Box 1675, Dushore, PA 18614
- A-00115012 Kuntz & Son, Inc.  
590 Hershey Road, Hummelstown, PA  
17036: David H. Radcliff, 3905 North  
Front Street, Harrisburg, PA 17110
- A-00110361 F.2 K. Murphy & Co., Inc.  
1991 Turnpike Road, Elizabethtown,  
PA 17022: David H. Radcliff, 3905  
North Front Street, Harrisburg, PA  
17110
- A-00115011 John R. Fenstermaker, t/a  
Fenstermaker Trucking  
R. R 2, Box 848, Jersey Shore, PA  
17740
- A-00115007 Jean L. Stroble, t/a Stoble Trucking  
Service  
1844 Ridge Road, Cogan Station, PA  
17728
- A-00115009 Mark A. Weber  
3900 Elmerton Avenue, Harrisburg,  
PA 17109: David H. Radcliff, 3905  
North Front Street, Harrisburg, PA  
17110
- A-00115010 Harvey M. Fisher  
1531 Sand Hill Road, Hummelstown,  
PA 17036: David H. Radcliff, 3905  
North Front Street, Harrisburg, PA  
17110

Trucking, Inc., respondent, alleging, inter alia, that re-  
spondent failed to pay an assessment, in violation of 66  
Pa.C.S. § 510(c).

In accordance with 52 Pa. Code § 5.61, the notice page  
of the complaint notified respondent that it must file an  
answer to the complaint within twenty (20) days of the  
date of service. The notice further specified that, if the  
respondent failed to answer the complaint within twenty  
(20) days, or if the respondent filed an answer which  
either admits or fails to deny the allegations of the  
complaint, the Bureau of Transportation and Safety  
would request that the Commission enter an order impos-  
ing the penalty set forth in the complaint.

On March 31, 1998, Lee C. Krause, Esquire, filed an  
answer to the complaint, on behalf of respondent, which  
advised this Commission that respondent is no longer in  
business and has had no assets and/or vehicles for a  
minimum of four years. Respondent's certificate will be  
cancelled; however, respondent will be required to pay the  
outstanding assessment balance of \$11,319.00 prior to  
any approval for reinstatement of its certificate.

*Therefore, It Is Ordered That:*

1. The allegations in the complaint are admitted.
2. The complaint is sustained.
3. The certificate of public convenience held by Cherry  
Ridge Trucking, Inc. is hereby revoked.
4. Cherry Ridge Trucking, Inc. cease and desist from  
further violations of the Public Utility Code, 66 Pa.C.S.  
§§ 101, et seq. and the regulations of this Commission, 52  
Pa. Code §§ 1.1, et seq. In view of the cancellation of  
respondent's certificate of public convenience, it is specifi-  
cally prohibited from rendering service as a common  
carrier by motor vehicle in intrastate commerce in the  
Commonwealth of Pennsylvania.
5. The Secretary of the Commission serve a copy of this  
cancellation order on: Department of Revenue, Bureau of  
Audit Programs, Sales & Use Taxes, 10th Floor, Straw-  
berry Square, Harrisburg, PA 17128-1061.
6. The Secretary of the Commission serve a copy of this  
cancellation order on respondent's insurance carrier:  
Northern Insurance Company of New York, 425 North  
21st Street, Camp Hill, PA 17011.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-947. Filed for public inspection June 12, 1998, 9:00 a.m.]

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

Public Meeting held  
May 21, 1998

*Pennsylvania Public Utility Commission v. Cherry Ridge  
Trucking, Inc., R. D. 2, Box 2055, Honesdale, PA 18431;  
A-00106902C9801*

#### Order

*By the Commission:*

On February 26, 1998, the Bureau of Transportation  
and Safety instituted a complaint against Cherry Ridge

#### Telecommunications Without Hearing

**Doc. Nos. A-310621 F0002 and A-310621 F0003.**  
**Vanguard Telecom Corporation.** Application of Van-  
guard Telecom Corporation for approval to offer, render,  
furnish or supply telecommunications services as a Com-  
petitive Local Exchange Carrier and as a Competitive  
Access Provider, in the Commonwealth of Pennsylvania,  
in the geographic service areas of the following local  
exchange carriers: Bell Atlantic—Pennsylvania, GTE,  
Sprint/United Telephone, Conestoga Telephone, Denver  
and Ephrata Telephone, Alltel Pennsylvania, Inc., Buffalo

Valley Telephone Company, Citizens Telecommunications Company of New York, C-Tec Company, Contel of Pennsylvania, Inc., d/b/a GTE PA, Deposit Telephone Company, Inc., Frontier Communications, Hancock Telephone Company, Ironton Telephone Company, Lackawaxen Telephone Company, Mahanoy and Mahantango Telephone Company, North Eastern Pennsylvania Telephone Company, North Penn Telephone Company, Palmerton Telephone Company, Pennsylvania Telephone Company, Quaker State Telephone Company, South Canaan Telephone Company, Sugar Valley Telephone Company (TDS Telecom), United Telephone Company of Pennsylvania and Commonwealth Telephone.

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 June 29, 1998, under 52 Pa. Code (relating to public utilities).

*Applicant:* Vanguard Telecom Corp.

*Through and By Counsel:* James H. Cawley, Rhoads and Sinon, LLP, Dauphin Bank Building, Twelfth Floor, One South Market Street, P. O. Box 1146, Harrisburg, PA 17108-1146.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 98-948. Filed for public inspection June 12, 1998, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Proposals

In the event that the Turnpike Commission (Commission) does not exercise its option to renew existing purchase orders, the Commission will solicit bid proposals for selected commodities during the months as shown in the following. Bid Proposal Forms and Conditions may be obtained, free of charge, by communicating with the Purchasing Bid Clerk, (717) 939-9551, extension 2830, no later than the 15th day of the month preceding the month shown as follows for the solicitation. Please refer to the Commodity Description.

#### *Commodity*

*July*— Pest Control and Extermination  
Electric Lamps and Tubes

*August*— Tires and Tubes (Auto, Truck)

*October*— Janitorial Supplies  
Trash Removal Service  
Structural and Vehicle Paint

*December*— Glass Beads  
Low Heat Traffic Paint  
Electric Tunnel Lamps

Interested parties not now on the Bidders Mailing List may obtain the necessary documents by contacting: Pennsylvania Turnpike Commission, Attention: Purchasing Department, P. O. Box 67676, Harrisburg, PA 17106, (Phone) (717) 939-9551, Ext. 2830.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 98-949. Filed for public inspection June 12, 1998, 9:00 a.m.]